

**ACTION SHEET
CITY COUNCIL MEETING OF 04/13/09
ITEM FROM FINANCE COMMITTEE MEETING OF 04/04/09**

ISSUE:

25. REQUEST FOR APPROVAL OF A RESOLUTION ESTABLISHING A COMMUNITY GARDEN PROGRAM FOR CITY PARKS AND ADOPTING RELATED POLICIES (COUNCILORS DOMINGUEZ, CHAVEZ AND BUSHEE) (FABIAN CHAVEZ)

Committee Review:

Public Works Committee (Guidelines approved)	April 6, 2009
Public Works Committee (Scheduled)	May 11, 2009
City Council (Scheduled)	May 13, 2009

Fiscal Impact – Yes

FINANCE COMMITTEE ACTION: APPROVED AS CONSENT ITEM

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE:	FOR	AGAINST	ABSTAIN
COUNCILOR WURZBURGER	X		
COUNCILOR CALVERT	X		
COUNCILOR CHAVEZ	excused		
COUNCILOR DOMINGUEZ	X		
CHAIRPERSON ORTIZ			

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION NO. 2009-____**

3 **INTRODUCED BY:**

4
5 Councilor Dominguez

6 Councilor Chavez

7 Councilor Bushee

8
9
10 **A RESOLUTION**

11 **ESTABLISHING A COMMUNITY GARDEN PROGRAM FOR CITY PARKS AND**
12 **ADOPTING RELATED POLICIES.**

13
14 **WHEREAS**, a garden tended by a community's residents brings out the best in that
15 community, becoming a source of physical activity, recreation and civic pride for all who
16 participate; and

17 **WHEREAS**, community gardens tend to foster relationships among residents creating
18 strong neighborhoods; and

19 **WHEREAS**, used as outdoor classrooms, these gardens teach children about healthy
20 foods and how plants grow, creating young stewards who will care and develop a respect for our
21 future environment; and

22 **WHEREAS**, fresh, locally grown fruits and vegetables are a nutritious and healthful
23 addition to residents' diets and surplus produce harvested from community gardens can be a
24 welcome boon for food pantries and soup kitchens; and

25 **WHEREAS**, support for community gardens might include donations of gardening tools

1 by a local hardware or home improvement store, or the contribution of seeds or plants from a
2 local nursery; and

3 **WHEREAS**, community gardeners need available green space that isn't already set aside
4 for building or development; and

5 **WHEREAS**, the management of a community garden program relies on community
6 volunteers and must meet the needs of the community gardeners; and

7 **WHEREAS**, community gardens located in City parks may reduce criminal activities
8 and vandalism; and

9 **WHEREAS**, establishing policies for the development and maintenance of community
10 gardens as well as the role of the community garden organizations and the city are necessary to
11 create successful community gardens; and

12 **WHEREAS**, with public interest and awareness of green living at an all-time high,
13 there's never been a better time for partnerships among public parks and community gardening
14 advocates; and

15 **WHEREAS**, the Governing Body desires to establish a community garden program in
16 City parks.

17 **NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
18 **CITY OF SANTA FE** that the City of Santa Fe community garden program be established and
19 the policies shown on the attached Exhibit A be adopted.

20 **AND BE IT FURTHER RESOLVED** that the community garden program be first
21 established in Frenchy's Park and Maclovio Park as a pilot program and if determined successful
22 by the Parks, Trails and Watershed Division, the program may expanded to other city parks.

23 PASSED, APPROVED, and ADOPTED this ____ day of _____, 2009.
24
25

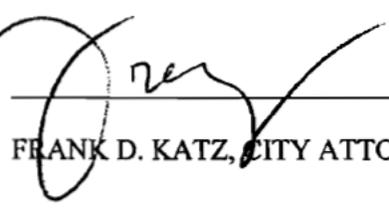
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DAVID COSS, MAYOR

ATTEST:

YOLANDA Y. VIGIL, CITY CLERK

APPROVED AS TO FORM:



FRANK D. KATZ, CITY ATTORNEY

CITY OF SANTA FE
COMMUNITY GARDEN PROGRAM
POLICIES AND PROCEDURES

PART I. GENERAL PROVISIONS

1.1 Applicability and Intent

- a. These policies apply to the operation and management of the Community Garden Program under the Public Works Department - Parks, Trails and Watershed Division.
- b. These policies are intended to benefit the residents and volunteers of the City of Santa Fe who participate in the Community Garden Program while protecting the general welfare of the public.
- c. The Community Garden Program set forth in these policies refers to gardens dedicated primarily to the production of food products.

1.2 Definitions

- a. *City* means the City of Santa Fe.
- b. *Division* means the Parks, Trails and Watershed Division of the Public Works Department.
- c. *Garden Council* means a group of volunteers (including one member of the Parks and Open Space Advisory Commission and other interested individuals or representatives of interested organizations) organized to oversee the City's Community Garden Program and provide advice and resources to the City and the Garden Organizations.
- d. *Garden Plot* means land assigned to an individual or group to be used for gardening purposes.
- e. *Garden Organization* means the collective gardeners in any one City garden organized to deal collectively with that garden's operations.
- f. *Parks And Open Space Advisory Commission* (Resolution No. 2007-22) means the city advisory committee charged with advising the Governing Body with park related issues.

1.3 Responsibility of the City

- a. The City will provide the land for the garden.
- b. The City will conduct at least one public input meeting with the neighborhood and interested participants prior to initiating the garden program.

- c. The Division will determine the appropriate location for the garden based upon interest of potential participants, water source availability, nature of the park, accessibility and other factors.
 - d. The City will provide water service to the garden. The City reserves the right to cease water service if the City Manager determines that a water emergency exists necessitating such action.
- 1.4 Responsibility of the Garden Council
- a. The Garden Council will oversee the City's Community Garden Program and provide advice and resources to the Division and the Garden Organizations.
- 1.5 Responsibility of the Garden Organization
- a. The Garden Organization shall enter into a license with the City for use of the Park land upon approval of the Public Works Director.
 - b. The Garden Organization is responsible for paying for all water used for the garden.
- 1.6 General Rules
- a. One garden plot may be assigned per family or household.
 - b. All improvements and services to the garden will be provided by the gardeners.
 - c. Each applicant must be 18 years or older.
 - d. The plot must be worked by the person(s) or family whose name is on the application.
 - e. All gardeners become members of the garden organization upon assignment of their garden plot.
 - f. Produce may not be sold or put to any commercial use.
 - g. Walkways, surrounding areas, and the garden plot must be kept clean and neat; trash and debris must be put in appropriate containers if available. If no containers are provided, each gardener must remove the trash.
 - h. No pesticides which are poisonous to humans or are in poisonous concentrations, before or after application, may be brought to or used in the garden area.
 - i. Pesticide applications, if requested, shall comply with the City's Integrated Pest Management Ordinance (IPMO) set forth in Article 10-7 SFCC 1987.
 - j. No herbicides may be used in the garden area.
 - k. The garden plot must be returned in as good or better condition than when it was assigned.

- l. No illegal drug plants shall be grown.
- m. The City may require return of the garden plot, by giving 30 days notice, if the garden area is required for another use.
- n. The gardener is subject to all applicable rules of the City.

PART 2. APPLICATION PROCEDURES

2.1. Application Procedure

- a. Applicants wishing to participate in the Community Garden Program as a gardener may make application to the Division.
- b. Garden plots will be assigned by the Garden Organization's plot application officer on a first come, first served basis. Assignment will be issued by the Garden Organization subject to final approval of the Division.
- c. The application number will indicate the order of plot assignment. Each applicant is allowed to choose from available plots.
- d. The application officer will provide a plot map showing the location and identifying symbol for each plot. As applicants choose their plot, their names will be entered on their application.
- e. The "assignment begins" date shall be the assignment date. The "assignment ends" date shall be left open. A gardener may keep the plot indefinitely if the gardener follows the policies and makes intensive gardening use of the plot.

PART 3. INFORMATION

- 3.1 Information regarding the City of Santa Fe Community Garden Program is available from the Public Works Department - Parks, Trails and Watershed Division located at 1142 Siler Rd. Bldg C., Santa Fe, NM 87504 (955-2106) during business hours or from the City's website at www.santafenm.gov. Copies of these policies and other related information will be provided by the Division at a price determined by the City.

PART 4. AMENDMENTS TO THESE POLICIES AND PROCEDURES

- 4.1 Amendments to these policies may be approved by the City Manager upon recommendation of the Division except those related to: water, illegal drug plants, herbicides and pesticides which require approval of the Governing Body.

Adopted: _____, 2009 by Resolution No. 2009- _____

Amended: _____, by _____

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X
(A single FIR may be used for related bills and/or resolutions)

Short Title(s): **A Community Garden Program for City Parks/related policies.**

Sponsor(s): **Councilors Dominquez, Chavez and Bushee**

Reviewing Department(s): Public Works, Parks, Trials and Watershed

Person Completing FIR: Fabian Chavez III Date: 4/24/09 Phone: 2114

Reviewed by City Attorney: *[Signature]* Date: 4/24/09
(Signature)

Reviewed by Finance Director: *[Signature]* Date: 4/27/09
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution.

 Parks Staff will assist the parks Advisory board in an effort to develop and promote a Community Garden Program and policies to benefit the residents and volunteers of the City of Santa Fe who participate in the Community Garden Program within designated City Gardens. The community Garden Program set forth in these policies refers to gardens dedicated primarily to the production of food products.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

_____ Check here if no fiscal impact

Column #:

	1	2	3	4	5	6	7	8
Expenditure Classification	FY 08/09	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY 09/10	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected	
Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Capital Outlay	<u>\$ 7,000</u>	<u>A</u>	<u>NR</u>	<u>\$ 0</u>	_____	_____	<u>Parks Bond</u>	
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	
All Other Operating Costs	<u>\$ 550</u>	<u>N</u>	<u>R</u>	<u>\$ 600</u>	<u>N</u>	<u>R</u>	<u>Gen Fund</u>	
Total:	<u>\$ 7,550</u>			<u>\$ 600</u>				

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:

	1	2	3	4	5	6
Type of Revenue	FY 08/09	"R" Costs Recurring or "NR" Non-recurring	FY 09/10	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected	
Water Fee	<u>\$ 550</u>	<u>R</u>	<u>\$ 600</u>	<u>R</u>	<u>Gen Fund</u>	
_____	\$ _____	_____	\$ _____	_____	_____	
_____	\$ _____	_____	\$ _____	_____	_____	
Total:	<u>\$ 550</u>		<u>\$ 600</u>			

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

Parks Division has constructed two garden plots; one at Frenchy's field park, approximately 3,800 square feet and one at Maclovio park, approximately 600 square feet. These two features were constructed with parks bond funding, this is a one time construction cost, additional cost for minor repairs should not be required for several years to come. The organization of activities, planting and maintenance will come from Garden Organization volunteers. Staff does not anticipate further Parks expenses to the garden plots at this time other than occasional assistance with debris or mulch hauling which can be absorbed by parks staff performing general maintenance at these locations.

Reoccurring expenses will occur from water consumption at the garden plots. Each garden plot contains a separate water meter. The Garden Organization will be charged at the end of the irrigation season for water use at the Garden site. The water charge will equal the water use rate, making this reoccurring expense budget neutral to the General Fund.

Actual expenses will be monitored and reviewed at the end of the season.

Section D. **General Narrative**

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

Community Garden Program will be suspended.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

At the end of the season actual expenses, unforeseen maintenance if any, and other issue will be reviewed.

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

Community Gardens across the country have provided opportunities for neighborhoods and families to participate in a wholesome outdoor agrarian activity; reconnecting communities, providing educational and outdoor activities as an added park feature in the urban setting. Criminal activities and vandalism tend to decline in these settings as Garden participants become park guardians by providing additional eyes in the park, reporting criminal behavior and vandalism and assisting parks staff with minor park maintenance and upkeep.