MEDFORD COMMUNITY GARDEN COMMISSION BY-LAWS

The following Medford Community Garden Commission By-Laws (hereinafter the "By-Laws") will govern the operations of the Medford Community Garden Commission (hereinafter the "Commission"). The Commission has been formed by the authority vested in the Mayor of the City of Medford, Massachusetts and further ratified by the Medford City Council.

SECTION I: FUNCTIONS, OBJECTIVES, AND MISSION

The functions and purpose of the Commission is to organize, coordinate, set policies and provide oversight for the various "Community Gardens" as now established and to be established prospectively on property owned, controlled or managed by the City of Medford (hereinafter the "City"), with the specific exception of the Community Gardens that presently exist at Riverbend Park in Medford. The Commission will consider and approve the amount of fees to be charged to individuals who utilize the various "Community Gardens"; provide oversight to the allocation of plots and promulgate regulations for said gardens. In carrying out their duties, the Commission shall strive to:

a. Enhance the quality of urban life and to build community bonds by creating and sustaining a gardening community in Medford that encourages the benefits of "green," sustainable, eco- friendly gardening practices, through community involvement and intergenerational activities;

b. Provide a place that benefits Medford through education of adults and children about sustainable organic gardening practices;

c. Provide opportunities for Medford residents of all ages and abilities, regardless of circumstances, to have access to garden allotments within their own community in order to learn about and experience the rewards of gardening;

d. Provide a place for neighbors to meet to share a common interest in organic gardening and provide healthy food for their families and friends; and

e. Provide a place that facilitates food security and community involvement by using sustainable techniques that build healthy organic soil and insure ongoing benefits.

f. Create basic, universal garden rules. Each garden's governing body shall be responsible for enforcing the garden rules and updating the Commission as to the status of the garden and the gardeners.

SECTION II: MEMBERS

The Commission shall consist of three members and two alternate members appointed by the Mayor, one member appointed by the City Council and one member appointed by the Garden Commission for terms of three years. Each community garden, or group of gardens in the case of gardens of 8 or fewer plots, shall have at least one representative on the Commission.

a. Initial terms to be staggered in 1, 2 and 3 year terms, wherein two members will serve a term of three years; two members will serve a term of two years; and one member will serve for a term of one year. Thereafter all terms shall be for three years.

b. If additional gardens are established, an increase in membership shall be permitted on the community garden commission to include representatives of additional gardens. Additional commissioners and alternates shall be appointed by the mayor in the same manner as the original appointments to the Commission.

c. In case of the absence of a member of the Commission from a meeting of the Commission, the place of the absent member shall be temporarily filled by one of the alternate members of the Commission. In the case where a member is repeatedly absent or unable or unwilling to participate as a member of the Commission, the Chairperson of the Commission may recommend to the Mayor that the member appointed to the Commission be terminated. Should the Mayor accept this recommendation the Chairperson shall terminate the appointment of the member and appoint a new member.

SECTION III: ORGANIZATION

The officers of the Commission shall be a Chairperson, Education Coordinator, and Membership Coordinator. The members of the commission shall annually, at the first meeting in (November), by a majority vote of the commission, elect the officers. The officers shall have the following responsibilities:

a. Chairperson: It shall be the duty of the Chairperson to preside at meetings of the Commission; prepare the agendas for meetings of the Commission; to appoint committees as necessary; and to represent the Commission as occasion demands.

b. Education Coordinator: The Education Coordinator will compile gardening tips to be shared with all gardeners during the growing season and help coordinate workshops to be offered in the off-season.

c. Membership Coordinator: It shall be the duty of the Membership Coordinator to oversee, manage, and administer the garden member application process; create and update plot applications as necessary; maintain a database/waiting list for each garden; and to notify new members when they have been approved for a garden plot. The Membership Coordinator shall act in the absence of the chairperson and when so

acting shall have the powers of, and be subject to the restrictions upon, the Chairperson.

SECTION IV: PLOT ASSIGNMENTS

The Commission shall strive to establish new gardens and to expand the number of available garden plots in Medford. A garden plot shall be defined as a demarcated region within a community garden of approximate dimension of 32 square feet. For each garden that is established the Commission shall:

a. Notify the community of the new garden by posting signage at the location, promoting in available news media and delivering notice to the surrounding abutters.

b. Assign new garden plots from the wait list. All applications received after these assignments will be added to the wait list in the order in which they were received. Plot holders shall have ten business days to accept or reject the plot after confirmation of their assignment has been sent. If the Membership Coordinator does not hear from the new plot holder within ten business days then the plot shall be reassigned to the next available applicant on the list. As an exception and upon the majority vote of the Commission, the Commission may assign no more than ¼ of the available plots to Medford residents who have demonstrated a commitment of time and effort to the establishment of the new garden, or for any other good cause shown.

c. In order to ensure access to plots, each garden must be prepared to turn over at least one quarter of available plots to those who have been on a wait list. The number of plots requiring turnover each year will be the lesser of (a) one-quarter of available plots and (b) the number of applicants on the waitlist. The Membership Coordinator will assess the wait list yearly and first ask for volunteers. In the absence of sufficient volunteers to turn over the required number of available plots, the Membership Coordinator will compile a list of gardeners eligible for turnover. All gardeners who have had a plot for at least two complete growing seasons will be considered eligible for turnover. The remaining plots to turn over will be drawn by lot from the pool of eligible gardeners. The Membership Coordinator may use their discretion to draw by lot on a city-wide basis or on a garden-by-garden basis based on the location requests of the applicants on the waitlist.

d. Medford residents with disabilities (where the disability results in the need for an accessible plot) will be given priority for Easy Access garden plots. If, in any given year, no residents with disabilities apply for a given plot, that plot may be assigned to a nondisabled applicant, with that applicant's explicit understanding that the applicant will relinquish that plot in subsequent year(s) to a resident with a disability.

SECTION V: MEETINGS

The Commission shall comply with all provisions of the Massachusetts Open Meeting Law. The Commission shall meet at the call of the Chairperson. An official Commission meeting consists of a quorum of the Members then serving on the Commission. Either the Chairperson or the Membership Coordinator shall preside at all meetings of the Commission. The presiding officer of the Commission may specify the use of rules of parliamentary procedure consistent with these By-Laws. Subject to such reasonable guidelines and procedures as the presiding officer(s) of the Commission may adopt, Members may participate in a meeting by means of conference telephone or similar communications equipment if all Members can hear one another at the same time and members of the public entitled to hear them can do so.

a. Notice: The Commission will publish notice of each meeting to the email list of all interested gardeners. The notice will include the name of the Committee, the time, date, place, and purpose of the meeting, and a summary of the agenda and/or the topics to be discussed.

b. Agenda: The Commission will distribute the agenda to the Members before each meeting and will make available copies of the agenda to members of the public attending the meeting. Items for the agenda may be submitted by any Member of the Commission, by any gardener, or by any Medford resident.

c. Quorum: A quorum will consist of a majority of the current Commission members then serving on the Commission.

d. Voting: A Member must attend a Commission meeting either in person or online to cast a vote. When a decision or recommendation of the Commission is required, the presiding officer(s) will request a motion for a vote. Any Member may make a motion for a vote. No second after a proper motion will be required to bring any issue or recommendation to a vote.

e. Open Meetings: Unless otherwise determined in advance, all meetings of the Commission will be open to the public in person as space permits.

f. Activities Not Subject to Notice and Open Meeting Requirements: The following activities are excluded from the procedural requirements contained herein: (a) preparatory work - meetings of two or more Commission Members or subcommittee members convened solely to gather information, conduct research, or analyze relevant issues and facts in preparation for a meeting of the Commission; and (b) administrative work - meetings of two or more Commission Members or subcommittee members convened solely to discuss administrative matters of the Commission or to receive administrative information from the Mayor or City Council.

g. Hearings: The Commission may hold hearings to receive testimony or oral comments, recommendations, and expressions of concern from the public or other gardeners. The Commission may specify reasonable guidelines and procedures for conducting orderly hearings, such as requirements for submitting requests to testify and written testimony in advance and placing limitations on the number of persons who may testify and the duration of their testimony.

h. Minutes: Minutes of each Commission meeting shall be prepared and made available to the public.

SECTION VI: SUBCOMMITTEES

The Chairperson shall have the authority to create such subcommittees as necessary for the Commission to conduct its work. The Chairperson of the Commission will be ex officio members of each subcommittee. Only Members of the Commission will have the right to vote or make a motion for a vote in a subcommittee.

SECTION VII: AMENDMENTS

The By-Laws may be amended from time to time and such amendments must be approved by a majority vote of the current Commission members then serving on the Commission.