

COUNCIL COMMUNICATION

City Manager's Office

Agenda Item:

GENERAL INFORMATION—

Agenda Date: 1/12/04
04-018

Communication No.:

Agenda Item Type: Ordinance

Roll Call No:

Submitted by: Donald M. Tripp, Park And Recreation Director
Merrill Stanley, Finance Department Director

SUBJECT—

Community Garden Ordinance

SYNOPSIS—

Approve the adoption of an ordinance amending Chapter 74 of the Municipal Code permitting the planting of gardens on City property and right-of-way upon execution of a community garden lease administered by the Park and Recreation Department.

FISCAL IMPACT—

None. These leases represent a significant volunteer effort in Des Moines neighborhoods.

RECOMMENDATION—

Approval

BACKGROUND—

Each May, the Park and Recreation Department greenhouses produce over 150,000 annuals that are distributed for community beautification. Many of them are given to neighborhood associations and schools to plant and maintain flower beds on public property including medians, street corners and homeowner's parking (space between the sidewalk and street). In addition, vegetable plants are distributed for food gardens to be planted on unused City lots, providing a

source of nutritious food for many low-income families and groups. On June 17, 2002, by Roll Call No. 02-1549, the City Council directed the City Manager and Legal Department to develop insurance requirements for landscaping projects on City property performed by volunteer and non-profit groups. During the process of working on those insurance requirements, it was determined that there was no Council authorization to permit the Park and Recreation Department to implement and execute written leases allowing the planting of plants on City property in conjunction with the Neighborhood Flower Program and other plant give away programs.

The proposed ordinance authorizes the seasonal planting of these gardens under a community garden lease executed by the Park and Recreation Director or his designee. The Risk Manager has determined that no insurance coverage will be required for these gardens planted and tended with typical residential hand or power equipment and tools.

Occasionally neighborhood groups desire to conduct more ambitious gardens, requiring the use of heavy-duty tools or equipment. In such cases, the community garden lease will require specified insurance coverage. It is anticipated that such larger projects will be done by a contractor and that these insurance requirements should be easily met by professional contractors.

Improvements such as signs, benches, irrigation systems, etc are not permitted under the community garden lease and requests for such will be brought to Council for approval.