

ECONOMIC DEVELOPMENT, PUBLIC WORKS AND GANG REDUCTION, and ARTS, ENTERTAINMENT, PARKS AND RIVER COMMITTEES' REPORT relative to creating a new Sidewalk Vending Program.

Recommendations for Council action:

1. REQUEST the City Attorney, with the assistance of the Chief Legislative Analyst (CLA), to draft a new Sidewalk Vending Ordinance consistent with SB 946 (Lara), with the following considerations:
 - a. Remove the Los Angeles Municipal Code (LAMC) sections related to Rules and Regulations which shall be part of a separate document governed by the Department of Public Works, Bureau of Street Services (BSS), including but not limited to:
 - i. Section 42.13 C - Duties and Responsibilities of the Vending Service Provider
 - ii. Section 42.13 E - Vending Licenses and Permits
 - iii. Section 42.13 F - Additional Operating Requirements
 - iv. Section 42.13 G - Placement of Stationary or Mobile Carts
 - v. Section 42.13 I - Other Provisions .
 - b. Include provisions that would establish criminal and civil penalties for interfering with lawful vending activity, including demanding payment, making a threat against a person, or making a threat to report a person's immigration status.
 - c. Include language to prioritize temporary special events permits, including filming, as provided by State law.
 - d. Include No-Vending Zones, as approved by the Council on April 17, 2018 (Council file No. 13-1493), based on health, safety and welfare concerns, as allowed by State law.
 - e. Amend LAMC Section 63.44 to comply with State law.
 - f. Remove LAMC Section 42.00(m) Special Sidewalk Vending Districts.
 - g. Include any other necessary revisions to current provisions of the Los Angeles Administrative Code and/or LAMC to ensure consistency with State law.
2. INSTRUCT the BSS, with the assistance of the City Attorney and CLA, to review SB 946 and submit Rules and Regulations consistent with the intent of the Council, and in compliance with State law, including a recommendation for distance between vendors based on health, safety and welfare concerns, and a distance restriction for vendors from farmers' markets and swap meets pursuant to State law, for Council approval by November

15, 2018.

3. INSTRUCT the CLA to prepare and release a Request for Proposals (RFP) for a Third Party Service Provider, as previously adopted by Council and in compliance with State law, to manage and operate the Sidewalk Vending Program, and to include a requirement for the Third Party Service Provider to conduct outreach to inform the community as a whole about the Rules and Regulations on the public right-of-way, in parks and in No-Vending Zones.
4. INSTRUCT the CLA, with assistance of the BSS and Department of Recreation and Parks (RAP), to report regarding the respective costs and benefits of a permit-based versus regulatory vending system, including costs of the system, anticipated revenues from permits, ability to enforce, and burden or benefit to vendors.
5. REQUEST the Board of Recreation and Park Commissioners, with the assistance of the CLA and City Attorney, to:
 - a. Develop Rules and Regulations for vending of food and merchandise in City parks consistent with State law (SB 946) and report to Council by November 15, 2018.
 - b. Include in the Rules and Regulations additional restrictions as necessary to ensure the public's use and enjoyment of natural resources or recreational opportunities and prevent an undue overconcentration of commercial activity that interferes with enjoyment of the park, as provided by State law.
6. INSTRUCT the RAP to report relative to current enforcement of vending in parks including recommendations for any additional resources as necessary to comply with State law (SB 946).
7. INSTRUCT the CLA, with the assistance of City Attorney, and other departments as necessary, to prepare and present findings based on health, safety, and welfare for the no-vending zones identified by Council in its action of April 17, 2018 (Council file No. 13-1493), and present the findings based on health, safety, and welfare, for a location-based permit system consistent with Council action of April 17, 2018 (Council file No. 13-1493).
8. REQUEST the City Attorney, with the assistance of the CLA, Department of Public Works, RAP, and other departments as necessary, to report on options for enforcement of street vending with respect to dangerous materials and/or equipment in the public right-of-way.
9. INSTRUCT the CLA, with the assistance of the City Attorney, to report on the:
 - a. Specific circumstances that would warrant confiscation of vending equipment.
 - b. Current status of the amnesty program that is included in the sidewalk vending RFP as well as how an amnesty program would be implemented if the City did not move forward with a sidewalk vending permit program.
 - c. Sections of the LAMC that could be applied in the instance where a vendor is operating without a permit in a special vending district with restricted or prohibited

vending.

10. NOTE and FILE the following reports relative to creating a new Sidewalk Vending Program:

- a. City Attorney report dated July 2, 2018.
- b. Bureau of Street Services report dated July 16, 2018.
- c. Bureau of Engineering report dated August 20, 2018.
- d. City Clerk report dated September 11, 2018.

Fiscal Impact Statement: The CLA reports that approval of the recommendations as stated in the CLA's October 15, 2018 report, attached to Council file Nos. 13-1493, 13-1493-S4 and 13-1493-S5, will not result in a fiscal impact. On April 17, 2018, the Council instructed the City Administrative Officer (CAO) to report with a fee study and program budget. However, should the Council wish to proceed with implementation of a permit-based vending program, the CAO should be requested to report with a fee study and program budget consistent with Council action. Please note that the City may only charge fees to recover costs if a permit-based system is established.

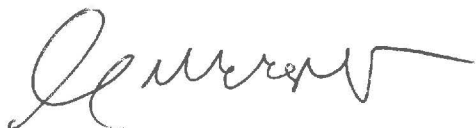
Community Impact Statement: None submitted.

SUMMARY

At a meeting held on October 17, 2018, your Economic Development, Public Works and Gang Reduction, and Arts, Entertainment, Parks and River Committees considered CLA, City Clerk, Bureau of Engineering, BSS, and City Attorney reports and an Ordinance relative to creating a new Sidewalk Vending Program. After providing an opportunity for public comment, the Committee moved to approve the above amended recommendations. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE



MEMBER VOTE

PRICE: YES
BUSCAINO: YES
HUIZAR: YES

PUBLIC WORKS AND GANG REDUCTION COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
BLUMENFIELD:	YES
BUSCAINO:	YES
MARTINEZ:	YES
RYU:	YES
RODRIGUEZ:	YES

ARTS, ENTERTAINMENT, PARKS AND RIVER COMMITTEE



<u>MEMBER</u>	<u>VOTE</u>
O'FARRELL:	YES
RYU:	YES
PRICE:	YES

ME 10/17/18

-NOT OFFICIAL UNTIL COUNCIL ACTS-