

**TO: General Services Committee
John Cernosek, Chair
John Eilert
Jan Dockery
Kathy Weishuhn**

FROM: Janet Bayer, City Secretary

SUBJECT: Committee Meeting – March 10, 2020 - 5:15 P.M.

**NOTICE OF MEETING OF THE
GENERAL SERVICES COMMITTEE
OF
THE CITY OF LA GRANGE, TEXAS**

Notice is hereby given that the General Services Committee of the governing body of the City of La Grange Texas will be held on the 10th day of March, 2020 at 5:15 P.M. in the City Hall Council Chambers at 155 E. Colorado Street, La Grange, Texas, at which time the following subjects will be discussed, to-wit:

1. Discuss and or Consider Charter Review Process
2. Discuss and or Consider possible regulation of Mobile Food Units

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Posted at 4:00 P.M. on the 6th day of March, 2020.



Janet Bayer, City Secretary

MEMORANDUM

TO: General Services Committee

FROM: Shawn Raborn, City Manager

DATE: March 5, 2020

SUBJECT: Discuss and or consider Charter Review Process

The La Grange City Council has forwarded to the General Services Committee the task of reviewing the current City Charter and recommend any changes to the City Council by November 30, 2020. The City Council will vote on which possible changes will be included on the May 1, 2021 ballot. The city attorney will not serve on the committee, but will be available as a resource to respond to questions and provide input.

1. Review and discuss the timeline for making recommendations to the City Council in order to meet deadlines for the 2021 Municipal Election ballot, and take action as necessary.
2. Review and discuss possible priority amendments to the City Charter, and take action as necessary.
3. Review and discuss proposed General Services Committee meeting schedule, and take action as necessary.

Attachments:

1. Current City Charter – Under Separate Cover

MEMORANDUM

TO: General Services Committee

FROM: Shawn Raborn, City Manager

DATE: March 5, 2020

SUBJECT: Discuss and or Consider possible regulation of Mobile Food Units

Staff is presenting for discussion the need to regulate or just require a registration process for mobile food units. We currently don't have in place a registration of mobile food units. Mobile food units are currently licensed by the Texas Department of Health Services, registration information is attached for your review.

Staff will review with the committee the Texas Department of Health regulations of mobile food units and what additional requirements the city may want to impose. This item is for discussion and to provide staff direction in formulating additional regulations.

Attachments:

1. Texas Department of Health Services – Mobile food Units
2. Texas Department of Health Services – Variance to Central Preparation Facility
3. Sample Mobile Unit Inspection Checklist

Mobile Food Units (MFU): How to Mobilize Your Food Operation Under DSHS

Definition:

According to Texas Food Establishment Rules (TFER), a MFU is a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily moveable (including, but not limited to catering trucks, trailers, push carts, and roadside vendors) and used to store, prepare, display, serve or sell food. Mobile units must completely retain their mobility at all times. A Mobile Food Unit does not mean a stand or a booth. A roadside food vendor and pushcart may be licensed as MFUs. [228.2(85)]

Mobile Food Unit



Pushcart



Roadside Vendor



These special provisions, along with TFER references, shall be met before operating:

Establishment:

- The MFU shall be mobile at all times [#30, 228.221 (a)(1) and (3)];
- Like a fixed establishment, the MFU shall be enclosed;
- Shall be protected from entry of pests with tight-fitting doors and windows [#34, 228.174(e)(1)(B) – (C)];
- Walls and ceilings shall be smooth, easily cleanable, and light in color [#45, 228.173(a), (f)(3)];
- Walls and ceilings shall protect against entry of rodents and insects [#34, 228.174(e)(1)(A)];
- Screens (i.e. at ventilation points or windows) shall be at least 16 mesh to 1-inch [#34, 228.174(e)(4)(A)];
- Exterior surfaces shall be of weather-resistant materials [#45, 228.172(b)];
- Pushcarts do not need to be enclosed, but do need overhead protection;
- Roadside vendors do not need to be enclosed.

Smooth and cleanable surfaces



Manual Warewashing and Handwash Sinks:

- At least one handwash sink supplied with soap and hand drying device [#31, 228.221(a)(6)(C)];
- A sink with three compartments for washing, rinsing, and sanitizing of equipment and utensils, along with drain boards for soiled and clean items [#33, 228.221(a)(6)(B)(i)];
- The three compartments must be large enough to submerge the largest utensil or piece of equipment [#33, 228.221(a)(6)(B)(ii)];
- Hot and cold water shall be supplied to all sinks under pressure [#23, 228.143(a)];
- Roadside vendors do not require sinks.

Three-compartment sink



Handwash sink



Restrooms:

- A MFU does not need to be equipped with a restroom;
- Toilet rooms shall be designated and be conveniently located and accessible to employees during all hours of operation [#46, 228.221(a)(11)];

Central Preparation Facility (CPF):

- The MFU shall operate from a CPF or other fixed establishment and shall report to such location for supplies and for cleaning and servicing operations [#45, 228.221(b)(1)];
- The CPF is an approved retail food establishment at which food is prepared, stored, and wrapped; the MFU is supplied with fresh water and ice; wastewater and other liquids are properly disposed; food-contact surfaces or items not capable of being immersed in the MFU utensil-washing sink are cleaned and sanitized [228.2(15)];
- The operator must maintain the most recent inspection of the CPF on the unit at all times [#47, 228.221(a)(4)(C)];
- If the CPF or servicing area is not owned by the MFU operator, then a signed letter of authorization is required [#47, 228.221(a)(4)(B),(D)];

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***To pass a pre-licensing inspection, a mobile food unit must meet the minimum requirements below. Use the checklist as a brief reference to the MFU requirements:**

Mobile Food Unit Checklist	
Mobile Food Unit Mobility	A vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable, and constructed of corrosion resistant material; structure placed on a trailer shall be permanently affixed.
Preparation Area Protected	Walls, floors, and ceiling are solid, light in color, smooth and easily cleanable; protect against weather, rodents, insects and other animals.
Central Preparation Facility (CPF) may include servicing area	Approved by the health department; documentation (letter of authorization) required for approval; most recent inspection maintained on the MFU.
Servicing Area	Place to fill up potable water and authorized to dispose waste water from the MFU (i.e. approved car wash; RV Park); A private home or living quarters may not be used; letter of authorization
Potable Water Tank	Water must be from an approved source; permanently installed; tank labeled as "Potable Water" and have a 3/4-inch inlet.
Liquid Waste Retention Tank	least 15% larger than the potable water storage tank, permanently installed, sloped to drain 1-inch in inner diameter and labeled "wastewater".
Hot and Cold Water	Under pressure and provided to all sinks.
Handwash Sink	Shall be its own fixture; conveniently located and accessible.
Three Compartment Sink	Each compartment shall be large enough to clean largest equipment/utensil.
Hot and Cold Holding Equipment	Adequate to maintain Time / Temperature Control for Safety (TCS) foods at required temperatures.
Restrooms	Provided; conveniently located.
Certified Food Manager Certificate	Required if handling open TCS foods.

Mobile food establishment equipment and criteria may vary depending on the type of operation. Refer to the Texas Food Establishment Rules (TFER) for complete information regarding the requirements or contact the PSRFSU at (512) 834-6753 for further information or view our website at www.dshs.texas.gov/foodestablishments.

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Mobile Food Unit Variance Request Template for a Central Preparation Facility (CPF)

Central Preparation Facility Required:

According to the Texas Food Establishment Rules (TFER) §228.221(b)(1), a mobile food unit must operate from a licensed central preparation facility (CPF) or other approved retail food establishment. The mobile food unit should report to such location daily for supplies and for cleaning and servicing operations. Servicing operations include the flushing and drainage of liquid wastes and filling of potable water.

The mobile food unit operator must provide a signed letter of authorization during the pre-licensing inspection if the establishment is not owned by the operator. The most recent inspection for the CPF shall be maintained on the MFU for review.

Servicing Area Required:

If a waiver is granted for a CPF, the MFU operator must provide information about the servicing operations. This includes the location the MFU operator will use to fill their potable water supply and the disposal of liquid waste. The servicing area must comply with all requirements identified in TFER 228.221(c)(1)(A)-(E). A servicing area may not be a private home or living quarters. If the servicing area is not owned by the operator, a signed letter of authorization is required.

Variance Request Requirements:

Before a variance for operating a MFU without a Central Preparation Facility is approved, the following information must be provided:

- A statement of the proposed variance that includes the section of the rule(s) related to the modification.
- An analysis of the rationale for how the potential public health hazards and nuisances addressed by the relevant rule sections will be alternatively addressed by the proposal.

➤ A HACCP Plan may be required.

If the variance request lacks "part or all" of the information, the variance will not be approved. Please feel free to submit documents and photographs that will help our department verify that a health hazard or nuisance will not result from the variance. The department will provide a written response to the requester concerning the outcome of the variance request.

If the department grants a variance, any deviation from the procedures is justification to rescind the variance.

Variance Request

Name of establishment: _____ License/File number: _____

Mailing address: _____

Applicant Name: _____ Phone Number: _____

Email Address: _____

I, _____, owner or authorized manager (circle one), request a variance of rule §228.221(b)(1) concerning the requirement for a Central Preparation Facility.

Signature of owner or authorized manager: _____

Date: _____

Public health rationale must be provided as justification for the variance. You may provide the necessary rationale for your variance request by using the attached checklist. Use additional pages or pictures for your explanations. Submit your request by mail, fax, or email to:

Texas Department of State Health Services
PSQA - Public Sanitation and Retail Food Safety Unit
PO Box 149347 MC1987, Austin, Texas 78714-9347

Or Fax to

Texas Department of State Health Services
PSQA - Public Sanitation and Retail Food Safety Unit
Attention: Compliance Officer
(512) 834-6683

Or Email to

HACCPVarianceRequest@dshs.texas.gov

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Statement of Proposed Variance for Central Preparation Facility

In order to waive any requirements for a Central Preparation Facility, the MFU owner/operator must demonstrate how the MFU meets the following requirements:

Variance Request Rationale
<p>Sufficient space is required for food storage, preparation, cooking, cooling or otherwise handling food to prevent cross contamination and other health hazards.</p> <p>Explain how your MFU meets the above requirements (i.e. Size of refrigerator, freezer, shelving, storage containers):</p>
<p>All food, food equipment, utensils and single service articles are required to be stored on the MFU in a manner to avoid contamination as specified in TFER.</p> <p>Explain how and where you will store the above equipment on the MFU:</p>
<p>The manual warewashing sink compartments are required to be large enough to immerse all equipment and utensils on the unit to be properly washed, rinsed, and sanitized.</p> <p>What is the largest piece of equipment or utensil you are using and how will it be sanitized?</p> <p>What is the capacity (size) of the three compartment sink?</p>
<p>Potable water is required to be obtained from an approved source.</p> <p>Please specify how you will meet this requirement. Provide physical address of the facility from where potable water will be obtained:</p>

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Sewage and other liquid wastes shall be removed from a Mobile Food Unit at an approved waste servicing area or by a sewage transport vehicle in such a way that a public health hazard or nuisance is not created. MFU must have a permanently installed waste retention tank.

Please specify how you will meet this requirement. Provide physical address of the wastewater disposal facility:

All food handling preparation is required to take place inside the mobile food unit. No food preparation, food storage, dry storage, etc. is allowed at a private residence.

Please specify how you meet the above requirement:

A Central Preparation Facility is required to be designed, constructed and operated as a retail food service operation (i.e. walls, floors, ceiling, equipment, plumbing, etc.).

Please specify how your MFU meets these requirements:

The following documentations are required:

- Certified Food Manager Certificate
- Servicing area Authorization (please describe the facility)
- Menu of all food items to be sold
- Photos of mobile food unit and equipment (interior/ exterior)

Provide a copy of each of these documents in this request.

Failure to provide any of the requested information may cause a delay in processing your variance request.

*****NO FOOD SERVICE OPERATIONS WILL OCCUR AT A PRIVATE RESIDENCE*****

City of La Grange

155 E Colorado □ La Grange, TX 77488 Phone (979) 968-5805 □ Fax (979) 968-5743

Mobile Food Unit Inspection Checklist

This checklist provides a list of requirements necessary for the approval of a Mobile Food Vendor operating within the City of La Grange.

		YES	NO	N/A
1.	Mobile food establishment equipped with serving window and kitchen preparation areas.			
2.	No cracked windows			
3.	No visible rust or disrepair			
4.	No emission of noxious gases, odors, and/or fumes.			
5.	2A-10BC or larger fire extinguisher provided and mounted by the door away from the cooking equipment. Must be current on inspection tag.			
6.	Type 1 approved hood installed at or above all commercial cooking appliances & domestic cooking appliances (including flat grills, fryers, char grills, and pits that produce grease vapors)			
	Type K fire extinguisher provided and installed (if fire suppression system installed)			
7.	Mobile food establishment connecting to City sewer system Grease Interceptor required.			
8.	Signage advertising food truck and/or menu attached to food truck. Exception: Sandwich board placed during businesses hours, and removed daily.			
9.	Copy of employees Texas or ANSI accredited food handler certificate.			
10.	Potable water from an approved source			
	Potable water tank provided, labeled "potable water", and installed sloped to drain.			
	Potable water inlet equipped with a hose connection of a size or tube that prevents its use for any other purpose, is labeled "potable water", and provided with a 3/4-inch or less inlet connection.			
	Potable water distribution pipes or tubing constructed and installed in accordance with public health and plumbing standards.			
11.	Waste water labeled "waste water".			
12.	Hot and cold running water under pressure provided to all sinks. Hot water temperature at least 100 F.			
13.	First aid kit provided.			
14.	Copy of permit issued by Texas Department of State Health Services of mobile food unit			
15.	Copy of state sales tax certificate			
16.	Copy of driver's license or other state approved identification			
17.	Provide Property/Restroom Agreement or written permission upon request if setting up at a site.			

Additional Comments: _____

All mobile establishments must obtain a mobile food establishment permit from the City of La Grange located at 155 E Colorado, La Grange, TX 78945. Please contact City Hall Code Enforcement for information regarding mobile food establishment permit At (979) 968-5805.

No vending is allowed in city parks without a written agreement by the City Manager.

