

ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the establishment of permit fees for the Sidewalk and Park Vending Program.

Recommendations for Council action, SUBJECT TO THE APPROVAL OF THE MAYOR:

1. REQUEST the City Attorney to prepare and present the necessary ordinances to effectuate the following annual fee for the Sidewalk and Park Vending Program operating permit:

Sidewalk and Park Vending Operating Permit: \$291

2. RESOLVE that the employment authority in the Bureau of Street Services (BSS) for one Senior Administrative Clerk (Class Code 1368) and for one Administrative Clerk (Class Code 1358) is APPROVED and CONFIRMED for the period January 1, 2020 through June 30, 2020, subject to review and approval by the Personnel Department as to Civil Service classification, and allocation by the Civil Service Commission.
3. AUTHORIZE the interim General Manager, Economic and Workforce Development Department (EWDD), or designee, to:
  - a. Negotiate and execute amendments to current contracts with four BusinessSource Center service providers to expand the scope of work to include the provision of services as one-stop resources for the Sidewalk and Park Vending permits and provide \$386,531 in cumulative additional funding for the period from January 1, 2020 through March 31, 2020, subject to City Attorney review and approval as to form and legality and in compliance with City contracting requirements. The service providers and their individual allocations are included on page five of the City Administrative Officer (CAO) report dated September 16, 2019, attached to the Council file.
  - b. Subject to availability and the approval of transfer of additional funds in the amount of \$386,531, negotiate and execute amendments to current contracts with four BusinessSource Center service providers with revised scope of work for continued provision of services as one-stop resources for the Sidewalk and Park Vending permits for the period from April 1, 2020 through June 30, 2020, subject to City Attorney review and approval as to form and legality and in compliance with City contracting requirements.
  - c. Make technical corrections as necessary to transactions included in this report to implement Mayor and Council intentions, subject to the approval of the CAO.
4. AUTHORIZE the Controller to process a Reserve Fund loan in the amount of \$386,531 for the EWDD to support the City's Sidewalk and Park Vending Program, which will be reimbursed through permit revenue; and, transfer a like amount from the Reserve Fund to the Unappropriated Balance and appropriate therefrom to the EWDD Fund No. 100/22, Account No. 003040, Contractual Services.
5. INSTRUCT the BSS to reimburse the Reserve Fund Loan upon receipt of quarterly

invoices from the EWDD.

6. INSTRUCT the CAO to conduct a review and reconciliation of actual costs of the Sidewalk and Park Vending Operating Permit fee in six months following the implementation of the Sidewalk and Park Vending Program to ensure the fee is in compliance with Proposition 26.
7. INSTRUCT the BSS, with the assistance of the Department of Recreation and Parks and EWDD, to report to Council in six months relative to implementation of the Sidewalk and Park Vending Program, including the total number of permits issued, staffing needs, enforcement challenges, and the overall success of the Program, and to consider Program changes including whether the program should include a location-based permit.
8. APPROVE and AUTHORIZE the BSS, Investigation and Enforcement Division, to implement a sidewalk vending permit process for the issuance of a mobile vending permit to persons who wish to sell food or merchandise from a pushcart, stand, display, or from one person upon a sidewalk or park to make certain street vendors are abiding by the laws intended to relieve the concern of public health and safety hazards.
9. REQUEST the City Attorney to prepare and present an Ordinance to amend Chapter 68 Section 5.460 of the Los Angeles Administrative Code as follows; and, AUTHORIZE the City Attorney, in consultation with the CAO, to make any technical corrections:

Sec. 5.460 Creation and Administration of Fund

- a. There is hereby created and established in the Treasury of the City of Los Angeles a special trust fund known as the Sidewalk Vending Trust Fund, hereinafter referred to as Fund, to implement the provisions of Los Angeles Municipal Code Section (LAMC) 42.13.
- b. There shall be deposited in said Fund annual permit fees and any revenue from fines associated with sidewalk vending violations.
- c. Moneys received pursuant to (b) above will be used only in the administration of the sidewalk vending program pursuant to Section 42.13 of the LAMC.
- d. All interest and earnings attributable to the monies in the Fund shall be credited to the Fund and shall be devoted to the purposes of the Fund.
- e. Pursuant to Charter Section 344(a), at the close of each fiscal year, monies not expended from the Fund shall remain in the Fund and shall not revert to the Reserve Fund.
- f. The Fund shall be administered by the Board of Public Works (BPW), or designee. Expenditures from the Fund shall be authorized by the BPW, or designee.

Fiscal Impact Statement: The CAO reports that the recommendations in said CAO report are in compliance with the City's Financial Policies as the proposed fees are estimated to fully recover the \$8.65 million in costs required to provide the associated services, which includes the

repayment of a Reserve Fund loan in the amount of \$386,531. Therefore, there will be no impact to the General Fund.

Community Impact Statement: Yes.

For: Glassell Park Neighborhood Council

### SUMMARY

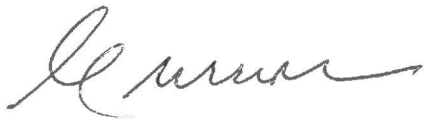
At the meeting held on October 22, 2019, your Economic Development Committee considered CAO and BSS reports relative to the establishment of permit fees for the Sidewalk and Park Vending Program. The CAO reports that on November 3, 2017, the CLA released the proposed City Sidewalk Vending Program framework. The framework addressed Council requests, program design, regulations, and enforcement for the program. On April 17, 2018, Council approved the proposed program design and elements of the proposed sidewalk vending regulations for the Sidewalk Vending Program. The Council requested the City Attorney to prepare a draft ordinance and instructed City staff to report with additional information related to a scope of work, an appeals process, and the creation of sidewalk vending districts.

The City Attorney transmitted a draft sidewalk vending ordinance on June 2, 2018. On December 4, 2018 the Council adopted the Sidewalk Vending ordinance and instructed the BSS and the Department of Recreation and Parks, with the assistance of the CAO and any other necessary departments, to report with a proposed staffing plan and permit structure, including types of permits, fees, and rules and regulations, based upon the April 17, 2018 Council action. After an opportunity for public comment was held, the Economic Development Committee moved to approve the recommendations stated in the reports as amended, as detailed above.

This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



MEMBER    VOTE

PRICE:        YES

BUSCAINO:   YES

RODRIGUEZ: NO

ME 10/22/19

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**