

**Memorandum of Understanding between Community-Minded Enterprises  
Youth Sustainability Council and the City of Spokane Parks and Recreation  
Department**

WHEREAS Community Minded Enterprises-Youth Sustainability Council seeks to provide access to garden plots in Peaceful Valley and provide education to youth 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 Parks and Recreation Department wishes to make property available in Riverwalk Park (East end, on Water Avenue, see site plan) for use under mutually agreeable guidelines as a community garden, and

WHEREAS, Community-Minded Enterprises Youth Sustainability Council Project Coordinator will be the Garden Master to administer the day to day operation of the Earth Turners Community Garden (Coordinate youth group training and mentoring of the children in the Peaceful Valley afterschool program, accept applications and assign plots for neighborhood residents, coordinate design, construction, planting and on-going mulching of the garden plots, host informational meeting, prepare reports etc.)

WHEREAS, Community-Minded Enterprises wishes to act as the fiscal agent for the Earth Turners Community Garden, and

WHEREAS, the afore mentioned is a 501C3 non-profit organization recognized by the City of Spokane as able to receive and disperse funds, and

WHEREAS, the Earth Turners Community Garden site is to be located on Spokane Parks and Recreation Department property that is on undeveloped park property.

Therefore, Community-Minded Enterprises seeks the Spokane Parks and Recreation Department approval of land for the sole purpose of gardening the east end of Riverwalk Park on Water Avenue in Peaceful 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 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.

Community-Minded Enterprises will be responsible for water infrastructure charges at this location. Community-Minded Enterprises may also be responsible for connection fees if they should be required.

The water supply will remain active between April 1<sup>st</sup> and October 1<sup>st</sup> 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.

Community-Minded Enterprises 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 with once per year with the users of the garden to discuss the 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.

Community-Minded Enterprises has entered into the following agreement regarding the operation of the Earth Turners Community Garden.

1) Agreement regarding fiscal agency

- Community-Minded Enterprises agrees to act as fiscal agent for The Earth Turners Community garden program for a period of three years from the date of this agreement.
- Community-Minded Enterprises 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.
- Community-Minded Enterprises 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 Park Department

Community-Minded Enterprises

By: \_\_\_\_\_

by \_\_\_\_\_

Leroy Eadie Director,

Date: \_\_\_\_\_