



**Council Agenda Item
September 21, 2020**

11. RESOLUTIONS

- (c) Consider a resolution authorizing the city manager to negotiate and execute licenses for locating mobile food units (food trucks) on certain City of Missouri property. *(Proposed presenter: Assistant City Manager Glen Martel)*

Background information attached as follows:

Cover Memo – ***Submitted 09.18.2020***

Resolution – ***Revised 09.18.2020***

Changes Marked – ***Submitted 09.18.2020***



**CITY COUNCIL
MEETING AGENDA ITEM COVER MEMO**

September 21, 2020

To: Mayor and City Council
Agenda Item: 11(c) Proposed Resolution: Food Truck License
Submitted by: Odis Jones, City Manager

SYNOPSIS

Mayor Ford has asked for options to support the operation of food trucks within the City. The proposed resolution is being presented to the City Council to authorize the licensing of certain City property for food truck operations.

BACKGROUND

The proposed resolution authorizes the City Manager to negotiate and execute temporary licenses for mobile food units.

BUDGET ANALYSIS

Budget impact will be dependent upon fee adopted and number of leases negotiated.

SUPPORTING MATERIALS

1. Proposed resolution language

STAFF'S RECOMMENDATION

ACTION IS DISCRETIONARY: This matter is fully within the discretion of the City Council.

Assistant City Manager: Glen A. Martel, ACM

City Manager: Odis Jones, City Manager

RESOLUTION NO. R-20-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE LICENSES FOR THE LOCATION OF MOBILE FOOD UNITS (FOOD TRUCKS) ON CERTAIN CITY PROPERTY; PROVIDING FOR REPEAL; PROVIDING FOR SEVERABILITY; AND MAKING CERTAIN FINDINGS RELATING THERETO.

* * * * *

WHEREAS, Strategic Goal Number 1 of the City of Missouri City, Texas (the "City"), is to create a great place to live; and

WHEREAS, the City finds that allowing mobile food units (food trucks) to locate on City property to serve the public provides the residential areas near the City Hall with additional food options; and

WHEREAS, pursuant to Section 253.001 of the Texas Local Government Code, the governing body of a municipality may sell and convey an interest in land that the municipality owns, holds, or claims as the city hall; and

WHEREAS, the City Council has determined that it is in the best interest of the residents of the City to temporarily license a portion of the City's city hall complex to food truck vendors; now therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MISSOURI CITY, TEXAS:

Section 1. The facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 2. The City Manager is hereby authorized to negotiate and execute temporary licenses, which shall be in a form substantially similar to the license form attached hereto as Exhibit "A," with mobile food unit vendors for the location of mobile food units on the grass and paved areas depicted in Exhibit "B." The location of such units within the area depicted in Exhibit "B" shall be determined by the city manager based on cost to the City, feasibility and potential interference with governmental functions.

Section 3. The fee for a license authorized by this Resolution shall be fifty-five dollars (\$55.00) per license.

Section 4. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution.

Section 5. Repeal. All resolutions or parts of resolutions, if any, in conflict herewith, shall be and are expressly repealed to the extent of such conflict.

Section 6. Severability. In the event any clause, phrase, provision, sentence or part of this Resolution or the application of the same to any person or circumstances shall for

any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Missouri City, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any part thus declared to be invalid or unconstitutional, or whether there be one or more parts.

PASSED, APPROVED and ADOPTED this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

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WHEREAS, the City finds that allowing mobile food units (food trucks) to locate on City property to serve the public provides the residential areas near the City Hall with additional food options; and

WHEREAS, pursuant to Section 253.001 of the Texas Local Government Code, the governing body of a municipality may sell and convey an interest in land that the municipality owns, holds, or claims as the city hall; and

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Section 2. The City Manager is hereby authorized to negotiate and execute temporary licenses, which shall be in a form substantially similar to the license form attached hereto as Exhibit "A," with mobile food unit vendors for the location of mobile food units on the grass and paved areas depicted in Exhibit "B." The location of such units within the area depicted in Exhibit "B" shall be determined by the city manager based on cost to the City, feasibility and potential interference with governmental functions.

Section 3. The fee for a license authorized by this Resolution shall be ~~\$~~\$~~—~~fifty-five dollars (\$55.00) per ~~square foot licensed~~license.

Section 4. The officers and employees of the City are hereby authorized and directed to execute such instruments and take such actions as are consistent with the provisions of this Resolution.

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PASSED, APPROVED and ADOPTED this 21st day of September, 2020.

Yolanda Ford, Mayor

ATTEST:

APPROVED AS TO FORM:

Maria Jackson, City Secretary

E. Joyce Iyamu, City Attorney

Document comparison by Workshare 9.5 on Friday, September 18, 2020 1:12:03 PM

Input:	
Document 1 ID	file:///W:\Legal Department\Resolution\Drafts\2020 Draft Resolutions\Food Truck Lease\Food Truck License Resolution 2020.doc
Description	Food Truck License Resolution 2020
Document 2 ID	W:\Legal Department\Resolution\Food Truck License Resolution 2020.2.doc
Description	W:\Legal Department\Resolution\Food Truck License Resolution 2020.2.doc
Rendering set	Standard

Legend:	
Insertion	
Deletion	
Moved from	
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Style change	
Format change	
Moved deletion	
Inserted cell	
Deleted cell	
Moved cell	
Split/Merged cell	
Padding cell	

Statistics:	
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Style change	0
Format changed	0

Total changes	6
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