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**SUBJECT:** Memorandum of Understanding between the City and Harvest Time for the Use of Agricultural Mitigation Fees to implement a Three-Year Staffing and Marketing Program and amendment to the 2023/24 Operating Budget

**DEPARTMENT:** City Manager

**STAFF:** Darin Gale, Assistant City Manager  
Abraham Salinas, Senior Analyst

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**TITLE/RECOMMENDATION**

Approve a Memorandum of Understanding (MOU) between the City and Harvest Time for the Use of Agricultural Mitigation Fees to implement a Three-Year Staffing and Marketing Program; and amend the 2023/24 Operating Budget

**FISCAL IMPACT**

In 2001, the City Council established by ordinance an Agricultural Mitigation fee, which was then amended in 2010. The ordinance states:

*The in-lieu fee paid to the city shall be placed in a separate account, and funds from this account, as well as interest earned shall be used to fund conservation easements, fee title purchases by the city, as well as the agricultural preservation and enterprise programs that are consistent with the land use designations and policies included in the city’s general plan and municipal code. Twenty percent of the fees collected may be used for administrative purposes and be placed in a separate account. (Ord. 877 § 2,2010)*

Projected June 30, 2024 Cash Balance of Agriculture Mitigation Funds:

Agriculture Land (Fund 263):	\$ 2,385,714*
Agriculture Administration (Fund 262):	\$ 635,300

\* Balance after \$174,593 budget set aside for Agricultural Business Program Strategic Initiative.

The City Council previously expressed interest in providing funding of \$2,240,000 for an Agricultural Innovation Center and staff continues to pursue this project with Harvest Time. Should the City Council continue with that item and also with the funding proposal from Harvest Time, which consists of a three-year staffing and



**CITY COUNCIL AGENDA ITEM NO. E.6**  
**02/13/2024**

marketing agreement with a total cost of \$244,200, the balance of the Agricultural Land Fund would be drawn down to \$0. There would be approximately \$450,000 remaining in the Agriculture Administration Fund. With low development activity in the City, staff does not expect funds to be available in the near future, and the financial feasibility of continued funding for annual programs from the Agriculture Funds should be considered.

If the agreement is approved, the FY 2023/24 cost would be \$81,400 and require a budget amendment to the Agriculture Land Fund. The annual cost of \$81,400 for the remaining term of the contract would be included in the draft 2024/25 – 2025/26 Agricultural Land Fund Operating Budget to be presented for City Council consideration in May of 2024.

## **BACKGROUND**

Incorporated in 1976, Harvest Time is a non-profit organization that educates the community about agriculture and its benefits, as well as enhances agri-tourism education in the Brentwood region of East Contra Costa County.

Attracting over 500,000 visitors annually, Harvest Time provides extensive information and opportunities to both visitors and local businesses that benefit from Brentwood's agricultural hub. For several decades, the City has collaborated with Harvest Time to draw visitors to prominent locations, including downtown Brentwood, Brentwood Boulevard, and The Streets of Brentwood, among other retail destinations. This collaboration aims to bolster local commerce and highlight Brentwood's agricultural heritage.

Brentwood, widely recognized as the U-Pick Capital, features over 50 active U-Pick farms within a 4-mile radius, drawing the majority of Harvest Time's visitors. These farms allow for direct, hands-on experiences where visitors can harvest fresh fruits and vegetables at the peak of their season.

## **HARVEST TIME PROPOSAL**

On March 6, 2023, Harvest Time updated the Agricultural Enterprise Committee (AEC) on its current initiatives and sought funding for the "U-Pick Capital" marketing program, which includes retaining a part-time consultant. This consultant would lead the program's implementation and report directly to the Harvest Time Board of Directors.



## **CITY COUNCIL AGENDA ITEM NO. E.6 02/13/2024**

The proposed budget outlined an annual expenditure of \$55,000 for a part-time consultant and \$26,400 for marketing efforts annually over a three-year period. The total funding request amounted to \$244,200, with an annual allocation of \$81,400 for each of the three years.

On June 27, 2023, the City Council directed staff to draft a Memorandum of Understanding (MOU) with Harvest Time to implement the U-Pick Capital marketing program. The initiative will be funded by Agricultural Mitigation Fees to support the City's Agricultural Preservation Program and Agricultural Enterprise Program, established in 2001 and revised in 2010.

The MOU detailing the responsibilities of the consultant and a comprehensive list of Key Performance Indicators (KPIs) and deliverables is included as Attachment 3.

### **CITY COUNCIL STRATEGIC INITIATIVE**

Not Applicable.

### **PREVIOUS ACTION**

Previous Action by the City Council is included on Attachment 1.

### **ENVIRONMENTAL DETERMINATION**

Not Applicable.

### **ALTERNATIVE OPTION(S)**

1. Modify staff's recommendation and amend the MOU based upon City Council direction.
2. Continue the item with direction for staff to return with additional information.

### **ATTACHMENT(S)**

1. Previous Action
2. Resolution
3. Memorandum of Understanding Between the City and Harvest Time