



City of
Peterborough

To: **Members of the General Committee**

From: **Allan Seabrooke, Commissioner of Community Services**

Meeting Date: **December 3, 2018**

Subject: **Report CSAD18-006
Peterborough and District Farmers' Market Association**

Purpose

A report to provide an update on the Peterborough and District Farmers' Market Association (PDFMA) and their Saturday Farmers' Market in Morrow Park and next steps.

Recommendation

That Council approve the recommendation outlined in Report CSAD18-006, dated December 3, 2018, of the Commissioner of Community Services, as follows:

That Report CSAD18-006 Peterborough and District Farmers' Market Association be received for information.

Budget and Financial Implications

There are no additional budget or financial implications associated with receiving this report outside of the yearly budget allocation for base rent received for the exclusive use of the Morrow Building and outdoor parking area.

The City will receive \$53,165.50 plus HST of \$6,917.51 for a total of \$60,077.01 in 2018.

Background

At its meeting of May 7, 2018, Council approved the following recommendation related to the PDFMA;

- a) That staff be directed to monitor the Farmers' Market for violations against the license agreement and,
- b) That staff report back to Council on any violations and next steps.

Report CSAD18-006 is being provided to the General Committee to address this request.

The PDFMA has been the operator of the Saturday Market in Morrow Park since 1984. Prior to this date, predecessors of the PDFMA, with the sanction and authority of the Peterborough Agricultural Society, operated a farmers' market in Morrow Park. With a desire for the continuation, growth and operation of a farmers' market in Morrow Park, the PDFMA was created and entered into a license agreement with the City in 1984 to provide an organization to directly manage, operate and promote the farmers' market and to pay a monthly rent. In 1987, the Morrow Building was constructed by the City and allowed the Saturday farmers' market to carry on indoors throughout the winter months, expanding into a year round farmers' market.

Update on PDFMA Agreements

In February 2018 the PDFMA and City updated several prior agreements into one new agreement. Through Report CSD17-011 – Draft Memorandum of Understanding with the Peterborough Agricultural Society Agreement, staff was directed to maintain the current farmers' market as a tenant year round. The current license agreement with the PDFMA expires in May of 2019.

The PDFMA is incorporated and has its own set of bylaws which set out how members exercise their voting privileges. Early in 2018 the organization experienced conflict among its membership regarding certain vendor rules and regulations. These issues initiated a thorough review by the membership, resulting in a new Board of Directors being elected and a mandate to set a strategic plan to create stability and chart a future path forward. To date, the PDFMA has completed this strategic planning process, and adopted a new strategic plan that included hiring a paid Operations Manager. A new Board of Directors was elected, the Operations Manager was hired and expanded marketing and communications is now taking place between both the vendors and the community resulting in positive responses from customers.

The PDFMA is a tenant in good standing with the City. There have been no violations of the license agreement and rent payments are up to date.

The current license agreement requires the PDFMA to comply with all applicable federal, provincial and municipal legislation. **The Health Protection and Promotion Act** is a law in Ontario that gives local health departments the authority to carry out inspections in restaurants and other food premises. A Farmers' Market is a food premise. Peterborough Public Health conducted food handler and food safety inspections at the Morrow Park Farmers' Market in June and August 2018. No exceptional concerns were noted.

Next Steps

It is staff's intention to extend the current license agreement with the PDFMA, which will expire in 2019, for one year until May 2020. This can be done within the delegated authority provided to the Lease Committee. This will allow sufficient time in 2019 for staff to create a Request for Proposals (RFP) document and interested organizations to respond on operating a farmers' market at Morrow Park under a long term license agreement. The RFP will clearly outline the City requirements for the operator, providing an opportunity for any qualified proponents to respond with their organization's proposal. The term of the license agreement is expected to be a minimum of five years with renewal provisions. The RFP would be awarded by staff in 2019 with a proposed contract start date of May 1, 2020. The Lease Committee will review and approve the license agreement. Staff will proceed with this option unless Council directs otherwise.

Allowing a twelve month extension of the current agreement will also provide the PDFMA the opportunity to continue with the implementation of the strategic plan under their new organizational structure and Operations Manager.

Other Options Council May Consider

1. Status Quo

The current license agreement with the PDFMA that will expire in May 2019 could simply be extended into a long term agreement for a minimum of five years with renewal provisions. Staff do not recommend this option. Staff are of the opinion that it is prudent to consider and evaluate all potential proposals given the intention of providing a long term agreement.

Should Council choose to consider this option, the appropriate recommendation would be as follows:

That staff be directed to extend the current license agreement with the PDFMA for the operation of the Saturday Farmers' Market in Morrow Park for a minimum of five years with renewal provisions.

2. City Operates the Farmers' Market

Under Section 113 of the **Municipal Act**, a local municipality may establish, maintain and operate a farmers' market, a flea market and other similar types of markets.

Staff do not recommend that the City consider this option of operating the farmers' market at Morrow Park. A City operated farmers' market represents an increased level of service and a business that the City is not currently involved in. Staff would need to complete a feasibility study to determine the costs and benefits of a City run market.

Should Council choose to consider this option, the appropriate recommendations would be as follows:

- a) That the current license agreement with the PDFMA be extended for one year until May 2020; and
- b) That staff report back to Council in 2019 on the feasibility of the City operating the farmers' market at Morrow Park.

Summary

This report has outlined for Council that staff's intention is that the current license agreement with the PDFMA as operator of the Saturday Farmers' Market at Morrow Park will be extended one year until May 2020 allowing sufficient time for staff to prepare and award an RFP for a long term license agreement for an operator beginning May 1, 2020.

Submitted by,

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Commissioner of Community Services

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