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Memorandum

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CITY SECRETARY
DALLAS, TEXAS



DATE: September 22, 2011

TO: Honorable Members of the Quality of Life Committee: Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine R. Caraway, Carolyn R. Davis

SUBJECT: Quality of Life Committee Meeting

Monday, September 26, 2011, 9:00 a.m.

Dallas City Hall - 6ES, 1500 Marilla St., Dallas, TX 75201

The agenda for the meeting is as follows:

1. Approval of May 23, 2011 minutes (9:00 a.m. – 9:01 a.m.) Angela Hunt, Chair

2. Update on Plan to Address Abandoned Shopping Carts (9:01 a.m. – 10:00 a.m.) James Childers, Assistant Director, Code Compliance

3. Mobile Food Preparation Vehicles (10:00 a.m. – 11:00 a.m.) James Childers, Assistant Director, Code Compliance

4. Adjourn (11:00 a.m.) Angela Hunt, Chair

Please let me know if you have any questions.

Angela Hunt
Chair

Cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, Acting City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
C. Victor Lander, Administrative Judge
A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Helena Stevens-Thompson, Assistant to the City Manager

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

Quality of Life Council Committee

Meeting Record

(DRAFT)

Meeting Date: 5-23-2011

Convened: 12:18 p.m.

Adjourned: 12:27 p.m.

Pauline Medrano, Chair
Vonciel Jones Hill, Vice-chair
Steve Salazar
Carolyn R. Davis

Briefing Presenter(s):

-Jonathan Rollins, Principal
Good Fulton & Farrell Architects
-Judith Segura, Former Executive
Director of the Belo Foundation
-James Childers, Assistant
Director of Code Compliance

Special Guests:

Sandy Greyson, Former Councilmember
Jill Johnson, Chair of Board of the Dallas County Historical Foundation
Gary Garcia, Director of External Relations

Staff Present:

Forest Turner, Barbara Martinez, Joey Zapata, Stephanie McHenry, Ashley Harvey, Willis Winters

AGENDA:

1. **Approval of the April 25, 2011 minutes**

Presenter(s):

Information Only: _____

Action Taken/Committee Recommendation(s):

Motion to approve the April 25, 2011 minutes.

Motion made by: Vonciel Jones Hill

Item passed unanimously: __X__

Item failed unanimously: _____

Motion seconded by: Carolyn R. Davis

Item passed on a divided vote: _____

Item failed on a divided vote: _____

2. **Proposed Phase II Scope for Dealey Plaza**

Presenter(s): Jonathan Rollins & Judith Segura

Information Only: __X__

Action Taken/Committee Recommendation(s):

A quorum was lost at 12:27 p.m. therefore the briefing was presented but no questions or comments were made.

3. **Illegal Dumping Surveillance Camera Program Update**

Presenter(s): James Childers

Information Only: __X__

Action Taken/Committee Recommendation(s):

A quorum was lost at 12:27 p.m. therefore the briefing was presented but no questions or comments were made.

Quality of Life Council Committee

Meeting Record

(DRAFT)

Angela Hunt, Chair
Quality of Life Committee

Memorandum



DATE September 22, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),
Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Update on Plan to Address Abandoned Shopping Carts Briefing

On Monday, September 26, 2011, you will be updated on the Plan to Address Abandoned Shopping Carts. The material is attached for your review.

If you have questions or need additional information, please let me know.



Joey Zapata
Interim Assistant City Manager

Attachments

cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, Acting City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge Municipal Court
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Helena Stevens-Thompson, Assistant to the City Manager

Update on Plan to Address Abandoned Shopping Carts

Presented to the
Quality of Life Committee
September 26, 2011



Purpose

- Pilot a program to study the problem of abandoned shopping carts and offer recommendations to Council in November to strengthen enforcement.

Background

- ❑ A pilot program was implemented in April 2011 to identify five target areas across the City and gather baseline data on the number of abandoned shopping carts and what measures were taken by the stores to retain and/or retrieve carts
- ❑ Monthly cart “round ups” were held using Code Compliance staff and Community stakeholders
- ❑ Totals to date:
 - 486 Carts retrieved in the five target areas
 - 630 Carts retrieved City Wide
- ❑ Research was also performed to examine what other cities in the area and across the country have in their ordinances to address abandoned shopping carts

Target Area Review

- Five target areas have been identified as part of this pilot program



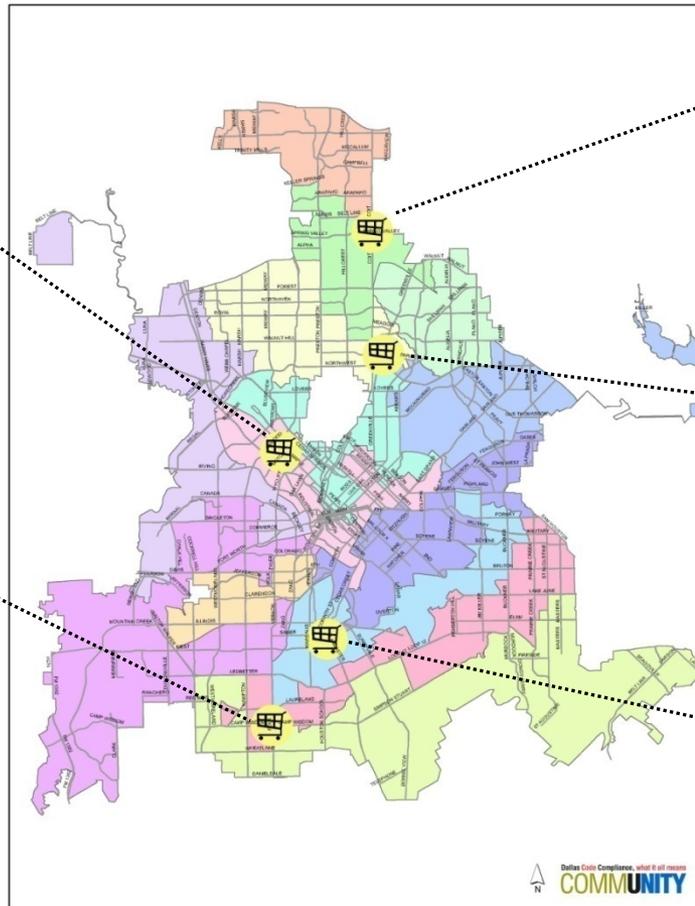
Family Dollar

5000 Blk of Maple



Minyard

Polk/Camp Wisdom



El Rancho

Spring Valley/Coit



Super Target

Vickery Meadow



Fiesta

Lancaster/Kiest

*Complete list of large retailers in each area is listed on Slide 5

Target Area Review

- The table below shows all the larger retailers that are located in the five shopping cart pilot areas
 - *Indicates stores that are physically located outside of Dallas, but their carts show up abandoned within the City limits

Pilot Area	Stores in the Area
Maple	El Rio Grande Grocery Store, Family Dollar
Lancaster/Kiest	Fiesta Grocery Store, Walgreens, Save-A-Lot Grocery Store
Polk/Camp Wisdom	Minyard Grocery Store, Family Dollar
Spring Valley/Coit	Fiesta Grocery Store, El Rancho Grocery Store, Kroger Grocery Store*, Wal-Mart Neighborhood Market*
Vickery Meadows	Super Target, Wal-Mart/Sam's Club, Fiesta

Pilot Project Findings Thus Far

- A majority of the major retailers in the pilot areas had some sort of prevention or retrieval process in place for their shopping carts
 - Wheel immobilization and cart collection are the two most common measures
- Proximity of stores to apartment complexes is a key barometer for areas for abandoned carts
 - The target area in Vickery Meadow had the highest volume of carts
 - 91 apartment/condominium communities totaling 1,266 units
 - 4 large grocery/retail stores within walking distance

Pilot Project Findings Thus Far

- Customer education is a key element that needs to be emphasized
 - Removing carts from store property is against the law
 - Important for store owners to inform their customers that they should not remove the carts from premises
 - If carts are removed from store property, customers should not abandon them on Public Right-of-way
 - Carts should be returned to the store
 - Stored neatly on apartment property if not immediately returned

Pilot Project Findings Thus Far



**Be Smart
Return the Cart**

Dallas Code Compliance, what it all means
COMMUNITY

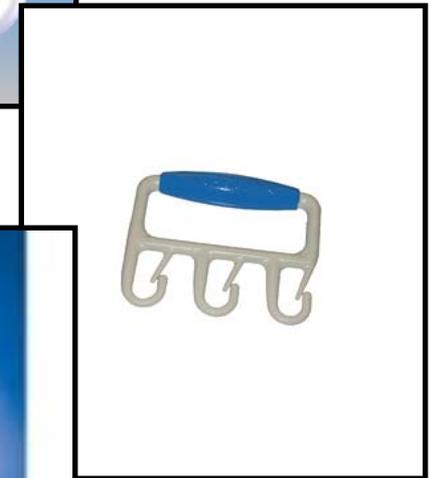
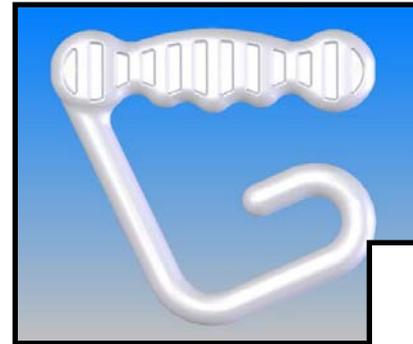
- In an effort to increase public education, staff worked with the Apartment Association of Greater Dallas to publish shopping cart education in their monthly member publication “Rooflines”
- Additional outreach efforts will be made with individual complexes to educate residents on shopping cart ordinances

Pilot Project Findings Thus Far

- Forging partnerships between stores and apartment complexes can be a key catalyst to getting many carts off the street
 - Fiesta is working with complexes in the Vickery Meadow area to set up cart corrals on apartment property
 - Residents can return their carts to the corral and Fiesta can come and pick them up daily
 - More creative agreements can be forged between stores and apartments to incentivize not removing carts
 - e.g. Providing patrons rides to participating complexes

Pilot Project Findings Thus Far

- More effort must be placed on providing alternatives to shopping carts for customers that carry their groceries home
 - Challenge is to find alternatives that are not cost prohibitive
 - Must be properly marketed to ensure that they use them in lieu of the carts



Shaping a New Program

- ❑ This pilot program has demonstrated that many stores place time, effort and resources in to retaining and retrieving their carts
- ❑ Attention should be placed on those stores that place little to no effort on preventing their carts from being abandoned



Shaping a New Program

- The plan is to create a program that recognizes compliant stores that meet certain criteria to keep up with their shopping carts
 - Similar to Gold Star Program implemented by DPD for Multi-Tenant Properties
- Current task is coming up with the criteria necessary for acceptance in the program
 - e.g. wheel immobilization, frequent cart pick up, required signage in the stores, certain amount of education and outreach

Key Contributors

- There have been several key stakeholders who have worked closely with the City during this process
 - Vickery Meadows Improvement District
 - Apartment Association of Greater Dallas
 - Fiesta Stores
 - El Rancho Stores

Next Steps

- ❑ Continue education and outreach efforts to discourage abandonment of shopping carts and establish partnerships with businesses and stakeholders
- ❑ Bring proposed program for compliant businesses to Council in November 2011

Appendix

Current Measures at Pilot Stores

Spring Valley/Coit

<u>Store</u>	<u>Measures in Place</u>
Fiesta	Parking lot attendant, cart collection (3 times daily)
El Rancho	Cart Collection (once daily)
Kroger*	None in place
Walmart* (Neighborhood Market)	Cart Collection (Weekly)

Lancaster/Kiest

<u>Store</u>	<u>Measures in Place</u>
Fiesta	Cart Collection (3 times a week), service in place to take customers without vehicles home
Walgreens	Wheel immobilization, Cart collection (once a month)
Save-A-Lot	Wheel immobilization, Cart collection (1-2 times a week)

Vickery Meadow

<u>Store</u>	<u>Measures in Place</u>
Super Target	Cart Collection (weekly or as needed)
Wal-Mart/Sam's Club	Wheel immobilization

Maple

<u>Store</u>	<u>Measures in Place</u>
Rio Grande	Cart collection (Daily at noon)
Family Dollar	None in place

Polk/Camp Wisdom

<u>Store</u>	<u>Measures in Place</u>
Minyard	None in place
Family Dollar	Wheel immobilization device in place but not currently working, Cart collection (Daily when possible)

*Located in Richardson

Memorandum



DATE September 22, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),
Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Mobile Food Preparation Vehicles Briefing

On Monday, September 26, 2011, you will be briefed on Mobile Food Preparation Vehicles. The material is attached for your review.

If you have questions or need additional information, please let me know.



Joey Zapata

Interim Assistant City Manager

Attachments

cc: Honorable Mayor and Members of the City Council
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Mobile Food Preparation Vehicles

Presented to the Quality of Life Committee
September 26, 2011



Purpose

- Update on revisions to regulations for mobile food preparation vehicles (MFPV or “hot trucks”) adopted by Council in June 2011
- Recommend further revisions to expand the permitting and availability of hot trucks.

Background

- Chapter 17 of the Dallas City Code identifies four different mobile food establishments:

- **Mobile Food Preparation Vehicles** – Self Propelled vehicles that serve open food items and fruit
 - Example: Taco Truck
- **General Service** – Carts that serve open food items and fruit
 - Example: Hotdog Cart
- **Limited Service** – Vehicles/carts that serve only prepackaged foods
 - Example: Ice Cream Truck
- **Vegetable and fruit vendor** – Vehicles/carts that sell raw fruits and vegetables
 - Example: Produce Cart



Mobile Food Preparation Vehicle



General Service Carts



Limited Service Vehicles



Vegetable and Fruit Vendor

Background

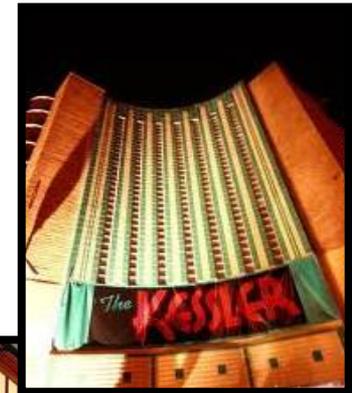
- Hot trucks are commercially manufactured, motorized food establishments in which ready to eat food is cooked and served
 - “Commercially manufactured” means the vehicle was originally constructed as a mobile food vehicle
 - Conversion or retrofitted vehicles are currently not allowed in Dallas
 - Potentially hazardous foods, e.g. raw fish and poultry, cannot be cooked and served, unless it goes from freezer to fryer
 - Not allowed to serve on public right-of-way, only on private property with permission
- 36 Hot trucks are currently permitted to operate on private property:
 - Throughout Dallas, mostly in industrial areas; and
 - Arts District (added in February 2011); and
 - Prohibited in the Central Business District

Growing Demand

- Food Trucks that provide gourmet and “fusion” dining options are growing in popularity across the country
- These trucks can often provide customers with unique dining options that may not be found in fixed neighborhood restaurants or where there aren't many dining options
- Restaurant and Bar Inspections has seen a significant increase in the number of gourmet food trucks seeking permits in the last four months alone

Dallas Neighborhoods Interested

- There have been several groups and neighborhoods that have offered proposals or expressed interest in having hot trucks:
 - Arts District
 - West Commerce
 - Greenville Ave
 - Downtown
 - Bishop Street
 - West Dallas
 - Design District
 - CityPlace



Recent Changes

- In February 2011, Council allowed the operation of hot trucks in the Arts District
 - Hot trucks are still prohibited in the rest of the CBD
- In June 2011, Council approved changes to the City Code to allow more flexibility in the use of hot trucks
 - Requirements for advance notice to the City of locations for the operation of hot trucks
 - Length of time allowed for parking at a single location
- These changes also benefit vendors who use social media (Twitter and FaceBook) to let customers know where they will be located

Recent Changes – Itinerary

Old

- MFPV required to provide a monthly itinerary with the department the beginning of each month
- Must include all addresses with scheduled arrival times within 30 minutes and food to be served

Amended

- A single itinerary can be filed with the department
- Department must be notified within 24 hours of any changes to the itinerary

Recent Changes – Time Parked

Old

- Code limited MFPVs from being parked at a single location to sell food for more than 60 minutes at any one time and a total of 3 hours within a 24-hour period
- Must be parked overnight at an approved commissary

Amended

- No time restrictions on parking at a single location to sell food
- MFPV is required to be parked at an approved commissary for 5 consecutive hours

Proposed Additional Changes

- Additional changes to the City Code can further increase the variety of hot trucks and the foods that they may serve
 - Retrofitted hot trucks
 - Hazardous food (e.g. raw poultry and seafood)



Proposed Changes – Retrofitted Trucks

- The Code currently only allows commercially manufactured trucks to operate in the City
- There are only a few commercial manufacturers in the nation that have constructed trucks that meet Department approval
- This requirement was intended to protect public health by working with vendors that already build vehicles that met most national and state specifications

Proposed Changes – Retrofitted Trucks

- Retrofitted vehicles are being used increasingly around the country
- Benefits of retrofitted vehicles may include:
 - Potentially lower cost of entry into the business
 - Creative reuse of available, older vehicles to fit a business model
 - Examples: buses, RVs



Proposed Changes – Retrofitted Trucks

- Remove the “commercially manufactured” provision from the Code and set standards and specifications that all retrofits would have to meet in order to be permitted to operate in the City*
- Retrofitted vehicles would be held to the same specifications as a commercially constructed hot trucks
- Any retrofitted vehicle would be required to submit plans to department staff prior to construction and have an inspection prior to permitting
- A code change will also open the door for retrofitted trailers to be used (e.g. Airstreams and Campers)

**Draft Specifications in Appendix*

Proposed Changes – Potentially Hazardous Foods

- The Code currently does not allow potentially hazardous foods, such as raw poultry and seafood, to be prepared on hot trucks
 - Frozen and breaded poultry or seafood is allowed only when going directly to the freezer to the fryer
- Raw poultry and seafood is considered high risk because it can cross-contaminate other food items in the smaller food preparation area on a hot truck



Proposed Changes – Potentially Hazardous Food

- Allow applications for variances by prospective vendors that want to cook and serve raw poultry and seafood
- A variance would allow:
 - Thorough review of vendors' plans to serve potentially hazardous food
 - Items such as violation history of vendor and menu selection will be key considerations for granting variance
- Stricter rules can be imposed on those using hazardous food
 - Additional fees to recover the City's permitting cost
 - More frequent trips to the commissary
 - More frequent inspections

Proposed Changes – Potentially Hazardous Food

- New York City allows raw poultry and seafood on hot trucks, but only when it is pre-cut in the commissary
 - Pre-cut items are only added during the cooking process
 - This greatly limits the risk of cross-contamination



Considerations to Potential Changes

- Public health is paramount and will guide proposed revisions to regulations on hot trucks
- Greater flexibility in hot truck regulations will require staff to adapt to enforcement needs
 - Any increase in the number of vehicles and permitting for potentially hazardous foods may necessitate additional staff for enforcement

Next Steps

- Offer ordinance for Council consideration in November 2011
- Continue to analyze and consider other issues regarding hot trucks (Vending on public right-of-way, pop-up stores, etc.)

Appendix

Existing Structural Requirements

- Section 17-8.2(i) of the Code spells out structural requirements for MFPV:
 - Equipment constructed and installed in accordance with the Rules on Food Service Sanitation, as adopted and amended by the Texas Department of State Health Services, which include National Sanitation Foundation standards, Underwriter Laboratory standards, and equivalent standards; and
 - Floors must be constructed of durable, easily cleanable material, including, but not limited to, anodized aluminum, stainless steel, or tile. All junctures must be properly sealed. All service lines and pipes must be installed off the floor to allow for easy cleaning.
 - Walls must be durable, easily cleanable, nonabsorbent, and light in color. Minimum wall covering materials include, but are not limited to, aluminum or fiberglass-reinforced paneling. Walls at vent hood and grill areas must be covered with stainless steel panels. Wall covering must be installed to cover the entire height of each wall. Studs and utility lines may not be unnecessarily exposed on the wall or prevent cleaning.
 - Ceilings must be light in color, nonabsorbent, and easily cleanable. Joists and rafters may not be exposed.
 - The cab of the vehicle must be physically separated from the food preparation area, and the seats designated for the cook and any passengers must be located outside of the food preparation area.
 - The vehicle must be equipped with a built-in hose that may be used to wash the interior of the vehicle.

Draft Hot Truck Specifications

- The City currently uses the following dimension and capacity requirements for commercially manufactured hot trucks
- These same criteria could also be used for retrofitted vehicles

Fuel Type	Length Bumper to Bumper	Ext. Width/Int. height/Aisle Width	Min. Refrigerator Capacity	Min. Water Heater Capacity	Min. Potable Water Capacity	Min. Wastewater Capacity	Ware Washing	Hand Washing Sink	Exhaust Hood	A/C Capacity
Propane/Diesel/Gasoline or Electric Generator	24'	Ext – 8' Int. – 74" Aisle – 30"	15 cu. Ft.	3 Gallons	30 Gallons	45 Gallons	3 – comp. Stainless Steel 12x12x12	Stainless Steel 10x10x4	Stainless Steel NSF	10,000 – 16,000 BTU