

Farmers Market Advisory Committee (FMAC) Meeting Minutes
November 16, 2020, 5:30pm

In Attendance: Janice Lilly, Cortland Carrington, Melanie McQuinn , Michael Gleeson, Suzanne Mann, Lynn Schwartzberg

Not in Attendance: Whitney Schlegel, Mara Lea Rosenbarger, Rebecca Vadas

Parks Staff in Attendance: Leslie Brinson, Sarah Mullin

Approval of October Minutes

October minutes were approved unanimously.

Old Business

2021 Price Schedule - Leslie recapped what has happened so far related to the price schedule: The \$3 flat fee increase went to the Park Board for initial review in October. There have been a few proposals for a percentage increase instead of a flat fee. Tomorrow, the Park Board will do a final approval of the price schedule. However, price schedules can go back in front of the Park Board at any time. The FMAC can still recommend that we use percentage increases in the future.

Janice Lilly recapped that most of the council was more in favor of a proportional increase instead of a \$3 across the board increase. When Janice looked at the numbers, what she saw was that the \$3 increase would bring a 20% increase in revenue overall. With the desire to work in whole dollars, a large spot would increase 22%, large senior 24%, small 20%, and a small senior/youth would be 14%. This gives a 22% increase in revenue based on the projections instead of a 20% increase with the flat fee.

Leslie asked how the council would like to see the percentage increase in the future. For example, is the increase on regularly scheduled intervals at 5% or 10%.

Janice asked, if Parks gets to the point with the increases that you are making more than is required to run the market, is the market able to keep those funds? Can they build up a reserve? Leslie explained that if a program makes a profit, the balance goes into a non-reverting Parks Department fund that can then be used, for example, in years like this year when the farmers market isn't making money. The program itself doesn't keep the profits, but the Parks Department does. She also clarified, if we're covering our cost and making a bit of money, we wouldn't be calling for a price increase. Janice said, it should be looked at on a regular basis and if you're running in the black maybe you skip an increase. She said some indicators are inflation, what does it cost Parks to run the farmers market, etc. She also wants to bring up the Sustainability Action Plan and the City's commitment to the local food system.

Melanie McQuinn said that she thinks that the proportional increase is more favorable. She understands that the \$3 increase is going before the Park Board tomorrow and wanted to know what the process would be to bring forward a proportional increase instead. Leslie said that the FMAC would present a proposal to her. Present a price schedule that the FMAC thinks is appropriate and Leslie would review it with Parks Department staff and they would determine if it's something they'd want to do for 2021 or for the future. She said that the price schedule certainly needs to be looked more closely yearly, whether or not an increase to fees is made. The FMAC would offer advice, she will take it to staff, then she may come back with some questions or different options. If, ultimately, it's decided to change the price schedule, that has to go back in front of the Park Board and that can happen at any monthly meeting.

Cortland asked if there is anyone who is opposed to a proportional model. He said he wouldn't want to make changes for 2021 because farmers need some stability and already understand that there will be a \$3 increase, but he'd like to consider this for 2022 and beyond. Lynn expressed her support for Janice's percentage model. Mike asked Janice if she sees any problem bringing this model back to the table next year or the year after. Janice does not. When you're dealing with percent increases on small amounts but you want to keep whole dollar amounts, you're going to have a gap between \$1-\$2.

Leslie asked if there's such a large range between the small senior price at \$8 and the large space at \$22, is that encouraging vendors to reserve multiple small spaces instead of one large space? Or are vendors getting a large space because they want the cover and want to be able to pull their car in? Janice clarified that you have to be a senior to get the \$8 fee in her model, whereas the \$22 fee is for non-senior large spaces. She said the comparison is 2 small spaces at \$12 and 1 large space at \$22, but she wasn't sure about the dimensions of each booth and wondered if all large spaces are under cover. Sarah Mullin clarified that not all large spaces are under a shelter. There are large spaces that are along the perimeter that don't have shelter. Every space is 9 ft wide because they're parking spaces. Small spaces are 9 feet wide x 8 ft deep and large spaces are 9 ft wide x 26 ft. That includes a vehicle, however some vendors remove their vehicle and use the entire large space as their vending space. There are a lot of variables. There are large covered spaces, large uncovered spaces, small spaces are all uncovered and vendors need to bring tents, except one small space that is covered. Melanie said that there's a big difference for vendors to have cover and not have to bring a tent and/or to be able to have your vehicle in the space. As a vendor, she has seen that the smaller spaces are good for new farmers. With the flat increase she sees the small space price (\$13) as more of a barrier than with the percentage price (\$12).

Cortland is hearing that there is no opposition to a percentage increase in future years. He asked Janice and anyone else if they wanted to get together as a subgroup and get a proposal together to present a few months down the road. Janice said the decision tonight is about 2021 and not about the future. She'd like to propose that we offer an alternative for next year. She'd like it to go to the Parks Board in December to ask them to reconsider what they're probably going to vote on tomorrow. Melanie agreed. She said a proportional model may be an incentive for vendors to continue with the market. Leslie said we're talking more about the process than

the pricing. The pricing between the two models is pretty similar. The senior small booth prices have a \$2 difference (\$8 vs \$10), and it's \$1 more (\$24) for a large space in the proposal Janice set forth while it's \$1 more (\$13) for regular small space in the flat fee model. She asked if the concern was less about the actual fee and more about how the Parks Department goes about finding the fee. Melanie and Janice said that's correct.

Janice made a motion that the FMAC recommend to the Parks Board that for the 2021 season they take a proportional pricing model.

Janice can write up a proposal that the FMAC will offer to the staff to make a decision whether or not to take that to the Parks Board at the December meeting, but the FMAC recommends that that be the pricing for 2021. [Lynn Schwartzberg](#) seconded the motion. Cortland asked if there's any comments before approving the motion. Suzanne Mann commented, "If it's a good idea for two years from now, it's a good idea for now. I don't know why we would wait." She said that it communicates goodwill. Cortland said that the message that it sends is that it gives new growers a bit easier route to get into farming. It's important to welcome them in and give the opportunity to grow into the larger spaces. Leslie asked Janice to send the pricing and a statement via email. She said that the December Park Board meeting is super early due to the holidays, so she promises she will pass it along and discuss it, but she can't guarantee it gets on the December Park Board agenda. She can't promise that it gets to a Park Board but she can promise that she will pass it along and it will be discussed internally. Lynn said she thinks the proportional model is worth emphasizing to the Park Board, even though the pricing may come out similar, it's an important detail that shouldn't be overlooked. Suzanne said that it's the strongest point the council is making. It's not the dollars, it's starting a different procedure. Cortland asked if there was any opposition to the motion. There was none. The motion passed.

New Business

Park Board Work Session Review - Leslie said that there was a work session with the Park board on Thursday where the farmers market was a topic. Work sessions are scheduled to spend more time on a particular topic than there would be at a Park Board meeting. In the work session Leslie presented a PowerPoint presentation. She can share the presentation, although they covered many things already discussed at the FMAC. She covered numbers and cost recovery levels for 2020 (around 30% this year), then she covered the budget and cost recovery projections for the next 4-5 years, a timeline of approvals, etc. for 2021, and gave the staff recommendation that the Parks Department continue with the farmers market in 2021, that they proceed with hiring a new coordinator, and that there be a staggered cost recovery level over the next 3-4 years, working towards getting back to 100% over time. The Parks Dept asked that full time staffing and benefits be moved out of the non-reverting fund and back into the general fund so that the market does not have to cover those costs. This cannot happen in 2021 because the budget has already been approved, but Parks will be asking for that in 2022, which will remove about \$80,000 out of the budget. That makes the expenses and revenues much more manageable. Les Coyne, a Park Board member, agreed that the Parks Dept should move forward with the farmers market. He agreed that the budget needs to be looked at but that it

shouldn't control what we do. The farmers market needs a few years to come out of COVID as well as work through other challenges. With that, Parks will be moving forward with plans for a 2021 farmers market. Mike Gleeson attended the meeting and he came away feeling impressed about how positive the Park Board was and the commitment they have to the farmers market. Janice Lilly attended the meeting and questioned whether the Parks Board will come out with a formal statement in favor of the farmers market. Leslie said she didn't know if they would. The Parks Department runs programs all the time that aren't approved by the Parks Board. Leslie said the best thing that came out of it is that we're moving forward and it gives us some direction.

Review of Vendor Survey - Leslie said that the farmers market surveyed vendors about their thoughts about the 2020 season and their thoughts about 2021. She will share the complete survey with the council via email. There are 80-100 vendors on the email list that received this survey. Only 24 responded, so we're not sure how reflective of the overall experience these results are. Sarah said that there was representation from vendors who stayed at our market all season, some vendors who left in July, and at least one vendor who wasn't able to vend this year due to health concerns related to COVID. The survey asked what months vendors participated, it asked how their sales compared to their expectations and a majority had sales that were about what they expected or better. The majority thought they'd come back and at least 50% of respondents plan to be full season vendors in 2021. The survey asked about Tuesday Market in 2021, vendors were asked about interest in continuing with the online farmers market and if they'd be willing to pay a fee to participate. The responses were split. Vendors were asked about changing the hours. Most vendors prefer the current hours. The vendors were asked about amenities. Those that ranked high were large covered stalls, restrooms, and paid staff. Amenities that didn't rank too high included entertainment and events, Farmers Market Nutrition Program and some items that are vendor specific like wild mushroom inspection and water access. Lynn commented that because of the way the market was this year, she can understand why entertainment wasn't important at all. She thinks it may be situational. Leslie said that she and Sarah have been trying to wrap their heads around the points system and whether it's a good system or whether it should be revamped. The majority surveyed like the points system. The survey asked if the points system could be simplified because it is a very complicated system. Leslie said it may be interesting to see how other markets do space reservations to see if there is a different model we might use. That may be something the FMAC could help the Parks Department look into in the future. She acknowledged that some people see the points system keeping new vendors from joining and see it as a disadvantage. There probably was a time that spaces weren't available if you were a brand new vendor, but in 2021 that more than likely won't be the case. However, if it gives that impression, it's something to be looked at. The market wants it to be a fair system and if there's a better way we want to look into it. Sarah also said that administratively the points system is a bit of a burden. At many farmers markets, vendors have to attend on days they say they will attend. At this market vendors are given more freedom, so then the market staff has to keep really close notes to ensure everyone's points are correct. That's something that can be pretty stressful and also, perhaps, takes up quite a bit of staff time. She reiterated that this is just something the staff is talking about and not something we have any plans to change right now.

Other questions included questions about training for vendors, suggestions for creating a more diverse and inclusive farmers market, and creative fundraising ideas. The full survey and all comments will be emailed out in interest of time.

Melanie asked a question about the survey. She saw that about half of the respondents plan to attend again next year. She wonders if we have a good handle on retention for next year and how that relates to cost recovery. Sarah said that, anecdotally, she can't think of anyone who attended through October who has indicated they're not planning to return. She imagines that the market is at least the size that it was this fall which was a manageable size that is similar to the size of a lot of other successful farmers markets. They would be excited if new vendors want to join as well.

Review of Vendor Handbook - Leslie said that she would like to take the handbook with the contract to the Parks Board at their January meeting which is the 4th Tuesday in January. She'll have to get the documents to the legal department about 2 weeks before that. We have this meeting and the December FMAC meeting to discuss it. We can also discuss things through email through the middle of January. She said she doesn't anticipate making substantial changes to the handbook or contract, but there are two areas that could receive input from the FMAC - the vendor behavior section and the expectations section. A harassment policy could be inserted there. She said that she did look to see what language other farmers markets use. She likes the Fishers Farmers Market language. They have a section called Vendor Conduct and they also have a complaint process outlined. Maybe we'd like to consider putting something like this in our handbook to address some of the concerns Melanie has brought up. They also have a vendor concern form to go along with this.

Melanie said that she compiled information from local markets and the markets she worked at in Texas and sent those out for the council to review over email. She said that at the City the vendor has to take complaints to the Human Rights Commission and the challenge is that they only investigate claims at businesses with 6 or more employees, which excludes most vendors. Leslie clarified that as a contracted vendor in the City, vendors are considered the same as City employees in that situation, and vendors would be covered. Vendors also do not have to take complaints to the Human Rights Commission. It is an option. Parks also refers to them if they're not sure how to proceed with a situation. She said she'd double check about the 6 person regulation, but she is not under the impression that that applies to vendors.

Cortland asked if Leslie could send a link to the Fishers language. Leslie said that she would send that along with some other research she has come across.

Melanie added that she'd like to see in the expectations of the City that first, they have a grievance process and second, that they enforce that process. Mike Gleeson asked about the court case that is proceeding. He asked what are the issues that will be decided in that case, when will it happen, and what are the implications for the current discussion. Leslie said that she does not know the timeline. She believes the gist of the court case is that the Parks Dept didn't protect Schooner Creek's rights and that Parks was discriminatory against them in their rights

and their protection. She said she doesn't know that the court case has anything specifically to do with what is being discussed today except that it has brought to light that Parks needs additional policies to help guide us if we should have similar circumstances in the future.

Melanie said that she'd like to see that if for some reason the complaint can't be resolved that the vendor may leave and have prorated reserved space fees refunded. Melanie said her farm's retention at the market is at a critical juncture because there are other markets that do have grievance processes in place. She wants to make sure her farm has their interest protected and she's not sure she would be interested in going forward with this market if she can go to another market that already has these processes in place. She's thinking she'll go forward with a different market next year.

Mike asked if she has access to the language of those processes. Melanie said that she sent them out last week. Janice asked if Melanie could send the exact language for the Woolery Market. Melanie said that she's included relevant portions of the Woolery Market, the People's Market, and various Houston area farmers markets. Janice would like to see what the individual markets' language is. Melanie isn't sure she can share that information, but that we could inquire. She said that what is in effect at the Woolery and People's Markets far surpasses what the City has in their contract. Melanie said that regardless of where she decides to take her business going forward, it's in the best interest of the City's farmers market to have those processes in place and at least be competitive with the other area markets.

Cortland said that he looked over Melanie's notes and he appreciates the work she did. He asked Leslie to send the Fishers information. She said she'd send that as well as re-send what Melanie had sent for anyone that may not have seen it. Melanie said that Leslie should also include her language about expectations from the City. Janice asked if Parks could ask the other local markets if they'd be willing to share their vendor expectations/contract information. Sarah said she could reach out.

Melanie said that her October contract has expired and she's no longer technically a vendor and she wondered if that had any impact on her involvement with the FMAC. Leslie said that technically all vendors' contracts have expired, so she's fine to stay on. If she decides not to pursue a contract in 2021, then it would be appropriate to step down.

Cortland asked if it's possible to do a mid-year amendment or addition to the handbook. Leslie said that she's not sure that's happened in the past, but this year we did 3 addendums to the contract due to COVID, so she does think the possibility exists to add something after the mid-January Park Board timeline if necessary.

Cortland asked if Leslie could also reach out to the Human Rights Commission to double check on the 6 person rule. Leslie said she would.

Leslie brought up the possibility of changing dates for the advisory council meeting and suggested either the 2nd Monday or the 4th Monday of the month. Currently we meet on the

third Monday and the Park Board meetings are the next day which makes it difficult to bring things to the Park Board on time. If we meet the 2nd Monday, there may still be time to get things into that month's board meeting, or if we met the 4th Monday, things would be addressed the following month. Janice agreed that the current timeline doesn't really work. She said she likes the idea about the 4th Monday. Cortland seconded that he likes the 4th Monday.

Leslie also said that they are moving forward with a timeline for hiring a new coordinator. The position is due to be posted in January. She'd like to be able to send the job description to the council before it is sent to Human Resources.

Public Comment

No public comment

Meeting adjourned at 7:30pm