

**Memorandum of Understanding between the South Perry Business and
Neighborhood Association/Grant Park Community Garden Steering Committee
and the City of Spokane Parks and Recreation Department**

WHEREAS the South Perry Business and Neighborhood Association and the Grant Park Community Garden Steering Committee seeks to provide access to garden plots around the community and provide education on urban ecology and biodiversity through organic gardening and sustainable development and to promote healthy organic gardening and urban agriculture practices, and

WHEREAS the City of Spokane Park Department wishes to make property available in Grant Park (North end, West of school, see site plan) for use under mutually agreeable guidelines as a community garden, and

WHEREAS, the Grant Park Community Garden Steering Committee which includes: the Spokane Regional Health District the South Perry Business Association, Grant Elementary School, Emmanuel Family Life Center will appoint a Garden Master from the committee to administer the day to day operation of the Grant Park Community Garden (Accept application, assign plots, accept payment for plots, and advertise information regarding garden, host informational meeting, prepare reports etc.)

WHEREAS, the South Perry Business and Neighborhood Association wishes to act as the fiscal agent for the Grant Park community garden site, and

WHEREAS, the afore mentioned is an association recognized by the City of Spokane as able to receive and disperse funds, and

WHEREAS, the Grant Park community garden site is to be located on Spokane Park Department property that otherwise would be irrigated green-space.

WHEREAS, change of use from a landscape type of irrigated green-space to a hand watered garden will reduces overall water demand and promote water conservation as well as save fuel and labor costs for the Spokane Parks and Recreation Department.

Therefore, the Grant Park Community Garden Steering Committee seeks the Spokane Park Department approval of land for the sole purpose of gardening the Grant Park Garden site as identified in the attached site plan.

No structures will be built in the Garden unless they are identified on the site plan or approved by the Spokane Parks and Recreation Director.

The Garden will be enclosed with a 42 inch tall cyclone fence built to Spokane Parks and Recreation Standards or as approved by the Spokane Parks and Recreation Director.

Spokane Parks and Recreation staff shall have full access to any locked storage or other approved structures.

All garden beds must be raised and built of the same material as identified in the site plan.

The Grant Park Community Garden program will be responsible for water infrastructure charges at this location. The Grant Park Community Garden program may also be responsible for connection fees if they should be required.

The water supply will remain active between April 1st and October 1st of each year unless approved otherwise by the Parks and Recreation Director.

The Spokane Parks and Recreation Department will not allow the use of non-organic chemical fertilizers, herbicides, or pesticide products in the garden area.

Any new fresh organic material or compost shall be tilled within the same day of delivery.

If the garden area fails to meet a reasonable level of upkeep as determined by the Spokane Parks and Recreation Department the department reserves the right, after one written notice to the Garden Master, to remove offensive elements from its property without prior notice.

The garden area will be returned to the pre garden construction conditions at the expense of the fiscal agent within one year if the garden is closed for any reason.

The Grant Park Community Garden Steering Committee shall name a Garden Master each year. The Garden Master shall meet with the Park's Operations Division Manager or their designee at least once per year to discuss the operation of the garden. The Garden Master will meet once per year with the user of the gardens to discuss the Community Garden Rules.

The attached Community Garden Rules shall be posted (according to Spokane Parks and Recreation sign standards) at the garden site at all times.

The Grant Park Community Garden fiscal agent has entered into the following agreement regarding the operation of Grant Park Community Garden program.

1) Agreement regarding fiscal agency

- The South Perry Business and Neighborhood Association agrees to act as fiscal agents for The Grant Park Community Garden program for a period of three years from the date of this agreement.
- The Grant Park Community Garden fiscal agent agrees to maintain records and documentation of all financial transactions according to generally accepted accounting and control procedures and all applicable laws and regulations and to follow all accounting policies and procedures. Spokane Parks and Recreation reserves the right to inspect those documents.
- The Grant Park Community Garden fiscal agent agrees that none of the activity undertaken by the organization will be in conflict with any local, state, and federal regulations.
- This agreement may be cancelled by either party with 30 days notice to the other party.
- For whatever reason, the garden is not properly maintained; the fiscal agent will be responsible for returning the space to its original condition.

- This agreement must have an attached site plan and Rules of the Garden. The Parks Director from time to time may amend the site plan at his or her discretion in coordination with the fiscal agent.
- The term of this agreement shall be three years with an option for a two year renewal.

Agreed to by the parties on this _____ day of _____, 2011

Spokane Parks and Recreation Department

South Perry Business and
Neighborhood Association

By: _____

By: _____

Leroy Eadie Director,

Date: _____

Date: _____