

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

Meeting Date: 06/24/2013		Item Number: <u>C-4</u>	
CITY COUNCIL AGENDA ITEM: Approval of an Amendment to the Existing Professional Services Agreement with Stephen Whipple for Farmers' Market Management Services.			
Contact Person/Dept.: Glenn Heald/ CDD Todd Tipton/CDD		Phone Number: (310) 253-5752 (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 – City Council (06/18/13); (Email) Mr. Stephen Whipple (05/08/2013)			
Department Approval: Sol Blumenfeld (6/13/13)		City Attorney Approval: Carol A. Schwab (by H. Baker) (06/18/13)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (06/18/13)		City Manager Approval: John M. Nachbar (06/18/13)	
<u>RECOMMENDATION:</u> Staff recommends the City Council approve an amendment to the existing professional services agreement (Amendment) with Stephen Whipple for Farmers' Market management services through June 30, 2014, with options to administratively approve two (2) one-year extensions. <u>BACKGROUND:</u> On July 15, 1996, the former Culver City Redevelopment Agency Board (Former Agency Board) approved a Professional Services Agreement (Agreement) with Stephen Whipple to manage the Culver City Certified Farmers' Market (Market). The Former Agency Board subsequently approved eleven amendments to the original contract. As a result of Assembly Bill 26 (AB 26), Redevelopment Agency funding for this program is no longer available. Staff therefore recommends the City Council approve a twelfth amendment to the Agreement. There is no proposed increase to the level of funding. 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 and remittance of fees, preparation of financial reports, resolution of farmers' disputes, public relations and marketing. Staff is recommending this Amendment due to Mr. Whipple's performance and results over the past twelve years. Under Mr. Whipple's management, the Market, which was previously Redevelopment Agency-subsidized, has become			

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financially self-sufficient, typically returning annual net revenue of approximately \$30,000.

DISCUSSION:

The proposed Amendment will extend the terms of the Agreement through June 30, 2014 and potentially to June 30, 2016 if both one-year options are exercised, and maintain Mr. Whipple's compensation at \$32.00 per hour, without benefits, for a maximum of 25 hours per week.

Mr. Whipple utilizes an assistant whose salary was funded by the former Redevelopment Agency through reimbursement to Mr. Whipple at \$14.00 per hour for a maximum of 20 hours per week, plus additional expenses as approved by the former Redevelopment Agency's Executive Director. This arrangement allowed Mr. Whipple to assemble and supervise the workforce required to successfully operate the Market¹.

These professional services are excepted from the formal competitive bidding requirements per Culver City Municipal Code Section § 3.07.085.A.

FISCAL ANALYSIS:

The Farmers' Market provides approximately \$30,000 in net revenue annually. The Amendment to Mr. Whipple's contract maintains the annual expenditure amount of \$56,160 per fiscal year and \$168,480 for the term of the Twelfth Amendment if both one-year extension options are exercised. Sufficient funds have been included in the City Council Adopted Budget for Fiscal Year 2013/2014 to meet this expenditure for Fiscal Year 2013/2014. If the City Council approves this Amendment, a similar amount may be requested as part of the Fiscal Year 2014/2015 and 2015/2016 budget processes.

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 2-7 pm. His extensive experience at the Farmers' Market allows him to select and maintain respected and diverse produce and product vendors within the limited area allotted for the Market.

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ATTACHMENTS:

None.

MOTION:

That the City Council:

1. Approve an amendment to the existing professional services agreement with Stephen Whipple for Farmers' Market Management Services which (1) extends the initial term through June 30, 2014 with two one-year options for Fiscal Years 2014/2015 and 2015/2016; (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 to review/prepare the necessary documents; and,
3. Authorize the City Manager to execute such documents on behalf of the City.