

Siempre Verde Garden By-Laws

I. Name

The name of the garden shall be Siempre Verde Garden.

II. Mission

SIEMPRE VERDE GARDEN will provide a natural space for the neighborhood to improve quality of life, offering sustainable living and educational opportunities and resources to the garden's Lower East Side community. In partnership with neighbors and local groups, garden members will cultivate an 'ever green' philosophy that fosters sustainable living practices and cultural transmission from elders to children in an inclusive verdant setting. Our garden will reflect and support our community's diversity in respectful and creative ways.

III. Boundaries

Siempre Verde Garden shall serve the residents of the surrounding Lower East Side neighborhood.

IV. Membership

Membership is open to any and all persons residing in, owning property in, doing business in, or supporting local residents located within and nearby the boundaries listed in Article III of these bylaws, when they fulfil membership requirements as specified in the Siempre Verde Garden Membership Agreement. Only members may vote on garden business, activities, and decisions. Voting members must be at least 18 years of age or older unless sponsored by an existing garden member, with parental consent obtained, and membership approved at a meeting.

All members who have requested to join the garden, adhere to garden regulations and membership requirements as per the membership agreement and garden rules, and have paid any required dues in full, will be considered members in good standing.

All members of Siempre Verde Community Garden shall have the same rights, privileges, restrictions, and conditions, with the exception of any relevant amendments in these bylaws.

Notice: Information on how to join will be posted at the garden and its website, or those interested can contact a garden member.

V. Suggested Donation (Dues)

Donations are collected for the sole purpose of carrying out the mission of the garden and its upkeep. To simplify record-keeping, the Suggested Donation (Dues) will be collected once a year from each member and is due on the first of January, or at a pro-rated amount upon the date a new member joins the garden (this may be adjusted to reflect the quarter of the year). The amount of the Suggested Donation (Dues) will be kept at a minimum to encourage the participation of as many members as possible, and will be specified in the Membership Agreement as sliding scale.

VI. Organization & Governance

The highest governing authority of the garden shall be the membership meeting. The regular business of the garden shall be conducted during membership meetings, and/or by email as necessary.

VII. Organizational Responsibilities

The purpose is to ensure that SVG has a delivery strategy in place that is in alignment with its original mission and vision and that it has the appropriate governance and support in place to fulfil the delivery goals agreed at any given point in time.

Responsibilities include:

- Ensuring compliance with GreenThumb policies and requirements
- Maintaining a schedule of regular membership meetings, ensuring that an agenda is set and followed at membership meetings and that a record of any decision and actions is recorded and made available to members
- Ensuring that core shared functions such as finance, marketing and administration are available to support the delivery of SVG's goals

Purpose:

The purpose of regular membership meetings is to provide:

- SVG members with a regular forum in which to raise new ideas, proposed or concerns for consideration by the membership.
- A forum for working committees to report on progress on existing delivery plans and showcase plans for the ensuing month(s)
- An environment for potential members and interested public to learn about current and planned SVG initiatives and encourage wider community participation

Meeting agendas and facilitation:

- Proposed agendas shall be provided.
- Meetings will take place at a time and place that is convenient to the largest number of members.
- Meetings will be facilitated by a member who has volunteered in advance or, lacking a volunteer, who is appointed by the members at the start of the meeting. The role of facilitator should be rotated amongst members from meeting to meeting.
- A member present at the meeting will be selected to record and type up detailed minutes.
- Decisions shall be made by simple majority, subject to quorum requirements.
- Minutes will be made available to the members by email at least 7 days in advance of the next meeting, so that garden members have an opportunity to review the minutes and propose any amendments prior to the vote to accept the minutes at the next meeting.

VIII. Working Committees

The membership may appoint standing and ad hoc working committees as needed or recommended by garden membership and friends of the garden.

Purpose:

The purpose of working committees is to ensure that SVG has sufficient dedicated capacity to fulfil its delivery goals. The establishment of smaller working groups around specific areas of interest, for example, garden design or community engagement will provide members with the opportunity to contribute in areas that they have specific expertise or interest in.

Responsibilities:

The working committees will be responsible for:

- Executing on specific strategic goals as proposed by the members and captured in the SVG delivery strategy
- Representing and reporting on delivery plans and progress to the Steering Committee and members at membership meetings

IX. Membership Meetings

Regular meetings shall ideally be held monthly during the garden season, and as needed from November through March. Special meetings may be held at any time when called for by three or more members. Decisions at regular, special and membership meetings are made through a temperature check and consensus and failing that, by majority vote process (see Quorum).

Order of regular membership meetings:

- After the meeting facilitator is recognized and the meeting secretary is appointed, the agenda of the meeting will be finalized in an order accepted by members present and posted for all to see. Setting the agenda prior to the meeting is encouraged but its finalization takes place at the meeting itself.
- Everyone present (including those attending a meeting remotely) will sign in (those present are to be noted in the minutes).
- Any non-member guests present who wish to bring an issue or opportunity to the group will do so at the discretion of the members.
- Minutes of the previous meeting and any interim Special Meetings will be accepted by vote of the members.
- Old business not resolved at the prior meeting will be dealt with first.
- The Treasurer or co-Treasurer will report on the garden's financial status.
- Standing and ad-hoc committees will report on progress, and lay out their plans for the ensuing month. The members will hold a vote on any important issues and the vote will be recorded by the meeting secretary.
- The date of the next meeting, or the mechanism for setting the next date, will be determined.

Responsibilities:

Detailed member responsibilities and joining requirements are outlined in detail in a separate document - the Membership Agreement.

X. Finances

The appointment of the Treasurers (Treasurer and co-Treasurer) should be made at a garden meeting yearly, or as needed on an interim basis. Responsible for handling all financial affairs of the Garden. The Treasurer, along with at least one Co-Treasurer, shall have full signing authority for the Garden bank account. They will also be responsible for collection of dues, disbursements and reimbursements. The Garden's financial records must be open to examination by Garden members at all times via public documentation. Any elected Treasurer agrees to maintain a commitment to open and accessible financial records, and financial accountability to the general Garden membership at all times.

Expenses must be reported to the members at all regular meetings, and major expenditures over \$125 must be approved by the general Garden membership at a regular Garden meeting. The membership may pass by majority vote an expenditure over \$125 by online poll between meetings. Public notice will be given to the membership no less than 72 hours in advance of such votes and expenditures.

Treasurer and Co-Treasurer(s)

- Treasurers collect all fees from the garden members and log them in a google spreadsheet or equivalent type of file (print and/or online).
- Treasurers must keep all funds in a safe location (bank account) and handle Paypal or other equivalent payment mechanism for garden dues or grants, in addition to handling checks.
- Treasurers must communicate the status of funds at each Membership meeting.
- Treasurers must be able to answer any questions about funds available at any point.
- Treasurers must present an end of the year report with details.

XI. Special Meetings

Special meetings may be called, if warranted. Members will be notified 10 days in advance of special meetings by email. Special meetings may be held at any time when called for by three or more members.

XII. Emergency or Time Urgent Voting

Members may call for an online vote between meetings if warranted, when time factors require a decision prior to the next regular membership meeting. Notice of online voting will be posted to the membership list. Voting will be open no less than 7 days. Results of the vote will be available to all members.

XIII. Quorum

A minimum of 6 members must be present at a meeting to reach a quorum.

In the absence of a quorum, no formal action shall be taken except to adjourn the meeting to a subsequent date.

XIV. Conflict of Interest

Any member who has a financial, personal, or official interest in, or conflict (or appearance of a conflict) with any matter pending before the membership, of such nature that it prevents or may prevent that member from acting in an impartial manner, will offer to voluntarily excuse him/herself and will refrain from discussion and voting on said item.

XV. Amendments

By-laws will be reviewed on an annual basis. Any proposed changes to the by-laws that fall between annual reviews can be placed on the agenda for a membership meeting. These by-laws may be amended by a two-thirds vote of members present at any meeting, provided a quorum is present and provided a copy of the proposed amendment(s) were distributed no less than 10 days in advance of the meeting.

XVI. Code of Conduct

Maintaining a healthy community requires the utmost respect in how members interact with each other. Conduct of garden members should adhere to city and state law, New York City Parks Department regulations, and Greenthumb license requirements.

Decision Process around conflicts/disputes:

Garden members who have a conflict that is not in opposition to any member or garden rules must resolve it between the conflicting parties. Should this dispute not be resolved, the disagreement must be brought to the attention of the Membership meeting as an item placed on the agenda for discussion for resolution.

- A meeting date and time should be set within 14 days of the request by the member(s).
- Notice of the meeting will be provided to the membership via the membership listserv.
- The meeting will provide for all parties involved in the matter to speak and address any issues that involve them.
- A facilitator and note taker will be decided at the meeting.
- Meeting notes will remain on-file with garden documents, and a copy will be sent to GreenThumb for our records.

Unauthorized changing of the Garden lock is grounds for probation and/or expulsion.

XVII. Plot Use - Also see membership agreement

1. Members who have individual plots should have their individual plots planted by July 1st each year.
2. All Gardeners agree to keep their plants within the area assigned to them.
3. Plots are for growing plants or flowers, and are not for the storage of indoor plants.

Adopted:

12/11/18, by Membership Meeting, 5-6pm held at 180 Stanton Street, NY 10002