



## Legislation Details (With Text)

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**Title:** Review and approve the San Anselmo Community Gardens Draft Bylaws and Rules  
**Sponsors:**  
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Date	Ver.	Action By	Action	Result
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**FROM:**  
Dannielle Mauk, Director of Community Services

**SUBJECT:**  
San Anselmo Community Gardens Draft Bylaws and Rules

### RECOMMENDATION

Staff recommends that Town Council adopt the attached bylaws and rules for the San Anselmo Community Gardens at Robson-Harrington Park.

### BACKGROUND

The Town of San Anselmo owns the Community Gardens at Robson-Harrington Park. The gardens were created in the 1970's and serve as a space to grow food, plants, recreate, and relax. Historically, the Town entered into an agreement twenty-nine years ago with the garden steering committee to manage and operate the gardens.

In the past, the garden steering committee established rules that were approved by garden members. Staff is proposing to establish a set of bylaws and rules that will provide consistency and transparency for the management of the community gardens. Moving forward the gardens would be managed by the Recreation Department with oversight by the Parks and Recreation Commission.

The Parks and Recreation Commission reviewed the Community Garden bylaws and rules at their monthly meeting on August 16, 2022. The bylaws and rules were unanimously approved and recommended for approval to the Town Council.

### DISCUSSION

Over the past six months there have been problems with plot assignments and management of the community gardens.

Town Council asked staff to review the overall operations. As a result, staff worked with the Parks and Recreation Commission and created a sub-committee consisting of two Commissioners, two representatives from the community garden's steering committee and one staff member. The sub-committee met on several occasions over a two-month period to discuss and revise the proposed bylaws and rules. The purpose of the revised bylaws is to restore governance and management of the community gardens to the Town. The purpose of the garden rules is to set forth what is expected of community garden members.

With the support of the garden steering committee, the proposed bylaws and the rules were distributed to the community gardeners, and community garden membership meetings were held on July 9 and August 6, 2022, at Robson Park.

The most contentious issue addressed at the general meetings was the residency requirement for garden membership. Most Marin towns only permit residents to be members of their community garden. Currently, residents and non-residents may be members of our community garden. There are 33 garden plots and 10 are held by non-residents. There are 40 people on the waiting list for garden plots, of which 30 are San Anselmo residents. The proposed bylaws presented at the July 9 general meeting provided that commencing January 1, 2024, only San Anselmo residents could be garden members. There was strong resistance by many long-term garden members to the residency requirement. They emphasized that it fell unfairly on elderly gardeners for whom the garden is a vital part of their lives and that it overlooks the critical role these gardeners have played in the development and maintenance of the garden.

Upon further consideration of the valuable contribution of the non-resident members, the proposed bylaws were revised to permit all current members to continue their garden membership provided that 10 additional plots are created by January 1, 2024. All new members must be residents of San Anselmo. The Town will work with the garden steering committee to create the new plots. This will be accomplished in a variety of ways, including creating new plots in existing empty spaces, dividing some plots, and gardeners sharing plots. This will have the effect of providing plots for at least 10 residents on the waiting list. Additional plots will also become available through attrition.

## **ANALYSIS**

Over the years the lack of Town involvement and the need to follow through with compliance issues in a timely manner has led to challenges with the management of the community gardens.

Staff researched the operations of community gardens throughout Marin and found that the majority are managed by their recreation departments. The Recreation Department will work closely with the Public Works Department on maintenance of the community garden and plot inspections.

For the above stated reasons, staff is recommending that the 1993 agreement with the Community Gardens be retired and the new bylaws and rules be the governing documents for the Robson Harrington Community Gardens. The management of the gardens would be placed under the supervision of the Recreation Department and the Parks and Recreation Commission. The Commission will interview and appoint members to the steering committee. Staff will meet at least quarterly with the steering committee to support the management and operations of the gardens.

The bylaws and rules will be re-evaluated annually by the steering committee, Commission and staff, and any updates would be reviewed and adopted by the Parks and Recreation Commission.

## **FISCAL IMPACT**

Currently, the gardeners have an independent account that pays for water usage and annual mulching supplies. Moving forward, the balance of this account will be transferred to the Town, and all dues will be collected by the Town and

deposited into a town account. Disbursements from this account must be approved by the steering committee and the Director of the Parks and Recreation Department. This account will pay for the above expenses and any surplus will be used towards maintenance of the gardens.

As part of the new arrangement, there are approximately 5 new plots that will be created in the existing empty spaces. Staff propose to help create the new plots by installing two posts for a new gate, installing the main water lateral, and supplying the materials for new fencing. The total cost for this work would be approximately \$1,200 per plot or \$6,000 total that would need to come from the general fund. Additional plots will be created by current gardeners dividing or sharing existing plots. The new plot holders would be responsible for finishing the fence, installing irrigation, and any other plant bedding.

## **CONCLUSION**

Staff recommends that Town Council adopt the attached bylaws and rules for the San Anselmo Community Gardens at Robson-Harrington Park.