 <p style="text-align: center;">Council Communication Office of the City Manager</p>	Date:	March 9, 2015
	Agenda Item No.	60
	Roll Call No.	<u>15-0421</u>
	Communication No.	<u>15-123</u>
	Submitted by:	Scott E. Sanders, City Manager

AGENDA HEADING:

First reading of ordinance amending Chapter 78 of the City Code to establish the Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors.

SYNOPSIS:

Recommend approval ordinance amending Chapter 78 of the City Code to establish the Mobile Vender Pilot Program and regulate the sale of food and beverages by mobile vendors.

FISCAL IMPACT:

Amount: Possible increase in fees from mobile vendors.

Funding Source: N/A

ADDITIONAL INFORMATION:

Background

At the November 17, 2014 Council Meeting, by Roll Call No. 14-1794, Council directed staff to develop a pilot program for mobile vendors in the downtown area with an initial pilot program draft ordinance. Staff from Legal, City Clerk, Community Development, Engineering, Police, and the City Manager’s Office have outlined a proposal for the pilot program.

Staff held two (2) public meetings with more than 100 people in attendance. During these meetings staff collected comments from mobile vendors, the Iowa Restaurant Association, and the general public. The comments were overwhelmingly supportive of the pilot program. Those comments were shared with the City Council at the February 23, 2015 Council Workshop.

Pilot Program

The proposed pilot program will meet the City Council’s Goal of having a Vibrant Downtown Area where Downtown Des Moines will be a “24-7” city within a city, with a strong employment base, entertainment and recreation opportunities, housing, and retail. The pilot program will begin upon adoption of the ordinance amendment and will run through October 31st, 2015. During this time staff will hold regular meetings to review the program, identify resolutions to any issues, and evaluate the potential for a permanent program.

Fees

For the six-month pilot program staff recommends a fee of \$275. This is half the cost of the existing annual 12-month fee for transient merchants (\$550). Staff researched other Midwest cities and found the only city with a higher cost for a mobile vender license was the City of Minneapolis which currently charges \$815.

Staff recommends the use of meter hoods to be issued at the time of licensing. Venders will be charged an additional fee and a deposit for the use of the meter hood. Meter hoods will assist the Police Department and Code Enforcement to better identify those venders who have a license from those who may be operating without one.

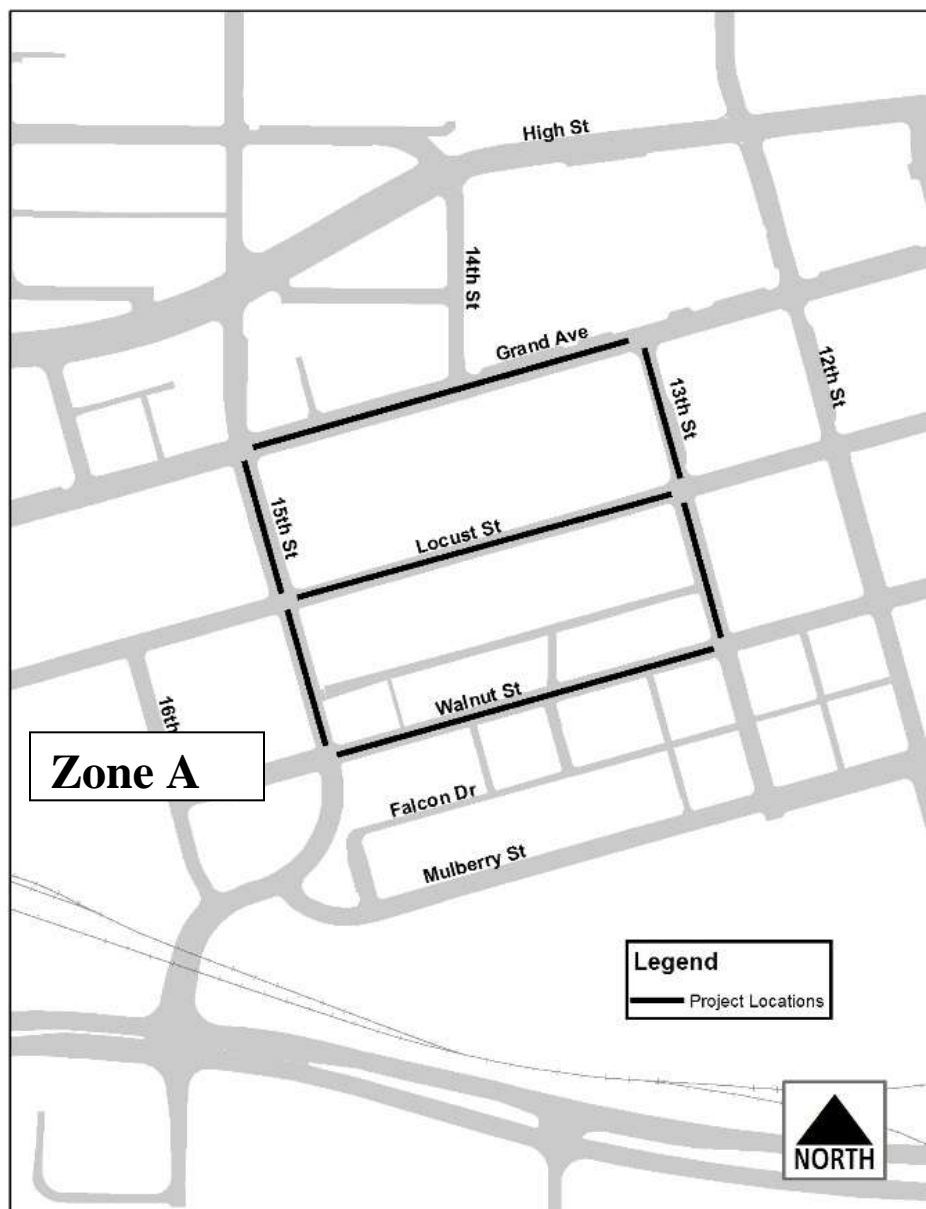
The additional parking fees will be presented as a resolution for adoption at the second reading, including meter hood rental fees and meter hood deposits. A recommendation will be made to Council upon completion of the pilot program for an annual license fee.

Zones

Based on feedback from the public meetings, staff recommends the implementation of the use of four (4) Mobile Vender Zones for the pilot program. The use of zones will consolidate the areas of downtown where

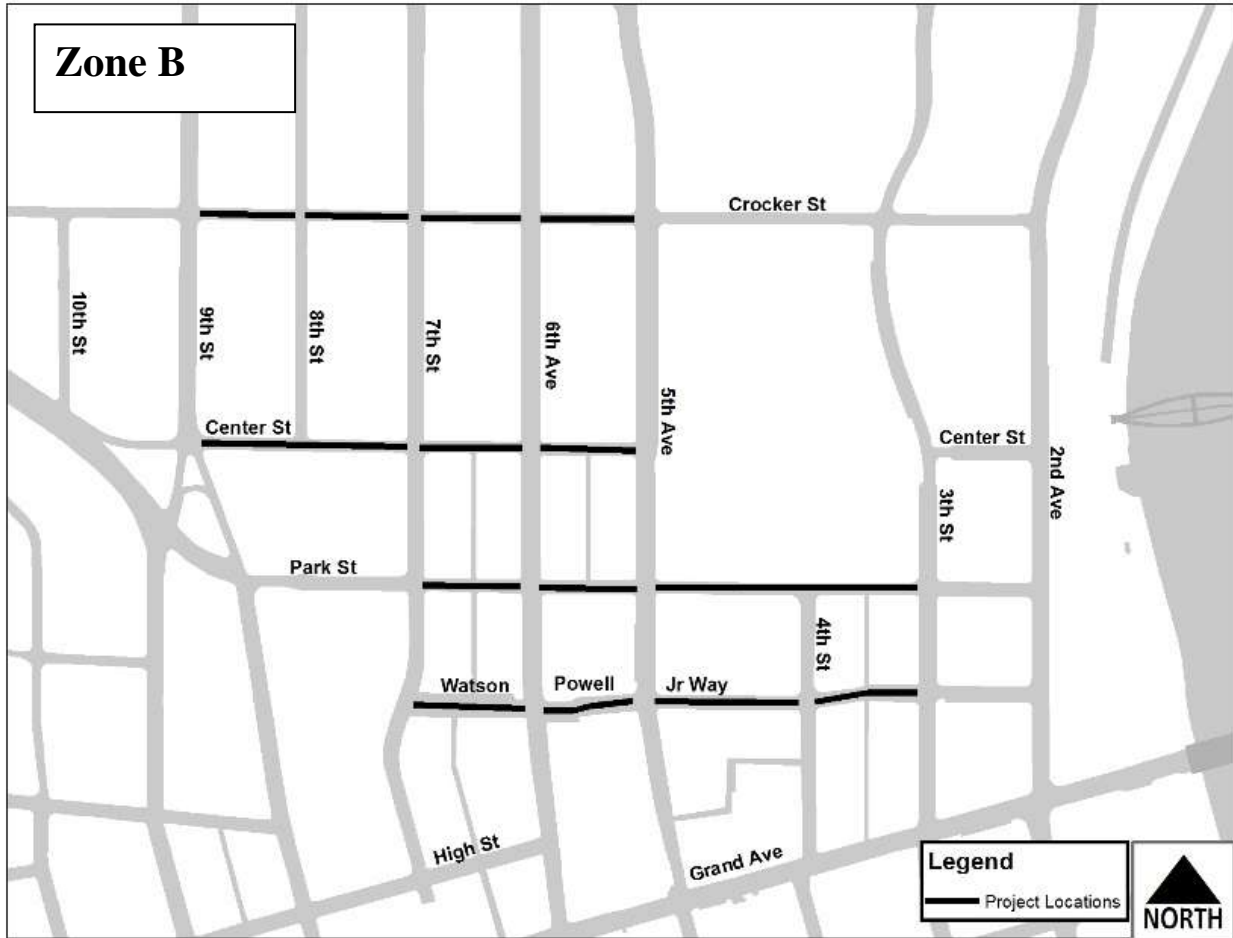
be set up, easier for locate easier for enforce. A of these found Mobile not be within 100 restaurant (2) blocks street of each example of event with venders are below.

venders will making it people to venders and staff to map of each zones can be below. venders will allowed feet of a or within two of a special event. Maps zone and an street use interaction mobile shared



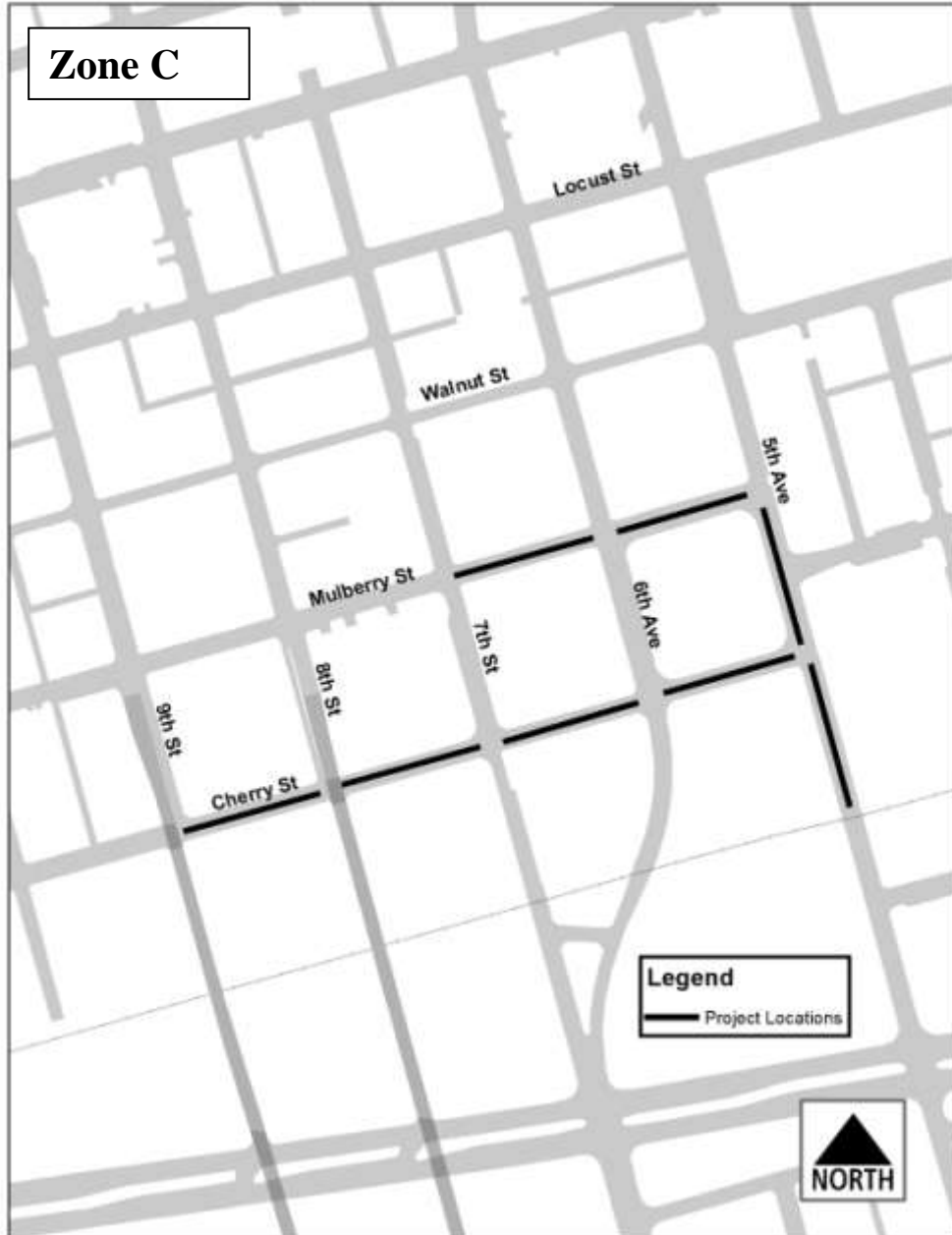
Zone A Boundaries:

Grand Avenue from 13th Street to 15th Street;
Locust Street from 13th Street to 15th Street;
Walnut Street from 13th Street to 15th Street;
13th Street from Grand Avenue to Walnut Street; and
15th Street from Grand Avenue to Walnut Street.

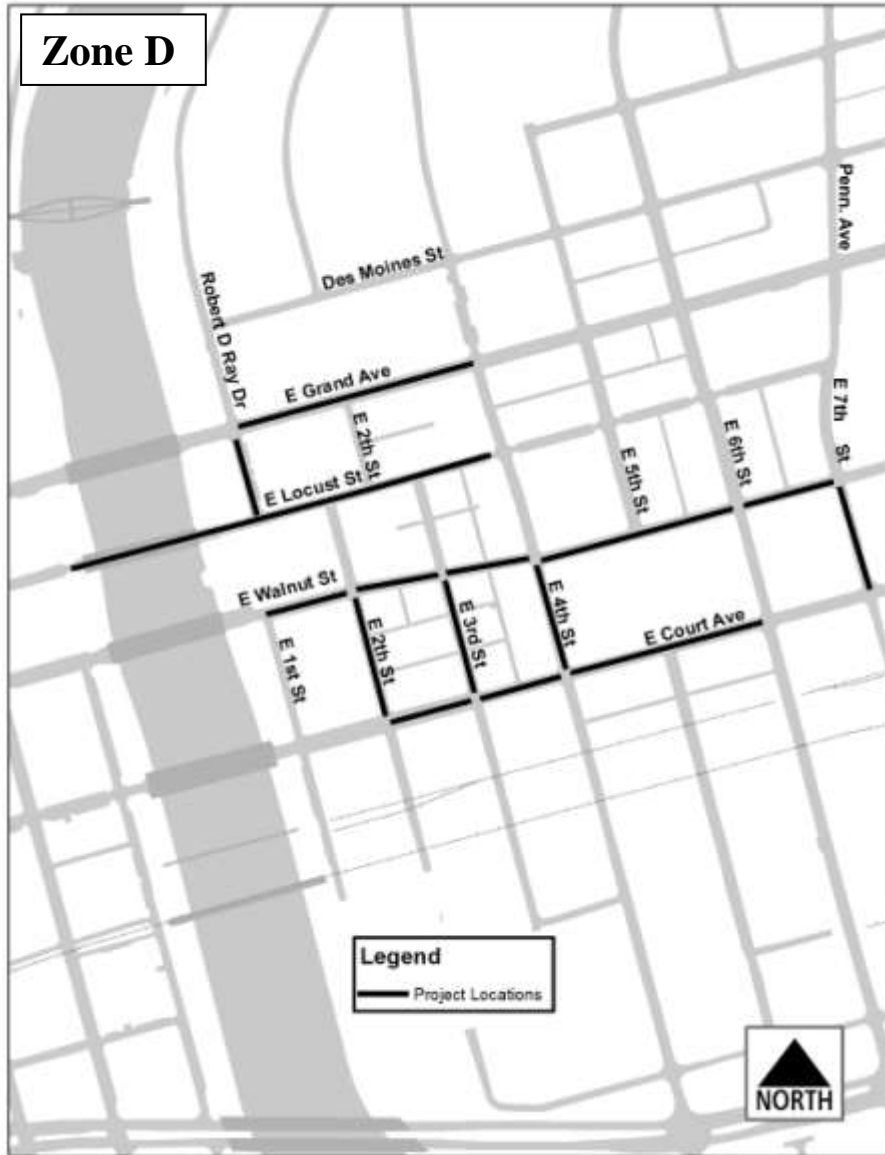


Zone B Boundaries:

Center Street from 5th Avenue to 9th Street;
Crocker Street from 5th Avenue to 9th Street;
Park Street from 3rd Street to 7th Street; and
Watson Powell Jr Way from 3rd Street to 7th Street.



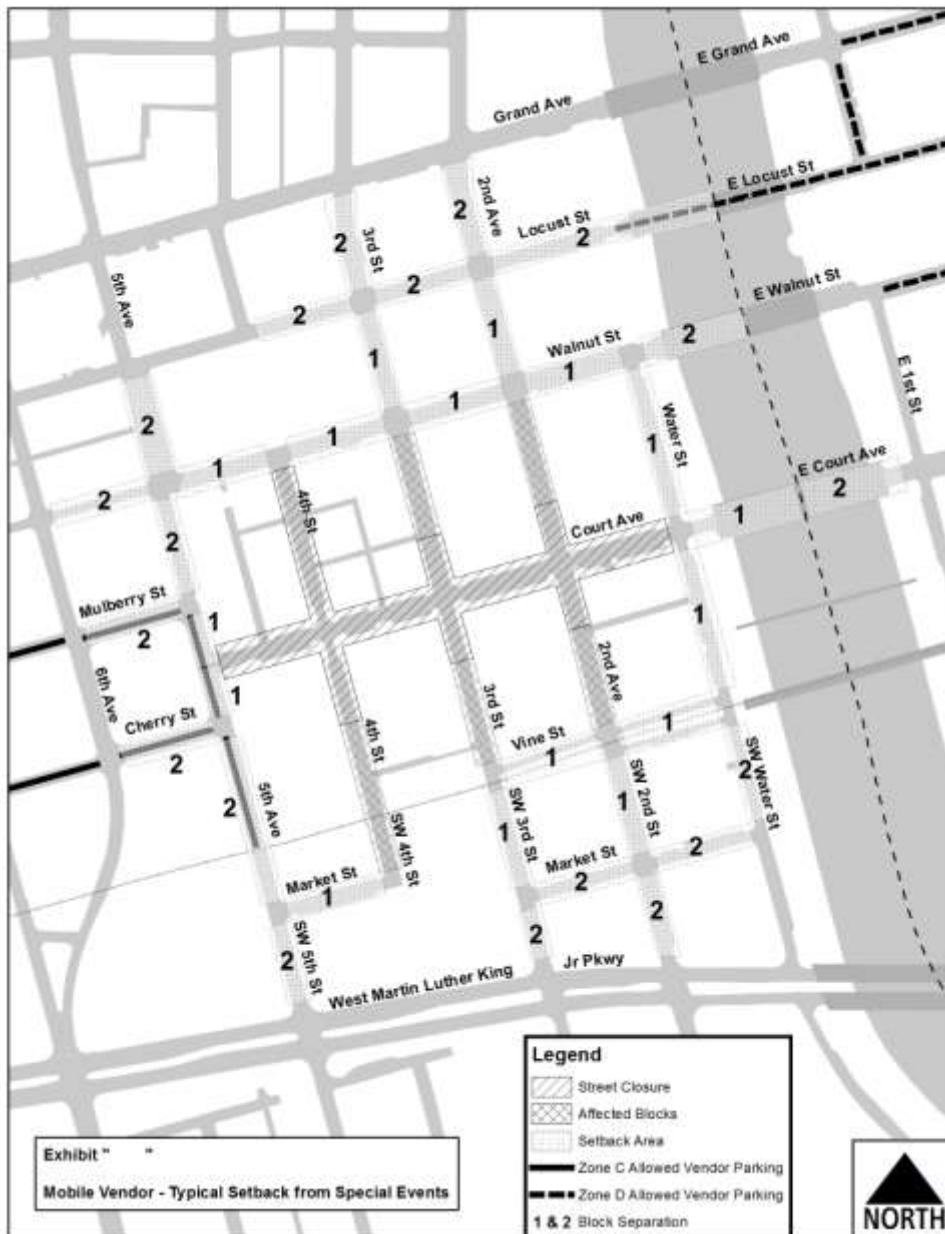
Zone C:
Cherry Street from 5th Avenue to 9th Street;
Mulberry Street from 5th Avenue to 7th Street; and
5th Avenue from Vacated Vine Street to Mulberry Street.



Zone D:

- East Court Avenue from East 2nd Street to East 6th Street;
- East Grand Avenue from Robert D Ray Drive to East 4th Street;
- Locust Street and East Locust Street from the west end of the Locust Street bridge over the Des Moines River to East 4th Street;
- East Walnut Street from East 1st Street to East 7th Street;
- Robert D Ray Drive from East Grand Avenue to East Locust Street;
- East 2nd Street from East Walnut Street to E Court Avenue;
- East 3rd Street from East Walnut Street to E Court Ave;
- East 4th Street from East Walnut Street to East Court Avenue; and
- East 7th Street from East Walnut Street to a point 240 feet south of East Court Avenue.

Below is an example of how a street use event, such as the Downtown Farmers Market, and mobile vendors may overlap. The areas outside of the two (2) block area, but still within the zone boundaries, are areas where mobile vendors may locate.



PREVIOUS COUNCIL ACTION(S):

Date: November 17, 2014

Roll Call Number: [14-1794](#)

Action: [From](#) Council Member Christine Hensley to speak regarding a pilot program for mobile vendors in the Downtown area. Moved by Hensley to refer to the City Manager and City Attorney for review and recommendation on a pilot program in the spring for the downtown area. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S): NONE

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

Second and Third readings of the ordinance. Report and recommendation from staff at the end of the pilot program will be brought to the Council in winter 2015.

For more information on this and other agenda items, please call the City Clerk's Office at 515-283-4209 or visit the Clerk's Office on the first floor of City Hall, 400 Robert D. Ray Drive. Council agendas are available to the public at the City Clerk's Office on Thursday afternoon preceding Monday's Council meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email to cityclerk@dmgov.org.