

07-R-1363

(Do Not Write Above This Line)

A RESOLUTION BY
 COMMUNITY DEVELOPMENT AND
 HUMAN RESOURCES COMMITTEE

A RESOLUTION AUTHORIZING THE
 CREATION OF COMMUNITY GARDENS IN
 CITY OF ATLANTA PARKS; AUTHORIZING
 PARK PRIDE TO RUN THE COMMUNITY
 GARDEN PROGRAM AT NO COST TO THE
 CITY; AND AUTHORIZING PARK PRIDE TO
 COLLECT A FULLY REFUNDABLE
 RESTORATION BOND FROM GROUPS
 OPERATING A COMMUNITY GARDEN IN A
 CITY OF ATLANTA PARK; AND FOR OTHER
 PURPOSES.

ADOPTED BY

JUL 16 2007

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____
 Date Referred _____
 Referred To: _____

First Reading
 Committee _____
 Date _____
 Chair _____
 Referred To _____

Committee _____
 Date 7/16/07
 Chair [Signature]
 Action [Signature]
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
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Committee _____
 Date _____
 Chair _____
 Action _____
 Fav, Adv, Hold (see rev. side) _____
 Other _____
 Members _____
 Referred To _____

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Readings
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
 JUL 16 2007
 [Signature]

CERTIFIED
 JUL 16 2007
 [Signature]
 MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
 [Signature]
 JUL 19 2007
 MAYOR

**A RESOLUTION BY
COMMUNITY DEVELOPMENT AND HUMAN RESOURCES COMMITTEE**

A RESOLUTION AUTHORIZING THE CREATION OF COMMUNITY GARDENS IN CITY OF ATLANTA PARKS; AUTHORIZING PARK PRIDE TO RUN THE COMMUNITY GARDEN PROGRAM AT NO COST TO THE CITY; AND AUTHORIZING PARK PRIDE TO COLLECT A FULLY REFUNDABLE RESTORATION BOND FROM GROUPS OPERATING A COMMUNITY GARDEN IN A CITY OF ATLANTA PARK; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta (the "City") owns numerous parks and wants to encourage and support the involvement of communities surrounding the parks to develop, enhance, and beautify the parks; and

WHEREAS, numerous citizens have approached the City and requested the right to utilize a portion of various City parks to create non-commercial community gardens; and

WHEREAS, community gardens promote community involvement and beautification of City parks; and

WHEREAS, Park Pride Atlanta, Inc. ("Park Pride") is a non-profit organization that provides support for the Department of Parks, Recreation and Cultural Affairs ("DPRCA"), Bureau of Parks. The City contracts with Park Pride to, among other things, coordinate various park programs; and

WHEREAS, Park Pride is willing to coordinate an Adopt-A-Community-Garden program (the "Program") for City parks as part of its pre-established contractual duties, without any additional cost to the City; and

WHEREAS, as part of the Program, Park Pride will need to obtain a refundable restoration bond from the creator of each Community Garden to be utilized when the Community Garden is no longer maintained as such, in the event that the creator of the Garden does not fully restore garden area to its initial condition; and

WHEREAS, it is the recommendation of the DPRCA Commissioner, and the Director of the Office of Parks, that Park Pride be permitted to operate the Program in City parks, provided that the DPRCA Commissioner approve the creation of each community garden prior to its construction; and

WHEREAS, it is in the best interest of the City to have a community garden program, and have it be operated by Park Pride.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES as follows:



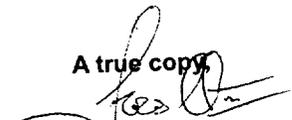
Section 1: The Department of Parks, Recreation, and Cultural Affairs is hereby authorized to utilize portions of City parks for the creation and operation of community gardens. Community garden(s) shall occupy no more than two acres of any particular City park or more than five percent (5%) of said park, whichever is smaller. Community gardens may be used for non-commercial purposes only. At all times throughout the Program, the City parks, including those portions of the parks used for a community garden, shall remain the property of the City, and DPRCA shall retain its authority to determine the use of the parks.

Section 2: The DPRCA Commissioner shall have the authority to enter a Program agreement with Park Pride, pursuant to which Park Pride will operate the Adopt-A-Community Garden program. Park Pride will operate this Program as part of its responsibilities under the current contract between the City and Park Pride, at no additional cost to the City, but the Program agreement shall set forth the details of the Program, including the responsibilities of Park Pride and the City regarding the Program. Pursuant to this agreement, the City shall have the right to direct Park Pride to terminate a community garden with or without cause.

Section 3: As part of the Program, DPRCA will require Park Pride to oversee the construction and operation of each community garden. This oversight will include Park Pride's entering an agreement with each group that wishes to adopt a community garden ("Adopter Group"). The agreement between Park Pride and the Adopter Group shall, among other things, set forth the rules of the community garden. These rules include a requirement that the garden be maintained in a safe, usable, neat and attractive condition. In addition, the agreement between Park Pride and the Adopter Group shall require the Adopter Group to provide a \$250 refundable restoration bond to Park Pride. Park Pride shall keep each bond in an escrow account, to be utilized to restore the community garden site to its original condition when the community garden will no longer be in use, or repair damage to the park caused by the Program, where the Adopter Group does not adequately and timely restore the site or make the repairs, as determined by the DPRCA Commissioner. Should the Adopter Group fulfill its restoration and repair obligations, as determined by the DPRCA Commissioner, Park Pride will return the restoration bond to the Adopter Group. Park Pride, with the written consent of the DPRCA Commissioner, shall have the authority to increase the bond amount to account for inflation.

Section 4: All existing resolutions or parts of resolutions in conflict with this legislation shall be waived for purposes of this resolution only, and only to the extent of the conflict.

A true copy


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

JUL 16, 2007
JUL 19, 2007

RCS# 1336
7/16/07
4:28 PM

Atlanta City Council

REGULAR SESSION

CONSENT I EXCEPT 07-R-1461, 07-O-1449, 07-R-1462

ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	B Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

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