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**CITY COUNCIL AGENDA ITEM**

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**TO:** Mayor & City Council

**DATE:** May 12, 2010

**FROM:** John McDonough, City Manager

**AGENDA ITEM:** Discussion on City Sponsorship of Sandy Springs Farmers Market

**MEETING DATE:** For Submission onto the May 18, 2010, City Council Work Session Meeting Agenda

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*BACKGROUND INFORMATION: (Attach additional pages if necessary)*

See attached:

Memorandum

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APPROVAL BY CITY MANAGER:  APPROVED

\_\_\_\_\_ NOT APPROVED

PLACED ON AGENDA FOR: 5/18/10

CITY ATTORNEY APPROVAL REQUIRED: (  ) YES (  ) NO

CITY ATTORNEY APPROVAL: 

REMARKS:



TO: Mayor and Council  
FROM: John McDonough, City Manager  
Cecil G. McLendon, Jr.  
DATE: May 13, 2010  
ITEM: Sponsorship of Sandy Springs' Farmer's Market

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***Background:***

The City of Sandy Springs contracted with SSFM, LLC to operate a Farmer's Market on the former Target property located at Johnsons Ferry Road and Sandy Springs Circle. Pursuant to the City's agreement with SSFM, the operators are required to comply with all laws, ordinances, and rules and regulations regarding the operation of the Farmer's Market.

At this time, the operators have expressed a desire to serve food prepared on-site at the market; however, they state they cannot comply with the Health Department's requirements for on-site preparation of food. Specifically, they state that they cannot comply with the preparation of food in an enclosed structure.

There are two methods for the operators to be exempted from the Health Department regulations: (1) if they operate as a non-profit organization, or (2) if the City sponsors the event.

SSFM, LLC is a for-profit company so it does not qualify for the nonprofit exemption. Accordingly, they have requested that the City sponsor the event.

***Discussion:***

By sponsoring the event, the City becomes the body regulating on-site food preparation at the market.

If exempted from Health Department regulation, the City should place reasonable restrictions to insure on-site food preparation safety.

As an initial matter, the City should require that the operators provide insurance in the amount of One Million Dollars while maintaining the requirement that the City is an additional insured.

Further, any vendors preparing food on-site should be a validly licensed businesses engaging in food preparation to insure qualified food preparation. Any such vendors should be required to maintain, and provide proof of, insurance regarding the preparation of food at the market in an amount acceptable to the City. Finally, the on-site food preparation should be subject to review and approval by the Sandy Springs' Fire Department to insure the proposed food preparation meets safety standards for cooking in tent areas.

*City  
Attorney*

***Alternatives:***

The Mayor and City Council can choose to approve or not approve the sponsorship.

***Financial Impact:***

None anticipated.

***Attachments:***

- I. Farmers Market Operating Agreement

*City  
Attorney*