

This **MEMORANDUM OF UNDERSTANDING** is made as of the **8th** day of **June, 2004**.

**BETWEEN: VANCOUVER PARK BOARD (VPB)**

**AND: STRATHCONA COMMUNITY GARDENS SOCIETY**

**WHEREAS:** The Strathcona Community Gardens Society (Society) operate under license from the Vancouver Park Board, a community garden on portions of Lot 2 of BK. 1, D.L. 181 and 2037, Plan 16253.

**AND:**

**WHEREAS:** The parcel is a permanent park under the jurisdiction of the Vancouver Park Board.

**AND:**

**WHEREAS:** The Society is desirous of developing a landscaped pond generally as illustrated in Appendix 1, solely at the expense of the Society.

**AND:**

**WHEREAS:** The pond is to be fed by water from an aquifer, supplemented by runoff from the community garden and storm water from the City sewer system, if and when available.

**AND:**

**WHEREAS:** The pond is situated in an area, with a history of potential soil and/or water contamination.

**AND:**

**WHEREAS:** The Park Board is committed to a strategy of minimizing the use of potable water.

**THE PARTIES HEREBY AGREE AS FOLLOWS:**

1. The project will be broken down in two or more phases,

Phase 1: The Feasibility Phase; and  
Phase 2: The Development Phase

The Development Phase may be further broken down to recognize resource availability.

2. The Society will be responsible for all costs associated with this project, except for the Park Board's administration and project management costs (but not direct service costs), which will be borne by the Board.
3. The Board will support the Society's application to funding agencies provided they are consistent with the terms of this MOU.

4. **Phase 1: Feasibility Phase**

The Feasibility Phase will include:

- a) Undertake an exploratory drilling program to determine the quantity and quality of aquifer water;
- b) Identify the quantity and quality of other alternate water sources should the aquifer prove not to be feasible;
- c) Submit to the Park Board hard copies of the soil testing that has already taken place;
- d) Based on the findings of (c), formulate and undertake a soil contamination assessment program in the area to be excavated. The program is to be consistent with the standards and protocols set out in the Waste Management Act and its associated regulations. Such program is to be carried out to the satisfaction of the General Manager by a professional who carries appropriate liability insurance.
- e) Determine the requirement, if any, for lining the pond;
- f) Development of a set of schematic design drawings and budget estimate to the satisfaction of the General Manager;
- g) Preparation of a feasibility and schematic design report;
- h) On the basis of the results of the feasibility stage, seek Park Board approval for the design of the project.

5. **Phase 2: Development Phase**

In the Development Phase, the Society will:

- a) Prepare design development, working drawings and specifications to the satisfaction of the General Manager;

- b) Ensure that all construction on the site shall be carried out in accordance with all applicable Workers' Compensation Board laws and regulations;
- c) Submit funding sources, budgets and timetables prior to the construction of each phase, all of which are to be approved by the General Manager; and
- d) Construct the approved work consistent with drawings and specifications approved by the General Manager.

The Society will appoint a project manager who will be the key contact for all aspects of this project. Likewise, the Park Board will appoint a project supervisor who will be the Board's key contact.

\_\_\_\_\_, Director  
Strathcona Community Gardens Society

\_\_\_\_\_, Director  
Strathcona Community Gardens Society

\_\_\_\_\_  
Susan Mundick, General Manager  
Vancouver Board of Parks & Recreation

| **APPROVED** by the **Board of Parks and Recreation** on June 7<sup>th</sup>, 2004.