

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: March 8, 2019

CAO File No. 0220-03126-0014

Council File No. 13-1493-S7

Council District: All

To: City Council

From: Richard H. Llewellyn, Jr., City Administrative Officer

DLH
RW

Reference: Bureau of Street Services report dated January 24, 2019 regarding the Sidewalk Vending Program (CF 13-1493-S5)

Subject: **STREET SERVICES NEAR-TERM STAFFING PLAN FOR THE CITYWIDE SIDEWALK VENDING PROGRAM**

RECOMMENDATIONS

That the Council, subject to approval of the Mayor:

1. Authorize resolution authority in the Bureau of Street Services for two positions listed below to develop the implementation plan for the Citywide Sidewalk Vending Program for the term of April 1, 2019 through June 30, 2019:

<u>Quantity</u>	<u>Class Code</u>	<u>Classification Title</u>
1	4286-1	Chief Street Services Investigator I
1	9184-0	Management Analyst

2. Authorize resolution authority in the Bureau of Street Services for 22 positions listed below for the term of April 1, 2019 through June 30, 2019, with an estimated start date of no earlier than July 1, 2019, to enforce rules and regulations in regular vending zones and conduct enforcement in No Vending Zones, subject to pay grade determination by the Office of the City Administrative Officer, Employee Relations Division:

<u>Quantity</u>	<u>Class Code</u>	<u>Classification Title</u>
2	4285-2	Senior Street Services Investigator II
18	4283-0	Street Services Investigator
2	1368-0	Senior Administrative Clerk

3. Authorize the appropriation of \$98,789 from the Engineering Special Services Fund, Fund 682/50, RSC 4903, Interest Income – Other, to the Bureau of Street Services – Fund 100/86 as follows:

<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
001010	Salaries General	\$48,789
001090	Overtime General	\$50,000

4. Authorize the appropriation of \$87,142 from the Engineering Special Services Fund, Fund 682/50, RSC 4903, Interest Income – Other, to the General Services Department – Fund 100/40 as follows:

<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
001101	Construction Hiring Hall	\$35,373
001121	Benefits Hiring Hall Construction	\$23,582
003180	Construction Materials	\$28,187

SUMMARY

On March 6, 2019, the Personnel and Animal Welfare Committee requested that the City Administrative Officer report back regarding the Bureau of Street Services (BSS) report to Council dated January 24, 2019. The BSS report requested funding and resolution authority for:

- Two positions consisting of one Chief Street Services Investigator I and one Management Analyst to immediately begin developing the implementation plan for sidewalk vending outreach, education and enforcement, and to develop recommendations for a future permit-based system;
- Overtime funding for existing Street Services Investigators to perform education, outreach and enforcement in the No Vending Zones and to enforce the rules and regulations in the regular vending zones for the remainder of the 2018-19 Fiscal Year;
- Unfunded resolution authority for 22 positions in Fiscal Year 2018-19 to initiate the hiring process, with a start date of July 1, 2019; and,
- The transfer of \$87,142 to the Department of General Services for the production and installation of 200 signs demarcating the perimeter of the seven Council-adopted No Vending Zones (CF 13-1493-S5).

DISCUSSION

On September 17, 2018, SB 946 was signed into law to allow vending on sidewalks and parks. The law provides flexibility to local jurisdictions to either adopt rules and regulations consistent with State law, or establish a permit-based system.

On November 28, 2018, Council approved a Citywide permit system for sidewalk vending and adopted Ordinance No. 185900, legalizing vending on sidewalks and public parks. The Council also instructed BSS to report with a staffing plan and proposed structure for a sidewalk vending permit system. The adopted sidewalk vending ordinance, shaped by State law, allows vending on sidewalks and in parks with some exceptions, which include seven no vending zones. City staff is needed in order to ensure the Sidewalk Vending Program is successfully implemented, vendors are afforded the opportunity to become familiar with the City's rules and regulations, and to ensure

the City's rules and regulations are adhered to, to protect the public's health, safety, and welfare.

This Office worked with BSS to formulate the level of staffing that is requested in the BSS report dated January 24, 2019. Since this is a new program, it is recommended that the program needs in regards to staffing levels should be continuously evaluated over the near-term to determine if the number of staff required for this program needs to be adjusted.

FISCAL IMPACT STATEMENT

Approval of the recommendations within this report will have no General Fund impact in Fiscal Year 2018-19 since one-time funding has been identified for the requested expenditures. Should all 24 positions be continued in Fiscal Year 2019-20, there will be a General Fund impact of \$2,490,524 in direct costs and \$3,932,288 in related costs.

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