



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Economic Development Division

m e m o r a n d u m

TO: Laurel Lunt Prussing, Mayor

FROM: Elizabeth H. Tyler, FAICP, Director, Community Development Services

DATE: July 5, 2012

SUBJECT: An Ordinance Amending Urbana City Code Chapter Two To Establish A Market At The Square Advisory Board

Introduction and Background

A strategic planning process for Urbana’s Market at the Square was conducted in 2010-2011. The plan was a response to the Urbana City environmental sustainability goal. Goal 5, Strategy J, “Promote production, accessibility, and affordability of local farm and artisan products”, offered several suggestions for achieving this goal, among them:

- a. Conducting a strategic planning process to explore the future vision, program goals, and implementation steps for Urbana’s Market at the Square.
- b. Considering the creation of an advisory board for Urbana’s Market at the Square composed of representatives of the City of Urbana, vendors, consumers, the Urbana Business Association, and others as deemed appropriate.

The Strategic Plan was also prepared in response to concerns of growers and other vendors about the direction of the Market and the need for a more formal voice in the decision-making process.

A Steering Committee for the Strategic Plan collected public input and evaluated governance models at other farmers markets in the United States. The following members of the public served on the Urbana’s Market at the Square Strategic Plan Steering Committee:

Jon Cherniss
Farmer and Produce Vendor

Alice Engelbretsen
Community
Organization/Neighborhood/Patron
Representative

Jacqueline Hannah
Common Ground Food Co-op

Katie Hansen
Urbana Business Association

Stacy Harwood
Professor of Planning, University of Illinois/
Neighborhood Representative

Amy Hatch
Community
Organization/Neighborhood
Representative

Wes Jarrell
Professor Emeritus, Agriculture & Sustainability,
University of Illinois

Diane Marlin
Urbana City Council, Ward 7

Brian McKay
Lincoln Square Village business owner

Jeff Meyer
Farmer and Produce Vendor

Jill Miller
Artisan/Art Vendor

Stan Schutte
Farmer & Produce Vendor

The Urbana's Market at the Square Strategic Plan was adopted by City Council on November 7, 2011 (<http://urbanaillinois.us/sites/default/files/attachments/market-plan-final-appendices.pdf>). It includes direction provided by City Council regarding the proposed composition of the Market Advisory Board. City Council also provided an objective under Goal 8 of the Plan (Market funding) regarding identification of alternative funding sources to support Market staffing to prepare for the future expiration of redevelopment funds. Both changes are reflected in the final version of the Strategic Plan.

Discussion

A Draft Ordinance to establish a Market at the Square Advisory Board for the City of Urbana, Illinois, has been prepared for City Council review. (Exhibit A) The Ordinance is consistent with the recommendation of the Urbana's Market at the Square Strategic Planning Steering Committee to create such a body. The draft ordinance describes the structure of the Market at the Square Advisory Board, including the mission, composition, quorum, terms, meetings, chairperson, functions, duties, subcommittees, and compensation.

It is anticipated that the Market at the Square Advisory Board will meet quarterly and that the Market's Director, Lisa Bralts, will serve as staff liaison to the Board.

The draft ordinance has been reviewed by staff in the Legal Department.

Fiscal Impact

As there is no budget involved with the Market at the Square Advisory Board, there should be no fiscal impact on the City. Minimal funds will be set aside from the Market's own budget for Board training and materials, as necessary.

Options

With respect to the Draft Ordinance to Establish a Market at the Square Advisory Board, the following three options can be considered:

1. Forward the ordinance establishing a Market at the Square Advisory Board for Urbana's Market at the Square for the City of Urbana, Illinois as presented to City Council with a recommendation for approval.
2. Forward the ordinance establishing a Market at the Square Advisory Board for Urbana's Market at the Square for the City of Urbana, Illinois, with any requested changes, with a recommendation for approval.
3. Forward the ordinance establishing a Market at the Square Advisory Board for Urbana's Market at the Square for the City of Urbana, Illinois to City Council with a recommendation for denial.

Recommendation

Staff recommends that the Committee of the Whole forward the attached Ordinance to the City Council's regular meeting on July 16, 2012 with a recommendation for approval.

Prepared by:

Lisa Bralts, Economic Development Specialist/Urbana's Market at the Square Director

Attachments:

Exhibit A: Draft Ordinance

ORDINANCE NO. 2012-07-071

**AN ORDINANCE AMENDING URBANA CITY CODE CHAPTER TWO TO ESTABLISH
A MARKET AT THE SQUARE ADVISORY BOARD**

WHEREAS, the City of Urbana, Illinois currently operates a farmers market, Urbana's Market at the Square, which has been a part of the community for 33 years; and

WHEREAS, Urbana's Market at the Square is an integral part of our City's vitality, bolstering quality of life, encouraging entrepreneurship and economic development, and attracting visitors to our area; and

WHEREAS, many cities throughout the United States have adopted support of farmers markets to enhance their communities, recognizing their importance to the development and enhancement of local food systems; and

WHEREAS, the Urbana City Council adopted Common Goals on February 1, 2010 which included:

- the promotion of production, accessibility, and affordability of local farm and artisan products;
- the conduction of a strategic planning process to explore the future vision, program goals, and implementation steps for Urbana's Market at the Square;
- consideration of the creation of an advisory board for Urbana's Market at the Square composed of representatives of the City of Urbana, vendors, consumers, the Urbana Business Association, and others as deemed appropriate; and

WHEREAS, the Urbana City Council approved the Urbana's Market at the Square Strategic Plan (Resolution No. 2011-10-038R) on November 7, 2011, including the strategic planning Steering Committee's recommendation to create a Market at the Square Advisory Board; and

WHEREAS, the Urbana City Council wishes to establish the Market at the Square Advisory Board.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. Urbana City Code Chapter 2, "Administration," Article IV, "Boards and Commissions," is hereby amended by adding the following division thereto:

Division 5 -- Market at the Square Advisory Board.

Section 2-95 - Market at the Square Advisory Board.

(a) Market at the Square Advisory Board establishment. The city council hereby establishes the Market at the Square Advisory Board as set forth herein.

(b) Mission. The Market at the Square Advisory Board recognizes the continuation and growth of Urbana's Market at the Square as essential to the vitality of our city. The Board fosters a dynamic, entrepreneurial Urbana, helps guide the long-term activities of the Market and attainment of its goals as described in the Urbana's Market at the Square Strategic Plan adopted by City Council on November 7, 2011, and creates an environment in which the Market's mission to connect the community to local food growers and producers, strengthen the local food economy, provide access to local artisans, and serve as a community gathering place, may thrive.

(c) Composition; appointment. The Market at the Square Advisory Board shall consist of nine (9) members appointed by the Mayor, and approved

by the Council, from constituencies representing various segments of the Market community which have experience, expertise, or interest in the areas of farming, local food production, local food systems, urban planning, community and neighborhood organizing, event planning, business, or another related field. Members shall be chosen from a diverse range of backgrounds, occupations and Market constituencies, with the intention of reflecting the full diversity of the Urbana Market community. To that end, the composition of this Board shall be as follows:

- 1) Four (4) current vendors of any of the following: fruits and vegetables, meat, dairy, honey, flowers, and baked goods and other prepared foods; with three of these vendors being full-season Market participants of at least four (4) years and one a full-season participant of less than four (4) years, and all in good fiscal standing with the Market;
- 2) One (1) vendor artisan in good fiscal standing with the Market;
- 3) One (1) community group representative from a current group in good fiscal standing with the Market;
- 4) One (1) downtown Urbana business representative;
- 5) One (1) Urbana resident who is a Market patron who is not a vendor or other participant in the Market; and
- 6) One (1) City Council Member

In the making of appointments hereunder, the Mayor may receive recommendations by civic groups. All members shall be voting members.

(d) Quorum. A majority of Board members currently serving shall constitute a quorum.

(e) Terms of members; absence of member.

1. The initial terms shall be as follows. There shall be three (3) members whose terms expire June 30, 2013, three (3) members whose terms expire June 30, 2014, and three (3)

members whose terms expire June 30, 2015. Subsequent appointments shall be made for terms of three (3) years, or until their successors are appointed and approved by the City Council. Within sixty (60) days following the expiration of the term of each of those Board members, a successor shall be appointed by the Mayor with the approval of the City Council, and the successor shall serve for a term of three (3) years.

2. If a Board member resigns or is removed from the Board, a successor shall be appointed by the Mayor with the approval of the City Council and shall serve for the unexpired period of the vacated term.
3. Members of the Board may be removed by the Mayor for good cause with the approval of a majority of City Council present and voting. Absence from three (3) consecutive meetings within twelve (12) months may be considered to be prima facie good cause.

(f) Meetings. The Market at the Square Advisory Board shall meet quarterly, on call of the Chairperson or of any five (5) members.

(g) Chairperson. The Mayor shall designate the Chairperson of the Board.

(h) Functions and duties generally. The functions and duties of the Market at the Square Advisory Board are limited to those set forth in this ordinance, and as specifically set forth in any other duly enacted ordinance. Nothing in this ordinance shall be construed as vesting legislative discretion or power in the Board.

(i) Duties. The Market at the Square Advisory Board shall adopt its rules of procedure for whatever regular and special meetings are deemed by the Board to be advisable and necessary to the fulfillment of the duties of the Board.

The roles and responsibilities of the Board may include, but not be limited to, the following:

1. To consider future growth of the Market consistent with its mission;

2. To research and seek additional funding, including donations, grants, and other support for Urbana's Market at the Square;
3. To encourage public participation in the Market, and its related events and programming;
4. To cooperate with other entities on matters regarding the Market;
5. To offer educational programming to the public regarding the Market and the local food system;
6. To coordinate events and outreach related to the Market;
7. To implement Urbana's Market at the Square's Strategic Plan and update the Strategic Plan when needed; and
8. To take such other actions as the Mayor and City Council may direct from time to time.

The Market at the Square Advisory Board will submit its recommendations yearly to the City Council via the Market Director's Annual Report, which is delivered to City Council once per year.

(j) Sub-committees. The Market at the Square Advisory Board shall appoint sub-committees as deemed necessary.

(k) Compensation. No member of the Market at the Square Advisory Board, or any appointed sub-committee, shall receive compensation for his or her services. Members of the committees who are City employees shall receive only such compensation as is set forth as salary and benefits in the annual appropriation ordinance.

(l) Budget. There is no formal request for funding from this Board to the City Council. Any necessary training funds for the Board will be budgeted out of the Market's annual budget.

(m) Administration. The Market at the Square Advisory Board shall be responsible for taking any action necessary to carry out its purposes for projects as described in the section on Duties, in accordance with the annual budget and subject to all ordinances in the City of Urbana.

The Community Development Services Department shall provide staff support for the meetings and activities of the Market at the Square Advisory Board.

Section 2. Those sections, paragraphs, and provisions of the Urbana City Code that are not expressly amended or repealed by this Ordinance are hereby re-enacted, and it is expressly declared to be the intention of this Ordinance not to repeal or amend any portions of the Urbana City Code other than those expressly set forth as amended or repealed in this Ordinance. The invalidity of any section or provision of this Ordinance hereby passed and approved shall not invalidate other sections or provisions thereof.

Section 3. This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage and approval according to law.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:

NAYS:

ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laurel Lunt Prussing, Mayor