

**CITY OF SEABROOK  
RESOLUTION 2021-14**

**ESTABLISHMENT OF CAROTHERS COMMUNITY GARDEN**

**A RESOLUTION ALLOWING FOR VOLUNTEERS FOR THE  
CAROTHERS COMMUNITY GARDEN SUBJECT TO DIRECTION  
BY THE CITY OF SEABROOK, APPROVING INITIAL BUDGET  
FOR PROPERTY IMPROVEMENTS TO BE UNDERTAKEN BY  
THE CITY OF SEABROOK, AND ESTABLISHING A GARDEN  
MANAGEMENT PLAN**

**WHEREAS**, Carothers Community Garden serves the community of Seabrook by providing a setting for wholesome and productive family and communal activity, and;

**WHEREAS**, the City has been approached by volunteers as the Carothers Community Garden Volunteer Group (hereinafter referred to as "VOLUNTEERS"), an informal group of area residents, desires to maintain a Community Garden subject to direction of the City, (hereinafter referred to as "GARDEN") in SEABROOK, Texas, and;

**WHEREAS**, the VOLUNTEERS group can be an informal group but structured so everyone involved understands the goals, mission, policies, rules this will help avoid misunderstanding and conflict with developed guidelines/rules. Any documentation or promotion shall be submitted to the city for review prior to release involving city owned land; and

**WHEREAS**, The VOLUNTEERS have submitted a plan (Exhibit "A" - PROPOSED COMMUNITY GARDEN) providing the desired location, boundaries, and garden elements for Carothers Coastal Gardens;

**WHEREAS**, on November 6, 2007, the electorate approved bond referendum for the acquisition of 11.566 acres in gross area as described in Resolution 2007-14, and;

**WHEREAS**, the City Council deems it appropriate to create a community garden within Carothers Coastal Gardens city land to be established and managed by the City, and to allow for Volunteers to work with the City for such purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEABROOK, TEXAS:**

The Carothers Community Garden are hereby approved as Volunteers subject to the following conditions:

**Section 1.** The CITY and the VOLUNTEERS do, in good faith to work toward the success of the Carothers Community Garden for the benefit of the SEABROOK community. The City of Seabrook approves the proposed plan (**Exhibit A**), including

GARDEN location, and to undertake the following initial improvements to the property, as determined appropriate and funded and approved by SEABROOK City Council commensurate within the approved budget for Phase I of **\$41,000.00** for materials and city personnel labor.

- 1) All Volunteers are subject to approval by the City and shall execute a Release prior to acting as Volunteers
- 2) The City is in the process of demolishing existing concrete or foundation slabs and preparation of land for granite path and garden beds
- 3) The City is in the process of addressing water, irrigation lines, and water spigots sufficient to water the GARDEN and all garden plots
- 4) The City shall determine, by and through the City Manager/assignee fencing and gates along the perimeter of the GARDEN to city specifications, to enclose the garden area
- 5) Material delivery for 30 raised beds including bedding soil
- 6) Electrical work for appropriate lighting
- 7) Construction of or installation of a compost bin
- 8) Purchase and installation of a Bulletin Board and Suggestion Box
- 9) Placement of Garbage and Recycling Bin
- 10) Selection, purchase and installation of any signage
- 11) Purchase of tools for Garden Shed for use onsite

**Section 2.** The VOLUNTEERS, an informal group of area residents and garden enthusiasts, subject to approval by the City will be provided access for maintaining the day-to-day operations of the GARDEN, and to ensure the success of the GARDEN, the group will:

- 1) Organize the volunteer group so that everyone knows the goals, mission, policies, and rules
- 2) Assign a volunteer ('Volunteer Garden Manager') to act as liaison with the CITY to ensure communication of garden activities, status, and reporting

- 3) Keep and maintain all records related to the GARDEN, and provide such as requested by the City of Seabrook
- 4) Maintain the GARDEN, including ensuring that all gardeners complete appropriate membership application for identification and releases with dues submitted to CITY offices
- 5) Properly maintain plots within GARDEN
- 6) Formulate appropriate structured organization to maintain the day-to-day operations of the GARDEN
- 7) Evaluate how individual garden plots are separated, identified, and assigned
- 8) Prepare beds for planting
- 9) Ensure that no garden volunteer installs, erects, assembles, manufactures, fabricates or constructs any permanent structure on the property; provided that temporary plant-supporting structures are permitted within individual beds
- 10) Ensure that all sections of the GARDEN, including demonstration gardens, garden plots, storage areas, fencing, driveways and walkways, are well-maintained and free of weeds, litter, rotten produce, plant debris, rubbish, or junk items
- 11) Permit gardening activities only during daylight hours as approved by City
- 12) Not use animal waste, due to environmental and health concerns
- 13) Assure that children 12 years of age and under visiting the GARDEN are supervised at all times
- 14) Dispose of GARDEN trash/waste in approved receptacles
- 15) Adhere to all regulations pertaining to activity in the park or city property, as provided in Municipal Code. Immediately inform the CITY of any accidents/injuries, or problems related to the infrastructure of the GARDEN, vandalism, or troublesome activities in or near the GARDEN

- 16) In the event that there is insufficient interest, or lack of participation, as determined by the CITY or by the VOLUNTEERS, the VOLUNTEERS may give notice to the existing gardeners and call for a vote to dissolve the organization. Upon a vote to dissolve the organization, the VOLUNTEERS shall, give written notice to the CITY, and turn over to the CITY all equipment, materials, supplies and/or funds, or shall dispose of same as the CITY directs
- 17) VOLUNTEERS shall indemnify, hold harmless, and defend the City of Seabrook, Texas, its officers, agents, employees, against any and all claims, losses, damages, causes of action, suits and liabilities of every kind, arising out of the existence of the above-described activity. VOLUNTEERS specifically stipulates and agrees that the risk of injury, damage or loss shall remain with VOLUNTEERS
- 18) Volunteers recognize and understand, that the Volunteers and/or individual members may be removed at any time by City

**Section 3.** The CITY will authorize any and all expenditures related to the GARDENS through the approved Purchasing Policy of the CITY and by CITY personnel and any additional minor expenditures will be requested to the CITY through Work Authorizations

**Section 4.** The CITY may, at any time, and for any reason, dissolve this Resolution, and at all times shall retain control of the city land, as deemed in the best interest of the City of SEABROOK and its citizens.

This Resolution shall become effective immediately upon adoption and it is so resolved.

PASSED AND APPROVED this 19<sup>th</sup> day of October, 2021.

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Thomas G Kolupski  
Mayor

ATTEST:

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Robin Lenio, TRMC  
City Secretary

Exhibit "A" -- PROPOSED GARDEN PLAN (PHASE I)

