



City of Columbia

701 East Broadway, Columbia, Missouri 65201

Department Source: Parks and Recreation

To: City Council

From: City Manager & Staff

Council Meeting Date: March 7, 2016

Re: Renewal of Sustainable Farms Lease to Operate a Farmers Market at Clary-Shy Community Park

Executive Summary

Sustainable Farms and Communities (SF&C) has operated a Farmers Market at Clary-Shy Community Park, located at 1701 West Ash Street, for many years. The agreement for the 2015 season expired on November 15, 2015. There are no changes proposed the 2016 lease agreement. Parks and Recreation is requesting City Council approval of the resolution authorizing the annual lease agreement with Sustainable Farms and Communities, Inc. for the 2016 season.

Discussion

The City has had a long-standing partnership with Sustainable Farms and Communities (SF&C) that allows the organization to lease a specified area of Shy-Clary Park to operate a Farmers Market to serve the citizens of Columbia. The lease for the 2015 season included an expansion of the previous leased area to include a ground area for a community education garden. The proposed lease the 2016 season is identical to the 2015 lease agreement with respect to the terms and conditions, with the lease date range updated for the 2016 season.

Key terms include:

1. The leased area is limited to approximately 50,000 square feet (1.15 acres) which is the basic size of the hard surface area used by the Market, plus the ground area for the community education garden.
2. The lease amount remains the same that it has been for the past several years - \$2,100 per year.
3. Sustainable Farms has the right to use the property for a Farmer's Market from March 15 through November 15, 2016, on the days of the week and during such hours as requested by SF&C and approved by the City Manager.
4. The lease area must be used solely for the operation of a Farmers Market.
5. The City will continue to maintain the area used for the Farmers Market in a dust-free condition and will mow the grass areas adjacent to the Farmers Market.
6. Special promotions such as concerts that may attract larger than normal crowds or those held on dates outside of the approved schedule may be approved through the Park Special



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Use Permit process.

This resolution, if approved, authorizes the City Manager to sign the proposed annual lease agreement with SF&C for the operation of the Farmers Market for the 2016 season.

Fiscal Impact

Short-Term Impact: The City will receive \$2,100 in revenue to the City's General Fund for the annual lease agreement.

Long-Term Impact: None.

Vision & Strategic Plan Impact

Vision Impacts:

Primary Impact: Health, Social Services & Affordable Housing, Secondary Impact: Parks, Recreation & Greenways, Tertiary Impact: Tertiary

Strategic Plan Impacts:

Primary Impact: Not Applicable, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Comprehensive Plan Impacts:

Primary Impact: Livable & Sustainable Communities, Secondary Impact: Secondary, Tertiary Impact: Tertiary

Legislative History

Date	Action
02/02/2015	R22-15: 2015 Annual Agreement with Sustainable Farms & Communities, Inc. https://www.gocolumbiamo.com/Council/Commissions/downloadfile.php?id=16553
01/21/2014	R12-14: 2014 Annual Agreement with Sustainable Farms & Communities, Inc. http://www.gocolumbiamo.com/Council/Commissions/downloadfile.php?id=12235

Suggested Council Action

Approve the resolution authorizing the annual lease agreement with Sustainable Farms and Communities, Inc.

Introduced by _____ Council Bill No. _____ R 24-16

A RESOLUTION

authorizing an agreement with Sustainable Farms & Communities, Inc. for the use of Clary-Shy Community Park located on the west side of Clinkscales Road and north of Ash Street for the operation of a farmers market and community education garden.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The City Manager is hereby authorized to execute an agreement with Sustainable Farms & Communities, Inc. for the use of Clary-Shy Community Park located on the west side of Clinkscales Road and north of Ash Street for the operation of a farmers market and community education garden. The form and content of the agreement shall be substantially as set forth in "Exhibit A" attached hereto and made a part hereof.

ADOPTED this _____ day of _____, 2016.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

AGREEMENT

THIS AGREEMENT is entered into this _____ day of _____, 2016, between the City of Columbia, Missouri (hereinafter "City") and Sustainable Farms & Communities, Inc., a Missouri not-for-profit corporation (hereinafter "Sustainable Farms & Communities").

The Parties agree as follows:

1. City shall allow Sustainable Farms & Communities to operate a farmers market and community education garden on a temporary basis on approximately 50,000 square feet of the land owned by City located at Clary-Shy Community Park, 1701 West Ash Street. The City Manager of the City of Columbia, Missouri shall designate the exact location of the market, parking areas and street access. The farmers market shall be located generally on the north side of this land adjacent to West Junior High School.
2. Sustainable Farms & Communities shall have the right to use this property only during the period of March 15, 2016 through November 15, 2016 on days of the week and during such hours as requested by Sustainable Farms & Communities and approved, in writing, by the City Manager. At all other times, City may use the property or allow others to use the property.
3. Sustainable Farms & Communities shall use the property solely for a farmers market and community education garden and any related uses approved by the City Manager. If Sustainable Farms & Communities should use the property for any other purpose, this agreement shall automatically terminate and Sustainable Farms & Communities shall immediately vacate the premises.
 - a. Community education garden shall consist of four (4) four-feet by eight-feet raised planting beds located south of the fence in an area pre-determined by Sustainable Farms & Communities and City's Parks and Recreation Department staff.
4. City shall provide a dust-free parking lot for farmers market patrons and merchants.
5. This agreement shall expire on November 16, 2016.
6. Sustainable Farms & Communities shall pay City Two Thousand One Hundred Dollars (\$2,100.00) upon execution of this agreement.
7. City shall keep grassy areas mowed, and maintain and service the area as it deems necessary.
8. Sustainable Farms & Communities shall keep the area clean of all trash.

9. Special promotions such as concerts that may attract larger than normal crowds or those held on dates outside of the approved schedule may be approved through the Park Special Use Permit process.

10. Sustainable Farms & Communities shall indemnify and hold harmless the City, its officers, agents and employees from all liability claims, settlements, judgments and defense costs (including attorneys' fees) for damages to persons or property arising in any way from the operation of the farmers market on City's property.

11. Sustainable Farms & Communities, at its sole expense, shall obtain and keep in force public liability insurance to cover operation of the farmers market on City's property in an amount not less than \$2,000,000 combined single limit for both personal injury or death and property damage, naming City as an additional insured. Sustainable Farms & Communities shall provide City with proof of such insurance.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date and year first above written.

CITY OF COLUMBIA, MISSOURI

By: _____
Mike Matthes, City Manager

ATTEST:

By: _____
Sheela Amin, City Clerk

APPROVED AS TO FORM:

By: _____
Nancy Thompson, City Counselor

SUSTAINABLE FARMS & COMMUNITIES, INC.

By: _____

Name: _____

Title: _____

ATTEST:

By: _____

Name: _____