

MEETING DATE: August 17, 2009

AGENDA ITEM: Review of and Recommendation for the Culver City
Certified Farmers' Market location.

ATTACHMENTS

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ATTACHMENT 1

Culver CITY

MEMORANDUM

DATE: 7/2/09

TO: HONORABLE CHAIR AND MEMBERS OF THE CULVER CITY
REDEVELOPMENT AGENCY BOARD

THROUGH: Mark Scott, Executive Director
Sol Blumenfeld, Community Development Director

FROM: Todd Tipton, Redevelopment Agency Administrator/Deputy
Community Development Director
Jeremy Green, Management Analyst

SUBJECT: **Culver City Farmers' Market Potential Relocation Information**

CC: Carol Schwab, City Attorney
Murray Kane, Redevelopment Agency General Counsel

The Los Angeles City Council ("LACC") has initiated work on an ordinance that may change the way farmers' markets and street closures occur in Los Angeles, which may affect the location of the Culver City Farmers' Market ("CCFM").

The CCFM has been located on Main Street between Venice Boulevard and Culver Boulevard for eight (8) years. The northernmost portion of Main Street is located in the City of Los Angeles, District #10.

Each year, LACC has passed a motion to approve the weekly special event permit to close the street from 12noon-8pm and to waive \$28,356 in fees and charges for the market, which occurs on Tuesdays from 3-7pm. The fees are for the following:

LA Department of Transportation:	
(No charge because officers are not deployed)	
LA Street Services:	
\$528/ week x 52 weeks	\$27,456.00
LA Fire Department:	
\$450/ 6 months	900.00
<u>Total</u>	<u>\$28,356.00</u>

Last year the LACC required that a new motion be considered every six months. As the motion nears expiration, Agency staff contacts the District #10 office to request that a draft motion be written and introduced that would allow the CCFM to continue without interruption. As the current motion is scheduled to expire on June 30, 2009, staff made the request in May 2009.

At the beginning of June, Agency staff was informed by District #10 staff that the LACC was working on a new ordinance, separating farmers' markets from the global category of special events and changing the way farmers' market street closures would be handled beginning with fiscal year 2009-2010.

As the new ordinance currently reads, it would obligate each District to pay for the costs and fees for farmers' markets, rather than allow fee waivers to be approved by LACC. District #10 has informed staff that it would be unable to pay for those fees and would likely pass the fees on to the CCFM. However a different motion was made last week to extend the current system to July 31, 2009, to allow enough time for the new ordinance to be finalized.

As a precautionary measure, Agency staff is researching potential locations for the Farmers' Market, to provide multiple options for the Agency Board to consider, should the LACC approve the ordinance.

Should the LACC decision occur without enough time for the Redevelopment Agency Board to provide direction, staff has identified the former Washington Blvd right-of-way as a temporary location. This location will allow the CCFM to continue without interruption.

Staff will continue to monitor the progress of the ordinance and provide updates as information becomes available.

ATTACHMENT 2

Revised 02/19/09

COUNTY OF LOS ANGELES ♦ DEPARTMENT OF HEALTH SERVICES ENVIRONMENTAL HEALTH DISTRICT ENVIRONMENTAL SERVICES

Requirements for Temporary Event Food Stands

Food Stand Construction and Placement

- Stands in which food is prepared shall be enclosed on the top and four sides with either wood, canvas, plastic, fine mesh screening, or similar material. Stand material is subject to local fire regulations. **(See page 13 for additional requirements and diagram on page 18)**
- Earth floor is not permitted. Such floor shall be covered with materials such as clean canvas, wood, or cleanable carpet. Smooth asphalt and concrete floors are acceptable.
- Food stand shall not be located under trees or vegetation.

Open Flame / Barbeque Cooking

- Open flame cooking equipment may be located adjacent to the stand, but not in an area subject to customer or overhead contamination. (E.g., trees, birds, people, etc.) The location and type of open flame cooking equipment is subject to local fire department approval.
- Equipment shall be placed to avoid customer contact with all heating / cooking devices.

Trash Maintenance and Disposal

- An adequate number of approved metal or plastic refuse containers with tight fitting lids shall be provided.

Animals

- Live animals, birds, or fowl are not permitted inside the stand.
- Food stand must be at least 35 feet away from animal petting or other attractions.

Toilet and Hand – Washing for Food Handlers

- At least one single-compartment sink equipped with hot and cold potable running water shall be provided within each food stand.
- At least one water closet or chemical toilet must be provided for each 15 employees / food handlers.
- Hand – washing facilities shall be provided at each food stand. Liquid or powdered soap and paper towels for hand washing shall be provided.

- Covered / clean waste receptacles must be provided at hand-wash facilities.

Toilet and Hand – Washing Facilities for the Public

- It is recommended that one toilet for each 175 women and one toilet for each 250 men or fractional part thereof be provided.
- Hand – Washing facilities for the public are to be conveniently located. Adequate maintenance of the facilities must be kept.

Equipment and Utensil Washing Facilities

- Equipment and food contact surfaces shall be smooth, easily cleanable, and non-absorbent.
- All washable utensils (pots, pans, scoops, ladles, etc.), shall be washed and cleaned at approved utensil washing facilities as indicated on the temporary event application.
- At least one, three compartment sink with potable hot and cold running water shall be provided at each food stand. **(See pages 14 and 15 / Sink Requirements for Temporary Event Food Stands)**

Food Protection and Handling

- Smoking inside the stand is prohibited.
- Food handlers shall wear clean clothing, adequate hair restraint (caps or hairnets), and shall keep their hands clean at all times.
- Food handlers should avoid direct contact with food, and should instead use scoops, tongs, or disposable gloves.
- Food handlers must wash hands each time they leave the stand, after taking breaks, or using toilet facilities.
- Ice used in customer beverages shall be protected from contamination and shall be maintained separate from ice used for refrigeration purposes. All ice shall be stored in leak – proof containers.
- All food and utensils shall be stored off the ground at least 6” on shelving or pallets within the stand.
- Only single – service eating and drinking utensils are approved for customer use.
- Customer self – service of unwrapped or unpackaged food is prohibited, except if protected by approved sneeze guard or is served from hinged, covered chafing dishes.
- All food beverages and utensils shall be protected at all times from unnecessary handling and shall be stored, displayed, and served so as to be protected from contamination by dirt, dust, insects, or customers.

- All food shall be prepared in a licensed / permitted food establishment, or at the food stand as indicated on the application.
- No home-prepared food shall be dispensed by profit making organizations at food stands.
- Non-perishable, home-prepared bakery products may be dispensed from non-profit food stands only. Non-profit stands must be established 30 days prior to the event as indicated on the application.
- Potentially hazardous / perishable foods must be maintained at temperatures either below 45° F or above 140° F at all times.
- All liquid waste shall be lawfully disposed of at approved dump stations. This includes, but is not limited to grease, ice condensate, beverage waste, etc.
- Children shall work under the direct supervision of a responsible adult at all times.

Plans, Applications, Permits, and Fees (Food Vendor)

- A plan and application must be submitted for each separate food stand. No permits will be issued without a completed plan and application.
- Health permits are required for all food stands. Fees are based on the nature of the food product being handled / retailed.

I. Manufacturer prepackaged, non-potentially hazardous (i.e. shelf-stable foods)	\$ 58.00
II. Un – packaged (open) foods (all categories)	\$166.00
III. Food demonstrator, food distributed as product sampled (i.e. not sold / retailed, given away free)	\$ 39.50

IV. Fees are to be submitted with the plan and application, and received by the office listed below at least 30 days prior to the event. This fee is to be paid by **money order or cashier's check**, made payable to “**Department of Public Health**”.
NO CASH, PERSONAL OR BUSINESS CHECKS WILL BE ACCEPTED.
- Permit fees are not required for stands operated by charitable / tax – supported organizations. Proof of charitable / tax – supported status is required. Such proof (i.e. articles of incorporation or non – profit status from the California Secretary of State, or either documents as required by Los Angeles County Code Title 8, Section 8.04.690, substantiating wholly tax supported organization or institutions), shall be provided at least 30 days prior to the event and must be submitted along with all other required applications and paperwork.
- Plans, applications, and fees must be submitted in person or mailed to:

TEMPORARY FOOD STAND SPECIFICATIONS

Temporary food stands are defined by California Law (California Health & Safety Code) as a food facility. As such, all structures must meet standard as set forth for the classification. **

Specific environmental conditions may vary from site to site requiring additional control to measures to prevent the introduction of insects, vermin, dust, dirt, or other contaminants into food products or into the food preparation area.

The general standards / specifications are as follows:

I. Structure

- Food stands are required to be enclosed via three (floor to ceiling) sidewalls.
- Wall to wall panel and wall to wall ceiling panel junctures should be close fitting with a minimum number of gaps or openings.
- It is advisable to provide access ways such as a “foldable wall” system of rings and a rod that will open and close easily. (Openings must remain in closed position, except for stand entry and exit.
- It is also advisable to provide some form of ventilation in the stand, such as a mesh screen window / side walls.
- Floors are required if the ground surface is anything other than asphalt or concrete (e.g. grass, dirt, etc.)
- Floors must cover the entire area of the stand, wall to wall.

II. Materials

- Food stand walls / ceiling may be constructed of canvas, wood or other material which is cleanable.
- Floors must be constructed of cleanable, non – absorbent material.
- Food stand floors, walls, and ceiling, must meet fire retardant standards set by local fire department.

III. Stand / Booth Identification

- Properly identify stand with name of business using 3 inch letters.
- Properly identify stand address and telephone number using 1 inch letters.

**** Temporary food stands involving pre – packaged beverages only (no other type / form of food present), are required to meet ceiling and floor standards indicated above. However, counter high wall panels are acceptable.**



COUNTY OF LOS ANGELES ♦ DEPARTMENT OF HEALTH SERVICES
PUBLIC HEALTH PROGRAMS AND SERVICES
ENVIRONMENTAL HEALTH



Sink Requirements for Temporary Event Food Stands

All sinks previously approved by this department may continue to be used until such time that the sink is in disrepair and must be replaced.

1. Sinks

- A. May be purchased or constructed by the vendor.
- B. Must have hot and cold running water under pressure. The source of pressure may be gravity feed or an electric or manual pump.
- C. The sink unit must be NSF (National Sanitation Foundation) or equivalent. It must have two attached **integral** drain boards (i.e. the sink compartments and drain boards are one unit) and be constructed of stainless steel including drain boards. The drain boards must be equal or greater in width to the sink compartments.
- D. Each compartment must be large enough to accommodate the largest utensil or piece of equipment and be a **minimum** of 14 inches X 16 inches. The sink must be 12 inches deep if measured at the wall of the sink.
- E. If the sink is owned by the event sponsor and used by multiple vendors, it must be an NSF approved **three** compartment sink with the compartments measuring at least 18" X 18" X 18" with integral metal drain boards as specified in C.
- F. Air vents for the source tank must be constructed so as to prevent contamination of the water supply.

2. Water

- A. Hot water must be a minimum temperature of 120 degrees Fahrenheit.
- B. In lieu of a direct connection to a municipal water system, source tank capacity must be at least 20 gallons for an individual vendor sink and at least 20 gallons **per vendor** for a shared unit.
- C. In lieu of direct disposal of liquid waste into a municipal sewer system, waste tank capacity must be 1.5 times larger than source tank in all situations **and** a minimum of 30 gallons for an individual vendor sink and at least 300 gallons **per vendor** for a shared unit. Direct connections to a municipal water system require a minimum of 500 gallon waste water tank or connected to a sewer line.
- D. Liquid waste must drain into the waste receptacle through an indirect connection (i.e. 1 inch air-gap).
- E. No utensil washing facilities may be shared, other than a utensil sink under the control of the Farmers Market Manager / Temporary Event Sponsor.

3. Approval

- A. Department approval is **required** prior to use of any sink in a Temporary Event.
- B. If in the opinion of the Health Officer the sink does not meet the minimum standards during an inspection at the event, approval for use may be suspended immediately.
- C. A schematic must be submitted to the Department showing the **entire** system with all specifications including the source of the pressure and potable water.
- D. A cleaning schedule must be submitted showing the location, method, and frequency for cleaning and sanitizing the unit.
- E. Approval of shared unit(s) will depend on the capacity of the potable water container.

Additional Requirements

The following must be considered prior to constructing or purchasing a sink:

- 1. Determine the power source at the Event and if it will be available to and applicable for your sink/system.
- 2. Use of generators must be approved by the local building and safety agency.
- 3. Waterlines used to fill the source tank must be food grade. Garden hoses are not permitted.
- 4. Sinks must be filled and emptied at events in an approved manner by the Health Department.
- 5. Use of a gas powered water heater is contingent upon approval by the local fire department.

To schedule an appointment to have a sink approved, please call (310) 665-8428 and ask for Victor Abdelmalak.

ATTACHMENT 3

Culver City Certified
Farmers' Market
Criteria Spreadsheet
(Potential Market Locations)

		same market visibility	Safety for vendors/ patrons	Electricity	Lighting	Liquid Waste disposal	Parking	Ability to re-route traffic?	Additional costs/considerations
	<i>Downtown Options</i>								
1	Utilize existing location, pay LA City \$28K+	Yes	Yes	Yes	Yes	Yes	Yes	Yes	\$28,356 per year to L.A. City. Vendors could cover costs
2	Reduce size of Market to within CC boundary	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Approximately \$500 for signage, \$1,008 for police staff/month), reduction in vendors and income
3	Move to Culver Blvd. (in front of City Hall)	Yes	Yes	Yes	Yes	No	Yes	Yes	Costs: electrical outlet installation; fee for vac truck. May interfere with businesses along Culver Blvd.
4	Former Washington Blvd.right-of-way	Yes	Yes	No	No	No	Yes	N/A	\$8,000 to install lighting; vac truck costs/ possible adjustment of market time of day to avoid lighting needs.
	<i>Outside of Downtown</i>								
1	Westfield/Fox Hills mall parking lot	No	Yes	Yes	Yes	No	Yes	N/A	Costs to advertise new location, vacuum truck (LA County new requirement).Market hours to be adjusted, based on mall hours.
2	Costco Parking lot	No	Yes	Maybe	Yes	No	Yes	N/A	Costs to advertise new location, vacuum truck (LA County new requirement). Would need CostCo consent.
3	Centinela/Washington Blvd.	No	No	No	No	No	No	N/A	Costs to advertise new location, vacuum truck (LA County new requirement), alterg the dirt ground, install electricity/lights. Concerns about angry neighbors/parking issues.

ATTACHMENT 4

Culver City Certified Farmers' Market Potential Locations Pros and Cons Spreadsheet

Keep market as is, pay LA City \$28K+	PROS: Customers know where the market is located, meaning no additional advertising dollars would need to be spent on a move. Also, the County Health Department requirements have become more stringent but existing locations do not need to meet the new requirements. CONS: Instead of investing dollars into Culver City, funds would go to LA City.
Shorten market to CC portion of Main St.	PROS: Similar to option #1, no additional advertising dollars would need to be spent on a move. Also, existing County Health Department requirements would continue to be met. There would be no additional fees paid to L.A. City and there would be less paperwork involved. Agency could decide to raise vendor fees, as per option #1 and then utilize the additional income to prepare a new location in an improvement area for a second Market. CONS: Loss of vendors may cause complaints from community members, who have expectations of what the Market provides. There is also the potential for perceived safety issues, despite measures that satisfy City department safety assurance for Police and Public Works.
Move to Culver Blvd. outside City Hall	PROS: Keeps the Market in Downtown Culver City. According to Traffic and Engineering, it would not be difficult to re-route traffic and bus routes to Washington Boulevard. The move would offer a permanent solution. There are amenities such as restrooms at City Hall, electricity and lighting are already part of the infrastructure. New patrons might attend with the new time of the Market. Approximately 25 vendor vehicles could be parked within the closed Market, decreasing the parking impact of the Market on public parking spaces. CONS: There are potential costs to provide the following: appropriate liquid waste disposal and compliance with other LA County rules, an increased demand on City Hall parking, increased advertising costs regarding move and time change, potential for reduction of vendors and/ or patrons, due to new time.
Former Washington Blvd. right-of-way	PROS: Would be fairly easy for regular customers to find. CONS: Requires new LA County Health Department application. There would be a significant cost to reinstall electricity and light posts, which have been permanently removed and to rent portable toilets and sinks. It is also only a temporary solution as a structure will be built at some point.
Westfield Culver City mall parking lot	PROS: The mall has a large parking lot which provides a vast space for the Market, as well as ample areas for Market customers to park. Also, having the Market at the mall may help Westfield market their stores as well as bring economic attention to an improvement area. Westfield is receptive to discussion. CONS: Additional costs would result due to the from the LA County Health Department requirements. The mall is not in a highly visible for patrons to casually come upon the market, as some customers do at its current location. Further, with the new opening of the expanded, redone mall during the time of the year from Thanksgiving to New Years' Day, the parking lot at the mall is in high demand which may conflict with the location for the Market and/or parking for Market customers.
Costco parking lot	PROS: This retail location of Costco is the highest selling of all the Costco stores nationwide, thus making it a busy location with increased visibility for shoppers. The Market would also help to stimulate economic activity and a community environment on the west side of Culver City which does not currently have as much attention as the Downtown area. CONS: Additional costs would result from the new LA County Health Department requirements for Farmers' Markets. The Agency would need to negotiate approval from Costco stores to open the market, which may be complicated to achieve. Because the market is between Costco and the Albertson's grocery store, patronage is indeterminable. Also, due to Costco's extensive hours of operation (M-F 11 am- 8:30 pm; Sat. 9:30 am-6 pm; Sun. 10 am-6 pm) the Market would most likely occur simultaneously to store hours, causing potential parking issues as well as direct competition with Costco's and Albertson's food departments.
Centinela/Washington Blvd.	PROS: Since the Agency owns this parcel of land, there would be no additional fees for renting the space. Also, this location has high visibility being at a large intersection and could draw residents and customers to a new area of Culver City. CONS: Additional costs would result due to the LA County Health Department requirements for Farmers' Markets. There is a concern regarding customer parking. This location is situated within a residential neighborhood and cars parked on residential streets may cause a negative impact in the neighborhood. Currently, the ground is compacted dirt and may prove challenging and costly to transform into a suitable location for the Market. Further, this location would be temporary, as a structure will eventually be built in this location.

ATTACHMENT 5

Certified Farmers' Market Fees Comparison

Market Sponsor/ Operator	Culver City CC Redevelopment Agency
Fees:	
Farmers	7% of gross sales, or \$15 per canopy whichever is greater
All non-farmers	12% of gross sales, or \$25 minimum fee
Market Sponsor/ Operator	Downtown LA, Pershing Square Raw Inspiration Org. / Cal Market Corp.
Fees:	
Farmers	8% of gross sales, or \$15 per canopy whichever is greater
Crafts	\$50 per canopy - <i>instead of percentage based fee</i>
Cooked Food	\$100 per canopy - <i>instead of percentage based fee</i>
Market Sponsor/ Op.	Mar Vista (Sundays from 9am -2pm) Mar Vista Improvement Assc.
Fees:	
Farmers	7%, no minimum payment
Crafts	\$50 flat fee (<i>only participate once per month</i>)
Cooked Food	\$75 per booth
Packaged	sliding scale
Market Sponsor/ Op.	Torrance (Tuesdays from 8am-1pm) City of Torrance
Fees:	
Farmers	6% of gross sales, no minimum fee
Cooked Food	10% of sales, no minimum fee
Market Sponsor/ Op.	Beverly Hills (Sundays from 9am-1pm) City of Beverly Hills
Fees:	
Farmers	6% of gross sales, no minimum fee
All non-farmers	10% of gross sales, no minimum fee

Research provided by Stephen Whipple, Culver City Certified Farmers' Market Manager.

ATTACHMENT 6

RESOLUTION NO. 2009-A _____

A RESOLUTION OF THE REDEVELOPMENT AGENCY,
CALIFORNIA. ESTABLISHING VARIOUS FEES RELATING
TO THE CULVER CITY CERTIFIED FARMER'S MARKET.

WHEREAS, on August 13, 2009, at a duly noticed public meeting, the Culver
City Redevelopment Agency (the "Agency") considered establishment of various fees
relating to the Culver City Certified Farmer's Market; and

WHEREAS, after giving the public an opportunity to be heard and considering
all information before it, the Agency approved the adoption of said fees, attached hereto as
Exhibit "A;" and

NOW, THEREFORE, the Culver City Redevelopment Agency DOES
HEREBY RESOLVE as follows:

The fees established in Exhibit "A," attached hereto, are hereby adopted.

APPROVED and ADOPTED this _____ day of _____ 2009.

MICHEÁL O'LEARY, CHAIR
Culver City Redevelopment Agency, California

ATTEST:

APPROVED AS TO FORM:

MARTIN R. COLE, Agency Secretary

MURRY O. KANE, General Counsel

EXHIBIT "A"

The following weekly fees are established for and applicable to the Culver City Certified Farmer's Market:

VENDOR:	FEE:
Farmers	7% of gross sales, or \$15 per canopy, whichever is greater
All non-farmers	12% of gross sales, or \$25 minimum fee, whichever is greater