

**City Council
Staff Agenda Report**

Agenda Item: 9k.

Agenda Subject: Discussion and possible action regarding changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding mobile food units and mobile food establishments.

<p>Meeting Date:</p> <p>October 20, 2022</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No <input checked="" type="checkbox"/>N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: The following will be presenting the below information to the Planning and Zoning Commission on October 13, 2022. Staff will most likely not have ordinance updates until the night of the October 20, 2022 Council Meeting.

Staff brought this ordinance to council to propose changes. The reason being is two different types of food trucks are defined in the ordinance, are treated completely different, and staff didn't understand the reasoning behind it. The following represent thoughts from council on desired changes.

- Combine definition so there is only one definition for “food truck” but make sure it still excludes human pushed or pulled cart.
- Allow both mobile food establishments and mobile food units outright in current zoning districts, but do not allow to stay overnight.
 - Overnight stay would require a special exception approval.
- Current allowed hours of operation are 7am-9pm.

Recommended Action/Motion: Motion to direct staff on changes to the City of Dalworthington Gardens Code of Ordinances, Chapter 14, regarding mobile food units and mobile food establishments.

Attachments: Ordinance Sections for Mobile Food Units and Establishments

Sec. 14.02.092 Defined terms

Mobile food establishment. A vehicle mounted or a trailer or food concession apparatus **intended to be pulled by a vehicle** that provides a fee based, licensed food service operation that may require utility access in order to operate and is meant to be left in place longer than the time period permitted for a mobile food unit. A human pushed or pulled cart or trailer or mobile device is not a permissible form of a mobile food establishment.



Mobile food unit. **A self-contained, licensed, motorized vehicle,** fee based food service operation designed to be readily movable and commonly referred to as a “food truck.” A mobile food unit shall not require utility access in order to operate. A human pushed or pulled cart or trailer or mobile device is not a permissible form of mobile food unit.



MOBILE FOOD ESTABLISHMENT REGULATIONS

Division 8. Special Exceptions and Other Permits

Sec. 14.02.321 Special exceptions

(22)	Mobile food establishment.	B-2 and B-3
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MOBILE FOOD UNIT REGULATIONS

Sec. 14.02.172 “SF” residential district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(7) Mobile food units are permitted under the following conditions:

(A) The property owner has requested the services of the mobile food unit.

(B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have a valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

Sec. 14.02.173 “MF” residential district

(4) Mobile food units are permitted under the following conditions:

(A) The property owner has requested the services of the mobile food unit;

(B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

Sec. 14.02.174 “GH” residential district

(5) Mobile food units are permitted upon the following conditions:

(A) The property owner has requested the services of the mobile food unit;

(B) The mobile food unit may only provide goods and services to the property owner or the property owner's guests at the property owner's expense. No sales will be made to the general public.

(C) Mobile food units may not obstruct traffic movement, or impair visibility or safety to the site.

(D) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(Ordinance 2018-01, sec. 4, adopted 2/15/18)

Sec. 14.02.223 “B-2” business district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(1) Any use permitted in the “B-1” district.

(2) Food service:

(E) **Mobile food unit**, upon certification by the zoning administrator (provided through permit approval) that the following conditions are met:

(i) Mobile food units may not park or operate on a public roadway;

(ii) Mobile food units must have written permission from property owner to use the property where the mobile food unit will be located.

(iii) Mobile food units must submit to the zoning administrator a basic site plan sketch showing the entire property and the location of the mobile food unit relative to the property boundaries, accesses, parking, fire lane(s), and any structures.

(iv) Mobile food units may only operate between the hours of 7:00 a.m. and 9:00 p.m. daily and are to be removed when not in operation.

(v) Mobile food units must be parked on improved surfaces and may not occupy required parking spaces, obstruct traffic movement, or impair visibility or safety to the site. Required parking spaces are those spaces needed to service the property where the mobile food unit is located as determined by the zoning administrator. In determining required parking spaces, the following will not be considered: the space used by the mobile food unit, a customer service area plus two additional parking spaces.

(vi) Mobile food units must have valid health permit and comply with chapter 228 of the Texas Administrative Code related to mobile food unit operations.

(vii) Nothing related to the mobile food unit may be left at the location when the mobile food unit is not present.

(viii) All signage must be on or attached to the mobile food unit.

(ix) The zoning administrator's written confirmation of compliance with the above conditions shall be kept in the mobile food unit at all times of operation within the city.

Sec. 14.02.224 “B-3” business district

(a) Permitted uses. A building or premises in this district shall be used only for the following purposes:

(1) Any use permitted in the “B-2” district.

**City Council
Staff Agenda Report**

Agenda Item: 9n

Agenda Subject: Discussion and possible action to approve a contract with Riddle & Goodnight Inc. for architectural design and project specifications for the DPS Complex.

<p>Meeting Date:</p> <p>October 20, 2022</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input type="checkbox"/> Appearance of City</p> <p><input checked="" type="checkbox"/> Operations Excellence</p> <p><input type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: DPS is requesting to sign a contract with Riddle & Goodnight Inc. for MEP and Architectural designs for the DPS Renovations. This proposal will include all the spec books and paperwork required for the bidding process.

Recommended Action/Motion: Motion to approve the contract with Riddle & Goodnight Inc. for MEP and Architectural designs for \$13,340.00 pending city attorneys' approval.

Attachments: Contract

Riddle & Goodnight Inc.
Construction Cost Estimates / Construction Specifications

PROPOSAL

Date: October 12, 2022

Attn: Greg Petty
Dalworthington Gardens Police & Fire
2600 Roosevelt Drive
Arlington, TX 76016

Project: City of Dalworthington Gardens Police and Fire Renovations

We propose to furnish project specifications for this project for the lump sums price of \$13,340 (thirteen three forty).

We anticipate about 92 sections (54 MEP and 38 Architectural) on the project. We will prepare the MEP as well as the architectural sections. We will provide boilerplate sections to your MEP engineers for their markups, and we will do final edits.

Final deliver to you will be via PDF, with an integrated Table of Contents.

Although we do not write the agreement between Owner and Contractor, we will work closely to coordinate our sections with this document and the Supplementary Conditions.

AME Engineering and Riddle and Goodnight Inc. mutually agree, to the fullest extent permitted by law, to indemnify and hold each other harmless against all damages, liabilities, or costs, including reasonable attorneys' fees and defense costs, arising from their own negligent acts in the performance of their services under this Agreement, to the extent that each party is responsible for such damages, liabilities and costs on a comparative basis.

Payment Terms: Within 30 days following date of invoice.



Signature: Riddle & Goodnight

Date: October 12, 2022

Date: _____

Signature: *Purchaser of Professional Service*

Printed Name and Title

**City Council
Staff Agenda Report**

Agenda Item: 9o.

Agenda Subject: Discussion and possible action to approve an ordinance making changes to the City Code of Ordinances, regulating the distribution of handbill material in the City of Dalworthington Gardens, and further, making updates to the City’s ordinance for soliciting and door-to-door selling.

<p>Meeting Date:</p> <p>October 20, 2022</p>	<p>Financial Considerations:</p> <p>Budgeted:</p> <p><input type="checkbox"/>Yes <input type="checkbox"/>No <input checked="" type="checkbox"/>N/A</p>	<p>Strategic Vision Pillar:</p> <p><input type="checkbox"/> Financial Stability</p> <p><input checked="" type="checkbox"/> Appearance of City</p> <p><input type="checkbox"/> Operations Excellence</p> <p><input checked="" type="checkbox"/> Infrastructure Improvements/Upgrade</p> <p><input type="checkbox"/> Building Positive Image</p> <p><input type="checkbox"/> Economic Development</p> <p><input type="checkbox"/> Educational Excellence</p>
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Background Information: The presented ordinance makes changes to outdated references in the current solicitation ordinance and also allows DPS to take action against complaints about the SAVE newspapers being distributed across the city.

Recommended Action/Motion: Motion to approve an ordinance making changes to the City Code of Ordinances, regulating the distribution of handbill material in the City of Dalworthington Gardens, and further, making updates to the City’s ordinance for soliciting and door-to-door selling.

Attachments: