

SALT LAKE CITY CORPORATION

DEPARTMENT OF PUBLIC SERVICES
GOLF DIVISION




COUNCIL TRANSMITTAL

TO: David Everitt 
Chief of Staff, Office of the Mayor

DATE: May 19, 2008

FROM: Rick Graham, Director
Public Services Department

SUBJECT: Open Space – 4th East Community Garden, Public Benefits Study 

STAFF CONTACT: Emy Storheim 535-7730

RECOMMENDATION: That the City Council review and approve.

BUDGET IMPACT: The net impact to the open space fund will be \$128,000. A 50% match for purchase and closing costs will come from Wasatch Community Gardens.

DISCUSSION: Wasatch Community Gardens (WCG) has successfully applied to the Salt Lake Open Space Fund for assistance to secure the site of an existing community garden located at 557 South 400 East. The property is .26 acre and has been a community garden for the past ten years. The garden provides 25 growing plots and supports an ethnically and economically diverse community.

Benefits of this project include increased open space within Central City, increased public access and awareness, demonstration of sustainable growing practices and promotion of food seed and beneficial insect biodiversity.

Salt Lake City will hold a conservation easement for the site and Wasatch Community Gardens will hold fee title. In addition to insuring the land is not developed, the conservation easement will include language that requires Wasatch Community Garden to convey the land to the City should Wasatch Community Gardens cease to exist.

Community Development Council has offered right-of-first-refusal and to sell property to WCG for their purchase price of \$250,000 plus closing costs. Wasatch Community Garden initiated this right-of-first-refusal and the property should close before the end of June.

RESOLUTION NO. _____ OF 2008

ADOPTING THE CONCLUSIONS OF A STUDY PERFORMED UNDER UTAH CODE SECTION 10-8-2(3), AND MAKING FINDINGS REGARDING VALUE AND PUBLIC BENEFIT, WITH RESPECT TO A CITY GRANT TO PAY A PORTION OF THE PURCHASE PRICE OF A COMMUNITY GARDEN TO BE OWNED BY WASATCH COMMUNITY GARDENS

WHEREAS, the Community Development Corporation of Utah (“CDC”) currently owns a parcel of property located at 557 South 400 East in Salt Lake City, Utah (the “Property”), and CDC granted to Wasatch Community Gardens, a Utah nonprofit corporation (“Wasatch”), an option to purchase the Property; and

WHEREAS, on March 19, 2008, Wasatch notified CDC of Wasatch’s exercise of its option to purchase the Property; and

WHEREAS, after acquiring title to the Property, Wasatch intends to use the Property as a community garden; and

WHEREAS, community gardens are a kind of open space that City supports, and City is willing to pay, on behalf of Wasatch, one half of the purchase price for the Property (\$128,000) (the “Grant”); and

WHEREAS, in return for the Grant, City will receive a conservation easement over the Property and a future interest in the Property; and

WHEREAS, pursuant to the requirements of Section 10-8-2(3), Utah Code Annotated, a study (the “Study”) has been performed setting forth an analysis and demonstrating the purpose for making the Grant; and

WHEREAS, the City Council has, following the giving of not less than fourteen (14) days public notice, conducted a public hearing relating to the foregoing, in satisfaction of the requirements of Section 10-8-2(3), Utah Code Annotated; and

WHEREAS, the Council has reviewed the Study, and has fully considered the analysis and conclusions set forth therein, and all comments made during the public hearing;

THEREFORE, BE IT RESOLVED by the City Council of Salt Lake City, Utah, as follows:

1. The City Council hereby adopts the conclusions set forth in the Study, and hereby finds and determines that, for all the reasons set forth in the Study, (2) the net value, both tangible and intangible, to be received by the City will constitute adequate consideration, or equivalent value, for the benefit being provided by the Grant, and (b) the Grant will provide for

the safety, health, prosperity, moral well-being, peace, order, comfort, or convenience of the inhabitants of the City.

Passed by the City Council of Salt Lake City, Utah, this _____ day of _____, 2008.

SALT LAKE CITY COUNCIL

By: _____
CHAIRPERSON

ATTEST:

CHIEF DEPUTY CITY RECORDER

APPROVED AS TO FORM:



SENIOR CITY ATTORNEY