

## COMMON COUNCIL REPORT

M&C No.	2021-161
Report Date	May 26, 2021
Meeting Date	June 14, 2021
Service Area	General Counsel

Her Worship Mayor Donna Noade Reardon and Members of Common Council

**SUBJECT: Licence Agreement for Fog Cutter Inc. Mobile Food-Unit**

### **AUTHORIZATION**

Primary Author	Commissioner/Dept. Head	City Manager
<i>Curtis Langille</i>	<i>Melanie Tompkins</i>	<i>John Collin</i>

### **RECOMMENDATION**

1. That the City enter into a Licence Agreement with Fog Cutter Inc. in the form as attached to M&C 2021-161; and further
2. That the Mayor and Common Clerk be authorized to execute the said Licence Agreement and all other documents ancillary thereto.

### **EXECUTIVE SUMMARY**

Fog Cutter Inc. is a food vendor franchise that is seeking approval from the City to operate one of its mobile units for a period of three months on City owned land, adjacent to the Loyalist Plaza. Considering the COVID-19 pandemic and its impact on sales, Real Estate Services has not increased the rent for this season, other than a slight increase for providing electricity to the unit. The location for this unit will remain the same as last year, but will have a slightly shorter season due to the anticipated construction schedule for Loyalist Plaza and the Market Square Boardwalk, forming part of the Fundy Quay development. The remaining terms and conditions, which are set out in the attached Licence Agreement, are unchanged.

### **PREVIOUS RESOLUTION**

N/A

### **REPORT**

Fog Cutter Inc. wishes to locate its mobile food vendor unit on City owned property within the Loyalist Plaza area (see attached map) for a fifth consecutive year. With the exception of a slightly shorter season for the operation of the mobile food unit, the attached terms and conditions of the Licence are essentially

the same as per the previous year. If Council is in agreement, the proposed licence will facilitate the operation of Fog Cutter Inc. mobile unit once again for the 2021 season on City owned property.

***STRATEGIC ALIGNMENT***

Providing for entrepreneurial opportunities in the City's Uptown Core aids in creating a livable community that is vibrant and diverse, while providing an integrated approach to economic development.

***SERVICE AND FINANCIAL OUTCOMES***

The Fog Cutter Mobile Unit situated in the Loyalist Plaza area will add to the vitality and commercial offerings in the City's Uptown area. This Licence will generate a total of \$2,442.00 in rent for the full term.

***INPUT FROM OTHER SERVICE AREAS AND STAKEHOLDERS***

Envision Saint John and Facilities Management have provided input into the preparation of this report. The General Counsel's office has reviewed the attached Licence and is satisfied with the Terms and Conditions of the agreement.

***ATTACHMENT***

*Licence Agreement with Fog Cutter Inc Mobile Food Unit.*