
DEPARTMENT MEMO

DEPARTMENT: Development Services

FROM: Joni Van Noy

MEETING: July 6, 2020

SUBJECT:

Consideration of a minute order approving a facility use agreement with Burleson Farmer's Market for use of a portion of the Mayor Vera Calvin Plaza in Old Town (*Staff Contact: Joni Van Noy, Old Town Administrator*)

SUMMARY:

The Burleson Farmer's Market (BFM) seeks to relocate its activities to the promenade area located within the Mayor Vera Calvin Plaza in Old Town beginning Saturday, July 11, 2020. The most recent agreement approved by Council in February 2020 referenced the following: "The operator of the Market is aware that at such time the Mayor Vera Calvin Plaza is complete and the City and/or BFM operator would like to relocate the market to the Plaza area, a new agreement shall be drafted and reviewed by City Council".

BFM is granted rights to utilize a portion of the Mayor Vera Calvin Plaza in Old Town (predominantly the area known as the "promenade") on Saturdays; with the exceptions of: an occasional Sunday market in place of a Saturday market with City staff approval and prior coordination; or a conflicting special event that the city and/or public events committee has approved. The original agreement was amended in August 2019 to add a provision to the agreement that BFM may hold a Sunday market in the event that a Saturday market is cancelled due to inclement weather or BFM seeks a special Sunday market in place of a Saturday market (allowed once per month). A site layout exhibit must be submitted as part of a seasonal use permit application prior to the use of the area.

Staff is proposing a \$250.00/day fee for BFM operations. This fee was calculated based on an hourly

rate when compared to the fee established to reserve the Plaza, in its entirety, for private events. Additionally, BFM is held to certain standards for the clean-up of the utilized area. A clean-up fee of \$200 has been established to levy in the event the requirement is not met on any given day in which the market is held.

BFM must provide a Certificate of Insurance indicating personal injury insurance coverage of not less than \$1,000,000 with the City named as an additional insured. For any reason, the City has the right to terminate or amend the agreement, provided that four-day notice is given to BFM if they are in good standing. The City will make every effort to work with BFM to allow continued operation through construction and/or special events. BFM is managed by Chaz Forster (requesting applicant). Mr. Forster has indicated his support for this agreement as presented to City Council.

OPTIONS:

- 1) Accept the facility use agreement as presented
- 2) Modify the facility use agreement at Council’s discretion
- 3) Deny the facility use agreement

RECOMMENDATION:

Staff recommends approving the facility use agreement as presented.

FISCAL IMPACT:

N/A

STAFF CONTACT:

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