



**Testimony Delivered at Community Gardens Public Hearing  
City Council Speaker Christine C. Quinn  
Tuesday, August 10, 2010**

Thank you for providing me the opportunity to speak today, and for all of the work this Administration has done on the issue of community gardens.

Gardens play a vital role in the every day lives of the people of our city. They provide much needed open and green space, and access to locally grown healthy foods. They increase property values, and offer a strong sense of community to the neighborhoods they serve.

In the last eight years, the number of gardens under the jurisdiction of the Department of Parks and Recreation has jumped from 86 to over 280. That indicates a real commitment to keep community gardens as part of the fabric of our city.

The rules recently drafted by the Administration are an important step in the right direction. However there is more work to be done to ensure the long term protection of community gardens – which remains the City Council's ultimate goal.

To that end, I would like to see a number of specific improvements to the proposed garden rules.

First, as long as a gardening group is in compliance with their license, that license should be automatically renewed. Under the current language, the renewal of a license is optional - even for a gardening group that is fully compliant with the rules.

The language of the rules should indicate that the license must be renewed so long as the gardening group remains in compliance.

Second, the rules do not provide a mechanism for maintaining a garden that gets abandoned by its gardening group. I propose that there be language in the rules providing a mechanism for GreenThumb to reach out to the surrounding community, including the Community Board, local Council Member, and nearby gardening groups should there be an uncured default by the current gardening group.

There should also be an additional 180 day period following an uncured default to allow GreenThumb to attempt to find a new group to register and be granted a license to continue the garden use.

Third, it should be mandated that all notices related to GreenThumb Gardens be issued in multiple languages. Notices should be available in Spanish, and any other language that a gardening group requests.

Fourth, an accelerated default should only occur based on acts or omissions that emanate from the garden itself, such as illegal activities done by gardeners while the garden is open. Under the current draft, there is no requirement that the accelerated default be limited in that way.

A garden should not be penalized for activities occurring in the vicinity of the garden, and outside of gardeners' control, such as public drinking that occurs on the sidewalk immediately adjacent to a garden.

Fifth, it has been often said in recent months that there are no plans to remove a garden under the jurisdiction of the Parks Department. I believe this should be written as part of the statement of basis and purpose of the rules.

Sixth, if there is work to be performed on a garden that is not related to its garden purpose, such as work due to development on adjacent property, the garden must be

returned to as close to its original condition as possible, either by the developer, the City or any other entity responsible for the damage.

Finally, in addition to protecting community gardens, we must also create a mechanism in the rules for creating new gardens. While the rules allows for future gardens to be added to the coverage of these rules, there is no formal mechanism as to how this should occur.

Along those lines, I propose that when there is vacant city owned land for which there is no specific use envisioned, this information be made publically available to local gardeners.

I believe these changes will go a long way to strengthen and improve the proposed rules, and put into place critical protections for our gardens. However, even the best rules are impermanent by their very nature, and will be unable to guarantee long term protections.

That is why there must be further government action taken to protect the gardens. We must come up with a solution to ensure that gardens remain a permanent part of our City.

Some of the possible avenues for this protection include restrictive covenants, long term leases and mapping as parkland. The Council is committed to working with the Administration and the gardening community to ensure the long term protection of this important resource.

Thank you.

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