



## Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Councilmember Davis  
Councilmember Torres

**SUBJECT:** SEE BELOW

**DATE:** 08/25/2023

APPROVED:

**SUBJECT: APPROVAL OF “FREE USE” OF CITY HALL WEST PLAZA AND  
ROTUNDA FOR THE 2023 PLAZA AZUL FARMER’S MARKET SERIES**

### **RECOMMENDATION**

1. Adopt a resolution authorizing “Free Use” for the Plaza Azul Farmer’s Market series held at the City Hall West Plaza every Tuesday, August 29<sup>th</sup>-November 14<sup>th</sup>, co-hosted by Councilmember Davis’ office, Councilmember Torres’ office, and the Office of Economic Development and Cultural Affairs.
2. Place the item on the September 12<sup>th</sup>, 2023 Council Agenda for action.

### **BACKGROUND**

In June 2019, the City adopted the [Schedule of Fees Resolution No. 79138, Section 13.080](#) for free use of City Hall facilities and the plaza. Presently, the resolution allows City Council and City departments to have free use of the facilities for events for a maximum of seven (7) free uses per calendar year that 1) qualify as official City business; 2) are free and open to the public; 3) occur on a Sunday through Friday; and 4) are booked 30 days in advance. Resolution No. 79138 does not apply to free use requests for 12 recurring weekly events that involve commercial activity of selling goods for profit, and, as such City Council approval is required to authorize free use for the 2023 Plaza Azul Farmer’s Market series held at the City Hall West Plaza every Tuesday from August 29<sup>th</sup>, 2023 through November 14<sup>th</sup>, 2023.

### **ANALYSIS**

The Plaza Azul Farmer’s Market series aim to provide neighboring residents, San Jose State students and staff, downtown employees and visitors, and City Hall employees with a reliable and convenient place to buy fresh, healthy produce, and promote sustainable changes to encourage a healthier lifestyle. The Farmer’s Market series also aims to increase civic pride,

activate City Hall, support small and local businesses by having Berryessa Flea Market vendors sell products, and improving the connection between residents and City employees.

The Plaza Azul Farmer's Market will take place at the City Hall West Plaza every Tuesday August 29<sup>th</sup> through Tuesday, November 14<sup>th</sup>, 2023. There will be different vendors each week. Vendors will sell fresh fruits and vegetables, apparel, and arts and crafts.

Free use is being requested because of the public benefit the Plaza Azul Farmer's Market series will bring to the City of San Jose and its downtown. The partnership between the City and vendors from the Berryessa Flea Market will help drive economic development to make San Jose a more vibrant place to live, work, shop, eat, and visit. The series will also help with visibility of the City's downtown and drive foot traffic and tourism.

### **COST AND FUNDING SOURCE**

The total cost of this event for all twelve events is \$21,197.00 of which \$6,160.00 will be paid by Council Office 6. The breakdown of non-free use expenses are below. The remaining \$15,037.00 will be charged to the Department of Public Works/Event Services' budget. In addition, estimated loss of parking revenue at the 4th street garage is \$10,800.00 (100 cars x 3 hours of use, for \$3 per hour per day over the span of 12 weeks). Each year Council Office 6 is allotted 7 free uses for events qualifying for free use. Approval of this action will go towards the remaining free uses for Council Office 6.

Rotunda: Event captain (9:00AM-5:30PM for all 12 events): \$3,272.50

Good Guard Security Event Guard (2:30PM-9:00PM for all 12 events): \$2,887.50

Total: \$6,160.00

### **EVALUATION AND FOLLOW-UP**

Based on the success of the Farmer's Market series, staff may return with a proposal to continue these activities in the future.

### **PUBLIC OUTREACH/INTEREST**

The Office of the City Clerk will post the item on the City's Website for the September 6th, 2023 Rules Committee Agenda and the September 12th, 2023 City Council Agenda.

### **COORDINATION**

This memorandum has been coordinated with the Office of the City Attorney and Public Works/Event Services.

### **CEQA**

HONORABLE MAYOR AND CITY COUNCIL

August 25, 2023

Subject: Free Use Plaza Azul Farmer's Market Series

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Not a Project, File No. PP17-011, Temporary Special Events resulting in no changes to the physical environment.

Reviewed by:

TONI J. TABER, CMC

City Clerk

For questions, please contact Toni Taber, City Clerk, at (408) 535-1260.