

**City of Culver City, California
Agenda Item Report**

Meeting Date: 06/13/2011		Item Number: <u>JC-1</u>	
JOINT CITY COUNCIL/REDEVELOPMENT AGENCY BOARD AGENDA ITEM: Approval of the Eleventh Amendment to the Existing Professional Services Agreement with Stephen Whipple for Farmers' Market Management Services.			
Contact Person/Dept.: Jeremy Green/ CDD Todd Tipton/CDD		Phone Number: (310) 253-5764 (310) 253-5783	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: (Email) Meetings and Agendas – Redevelopment Agency (06/08/11); (Email) Mr. Stephen Whipple (5/24/11)			
Department Approval: Sol Blumenfeld (05/31/11)		Agency General Counsel Approval: Murray Kane: (06/02/11)	
Chief Financial Officer Approval: Jeff Muir (06/08/11)		Executive Director Approval: John Nachbar (06/08/11)	
<u>RECOMMENDATION:</u> Staff recommends the Redevelopment Agency Board (Agency Board) approve: the Eleventh Amendment to the existing Professional Services Agreement (Eleventh Amendment) with Stephen Whipple for Farmers' Market management services through June 30, 2013. <u>BACKGROUND:</u> On July 15, 1996, the Agency Board approved a Professional Services Agreement with Stephen Whipple to manage the Culver City Certified Farmers' Market (the Market) at the rate of \$25.00 per hour. The Agency Board subsequently approved ten amendments to the original contract, during which time Mr. Whipple's compensation was ultimately set at \$32.00 per hour. Mr. Whipple's weekly duties include physical set-up of the Market, supervision of assistants and volunteers, selection of farmers and vendors, allocation of space to farmers and vendors, collection of fees, preparation of financial reports, resolution of farmers' disputes, public relations and marketing. <u>DISCUSSION:</u> The proposed Eleventh Amendment would extend the terms of the agreement through June 30, 2013 and maintain his compensation at \$32.00 per hour (without benefits), which is lower than the salary rates of many farmers' market managers in comparable cities (Attachment 2.)			

City of Culver City, California
Agenda Item Report

When Mr. Whipple assumed management of the Market in 1996, the Market cost more to operate than it generated in revenue and was, thus, subsidized by the Agency. Under Mr. Whipple's management, the Market has operated successfully and has been a revenue source for the Agency, with last year's annual revenues exceeding expenses by approximately \$30,000.

Mr. Whipple's last increase occurred as part of the tenth amendment, increasing his hourly rate from \$30 to \$32. Mr. Whipple's billable hours will continue to be a maximum of 25 hours per week.

For the last two years, Mr. Whipple has utilized an assistant whose salary is funded by the Agency. Mr. Whipple is reimbursed up to \$14.00 per hour for a maximum of 20 hours per week, plus expenses as approved by the Executive Director. This allows Mr. Whipple to assemble and supervise the workforce he needs to operate the Market successfully¹.

FISCAL ANALYSIS:

The revenues from the Farmers' Market provide approximately \$30,000 in net revenue annually. The Eleventh Amendment to Mr. Whipple's contract maintains the annual expenditure amount of \$56,160 per fiscal year and \$112,320 for the term of the Eleventh Amendment. Sufficient funds have been included in the Executive Director's Proposed Budget for Fiscal Year 2011/2012 to meet this expenditure for Fiscal Year 2011/2012. Should the Agency Board approve this Eleventh Amendment, a similar amount will be requested as part of the Fiscal Year 2012/2013 budget process.

ATTACHMENTS:

1. Draft of Eleventh Amendment to Contract RA 97-06
2. Comparison Chart of Farmer's Market manager compensation in other cities

¹ In addition to his weekly duties of organizing, setting up and dismantling the Market and supervising the activities, Mr. Whipple initiates special event promotions and prepares marketing materials for these events, distributes flyers to the elementary schools, participates in the *Growing Great* school program and provides Market gift baskets as prizes to local non-profit groups.

Mr. Whipple is an advocate for certified farmers' markets and continues to receive education and training in organic farming. He works well with the public, the vendors, the businesses on Main Street, as well as the City of Los Angeles to ensure the market operates smoothly every Tuesday from 3-7pm. His extensive experience at the Farmers' Market, which allows him to select and maintain respected and diverse produce and product vendors within a very small space, has resulted in increased attendance and market revenues exceeding expectations.

City of Culver City, California
Agenda Item Report

MOTION:

That the City Council and Agency Board:

1. Approve an Eleventh Amendment to the existing professional services agreement with Stephen Whipple for Farmers' Market Management Services which (1) extends the term through June 30, 2013; (2) maintain the hourly rate of \$32.00 with an aggregate not-to-exceed amount of \$56,160 per fiscal year (including reimbursement of approved Farmers' Market related expenses),; and to reimburse Mr. Whipple for Market assistants at an annual rate of \$14,560 for the term of the Amendment; and.
2. Authorize the City Attorney and Agency General Counsel to review/prepare the necessary documents; and,
3. Authorize the City Manager/Executive Director to execute such documents on behalf of the City and Agency.