



City Council Staff Report

Subject: Food Trucks on City Property
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Department: Economic Development
Date: October 23, 2018
Type of Item: Administrative

Recommendation

City Council should give direction to issue a request(s) for proposals for food trucks on select public property: adjacent to the Silver King Coffee shop and in the Bob Wells Plaza; and pre-qualify vendors for City facilities including City Park, MARC, Quinn's Sports Complex, and Ice Rink.

In order to increase vibrancy, diversify culinary options, support the new Arts and Culture District, and increase services at public facilities, staff seeks Council policy direction on the appropriate locations for food trucks in Park City:

1. Does Council support the utilization of select public property for food trucks?
 - a. If yes, staff will request proposals using a comprehensive selection criteria that creates a "level playing field" with existing brick and mortar businesses, including charging for public parking; and
2. Does Council support the limited use of food trucks at City facilities in order to increase and diversify the level of services at little to no cost to the City?

Background

The State recently approved enabling legislation to deregulate how local cities and towns regulate food trucks. Currently, food trucks may operate in Park City under the following conditions:

- On private property where the property owner has a Food Truck Location approved by the Planning Department – This is the pending ordinance to be considered by Council at the October 23, 2018 meeting;
- At locations approved through a City-issued special event permit; and
- On private property serving the public under 10 hours a week, or serving invited guests/private only.

The pending food truck ordinance included in this packet (October 23, 2018) includes history and background that should be considered prior to providing policy direction.

POLICY DESCRETION - The subject of this report, Food Truck use of limited public property, is not required by the new State legislation, and does not represent a change from our current code in that the Council continues to have the ability to approve concession contracts per MCPC Section 4-2-3. However, staff proposes to specify and affirmatively enable limited use of Food Trucks at certain public properties for the following reasons:

- Staff can create a thorough process to provide additional services public facilities, as well as provide additional opportunities for local vibrancy and energy to serve a broader, more diverse, and affordable food audience.
 - This should also help us explore opportunities within the future Arts and Culture District. This is consistent with City Council direction on June 7, 2018 ([report & minutes](#)).
- Staff has conducted multiple outreach meetings with the business community to discuss this approach, which desires to balance our overall prohibition of sales within public property, and deliver a “win-win” approach for brick and mortar businesses and food trucks.
- In general, the business community understands the intent of the State legislation and appreciates a balanced approach to maintain an equitable playing field – we will still require a local business license and sales tax remittance.
- Staff will require additional policy direction on what to charge food trucks for use of public parking in the downtown (if Council allows the limited use).
 - Rightfully, there are concerns with further removal/use of paid parking for food trucks from existing businesses, particularly as a result of the duration required to reserve a parking spots.
 - Similar to dining decks, approximately three paid parking stalls will have to be removed to allow a truck. The fee schedule for special use of public parking spaces includes \$12/space/day in Swede Alley:

Policy on Special Use of Public Parking

1. Processing of special use public parking permits typically takes two business days. A one-time administrative fee of \$20 will be charged for each application. The following charges for utilization of public parking spaces will also apply:

Parking Spaces Used	Rate	Tool
Historic District	AREA 1: \$16/space/day - Main Street, Heber Ave, Park Ave (Heber Ave to 9th St), Brew Pub Lot	Copy of Approved Application
	AREA 2: \$12/space/day - Swede Alley	Same as above
Special Event Use	\$50/space/day	Same as above
Sandridge, South City Park	\$20/month/space	Same as above
Residential Permit Areas	\$20/month/space	Same as above
Pay-and-Display Removal	\$1000/meter	Special Application

- Additional Council policy direction will help staff determine the level of support for a more vibrant food truck program, while at the same time balancing a motivation to protect our existing and traditional businesses.
 - For example, if the parking space rental price is too high, it may preclude vendors with a fairly narrow margin of profit. Council recently discussed a similar issue for displacement of public parking for street dining decks, although the issues are not the same ([May 3, 2018 p.252](#)). Dining decks cost about \$9.30/spot/day.

Recommended Scope for RFP for Food Trucks on City Property & City Facilities:

In consulting with Recreation and the Ice Rink, there is frequent, unmet demand for food/concession services. Staff believes food concessions, without the overhead necessary if the City were to be the provider, would improve customer satisfaction and

potentially reduce unnecessary vehicle trips around town. In addition, staff does not believe these programs create unfair competition with local business.

In regards to the Silver King area, for example, the national trends in food trucks demonstrate a viable opportunity for an eclectic and vibrant cuisine scene could be desirable, particularly in the Arts and Culture District (Park City has limited late night opportunities for locals). As a result, Economic Development staff believes we can achieve a “win-win” scenario that focuses on vibrancy and community, for locals, workers and tourists alike, as opposed to disadvantaging local businesses.

Draft RFP Scope:

1. City Property - Seek proposals for the following public spaces for regular food truck activity: Bob Wells Plaza & Silver King Coffee area, with the following parameters:
 - a. Consider 1-3 individual trucks, managed through contract terms and conditions with one central point of contact.
 - b. At Bob Wells:
 - i. After 10pm on Thursday to Sunday not to exceed 1:30am
 - c. Optional – proposals can seek PCMC improvements (paving, tables, chairs, electricity, grading, etc. – but this may take away or demerit from selection committee scoring)
2. City Facilities - Seek proposals to pre-qualify vendors for City Park, Ice Rink, and Quinn's Fields and MARC. The manager of the facility will determine terms and conditions of pre-qualification (see potential uses, Exhibit A).

In outreach meetings with the business community, there has been thorough and consistent input to maintain as much of a “level playing field” as possible. To that end, staff believes it is important for Council to consider the anticipated RFP selection criteria that will create a predictable set of parameters for local businesses and food trucks to abide by and consider submitting proposals (Attached, Ex. B).

Funding

Should PCMC decide to make any capital improvements for a food truck area, staff recommends it be kept under \$4,000, which can be done within existing operational budgets to promote economic development opportunities in Park City.

Questions for City Council:

1. Does City Council want to allow additional, limited use of Public Property for food trucks? If so, are Bob Wells Plaza and Silver King area the right locations?
2. Discuss specifically the draft selection criteria (Ex. B) as to how they reflect Council's priorities and effectuate win-win opportunities with the existing business community.
3. Provide specific policy direction on approach to charging for parking downtown.
4. Is Council supportive of the approach to pre-qualify vendors for City facilities, and allowing the facility manager to use their discretion for terms and conditions?

Attachments

- A. Desired Use for Food Trucks on City Facilities – submitted by PCMC facility managers.
- B. Draft RFP Selection Points & Weighting