

ORDINANCE No. 184801

*Authorize agreements with entities wishing to help fund development or maintain community gardens managed by Portland Parks & Recreation. (Ordinance)

The City of Portland ordains:

Section 1. The Council finds:

1. As part of the Community Gardens Initiative, the City of Portland (City) intends to create more community gardens in Portland that will be managed by Portland Parks & Recreation (Parks). Eight new gardens are scheduled to open in FY 2011-2012.
2. In order to fund the construction and maintenance of new gardens, Parks is working with other government agencies, non-profit groups, private donors and other entities that are willing to provide funding or in-kind services, often through volunteer efforts, for the construction and/or maintenance of community gardens.
3. Each of these relationships is likely to require an agreement that outlines the responsibilities of both Parks and the other party. The terms of such agreements will include payment schedules, scopes of work, indemnification and insurance language, construction or maintenance standards, and other relevant conditions.
4. By authorizing the Commissioner in Charge of Parks to execute these agreements, Parks will be able to more quickly and efficiently build new gardens.

NOW, THEREFORE, The Council Directs:

- a. The Director of Portland Parks & Recreation or his/her designee is authorized to enter into agreements, which may include indemnification provisions, with groups that will provide funding or in-kind services to Parks for the construction or maintenance of community gardens. All agreements shall be approved as to form by the City Attorney.
- b. Council acknowledges the need to fund the ongoing maintenance costs of new community gardens, currently estimated at \$3,000 - \$5,000 per garden annually, and directs this ongoing funding allocation from the General Fund to the Parks budget. O&M requests will be made through the BuMP process.

Section 2. The Council declares that an emergency exists in order to avoid further delay in the construction of community gardens, one of which is scheduled to be built in August 2011; therefore, this Ordinance shall be in force and effect from and after its passage by Council.

Passed by the Council: **AUG 10 2011**
Commissioner Fish
Prepared by: Zalane Nunn
July 27, 2011

LaVonne Griffin-Valade
Auditor of the City of Portland
By *Gayla Jennings*
Deputy

Agenda No.
ORDINANCE NO. 184801
 Title

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<p>INTRODUCED BY Commissioner/Auditor: Nick Fish</p>	<p>CLERK USE: DATE FILED <u>AUG 05 2011</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams</p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish <i>N. Fish</i></p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p style="text-align: center;">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <u><i>Susan Larsons</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: Portland Parks & Recreation Bureau/Head: Susan D. Keil <i>Susan D. Keil</i></p> <p>Prepared by: Z. Nunn/L. Niemi Date Prepared: July 15, 2011</p>	
<p>Financial Impact & Public Involvement Statement Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	<p>ACTION TAKEN:</p>
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date August 10, 2011</p>	
<p>City Attorney Approval</p>	

AGENDA

TIME CERTAIN
 Start time: _____

Total amount of time needed: _____
 (for presentation, testimony and discussion)

CONSENT

REGULAR
Total amount of time needed: _____
 (for presentation, testimony and discussion)

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	