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this matter, please refer to the  
Council File No.: [13-1493](#)

## OFFICIAL ACTION OF THE LOS ANGELES CITY COUNCIL

April 18, 2018

**Council File No.:** [13-1493](#)

**Council Meeting Date:** April 17, 2018

**Agenda Item No.:** 17

**Agenda Description:** JOINT ECONOMIC DEVELOPMENT AND PUBLIC WORKS AND GANG REDUCTION COMMITTEES' REPORT and ECONOMIC DEVELOPMENT COMMITTEE REPORT TO BE SUBMITTED relative to the Proposed City Sidewalk Vending Program.

**Council Action:** MOTION (WESSON - PRICE), ECONOMIC DEVELOPMENT COMMITTEE REPORT AND AMENDING MOTION 17-C (O'FARRELL - PRICE - BUSCAINO) - ADOPTED

**Council Vote:**

NO	BOB BLUMENFIELD
NO	MIKE BONIN
YES	JOE BUSCAINO
YES	GILBERT A. CEDILLO
NO	MITCHELL ENGLANDER
YES	MARQUEECE HARRIS-DAWSON
YES	JOSE HUIZAR
NO	PAUL KORETZ
YES	PAUL KREKORIAN
YES	NURY MARTINEZ
YES	MITCH O'FARRELL
YES	CURREN D. PRICE
YES	MONICA RODRIGUEZ
YES	DAVID RYU
YES	HERB WESSON

HOLLY L. WOLCOTT  
CITY CLERK

**MOTION**

I HEREBY MOVE that Council ADOPT the Economic Development Committee (EDC) report from the EDC meeting of April 16, 2018 relative to the proposed City Sidewalk Vending Program as amended by Motion 17C.

PRESENTED BY \_\_\_\_\_  
HERB J. WESSON, Jr.  
Councilmember, 10<sup>th</sup> District

SECONDED BY \_\_\_\_\_  
CURREN D. PRICE, Jr.  
Councilmember, 9<sup>th</sup> District

April 17, 2018

CF 13-1493

# ITEM No. 17 - C

## M O T I O N

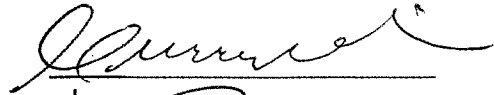
I MOVE that the matter of the Joint Economic Development and Public Works and Gang Reduction Committees' Report and Economic Development Committee Report relative to the Proposed City Sidewalk Vending Program, Item No. 17 on today's Council Agenda (CF 13-1493), **BE AMENDED** to instruct that the fee study and budget plan also include recommendation(s) for full cost recovery and otherwise full budgeting to cover the City's costs for confiscation and storage of property related to this program.

PRESENTED BY:



MITCH O'FARRELL  
Councilman, 13<sup>th</sup> District

SECONDED BY:



Joe Bruner

April 17, 2018ak



CONFIDENTIAL

ECONOMIC DEVELOPMENT COMMITTEE REPORT relative to the proposed City Sidewalk Vending Program.

Recommendations for Council action:

1. APPROVE the following from the Proposed Sidewalk Vending Regulations, as outlined in Attachment 3 of the November 3, 2017 Chief Legislative Analyst (CLA) report:
  - a. General Program provisions A, C-J and L-T.
  - b. Responsibilities of the Sidewalk Vending Coordinator A-C, E-I, J (a, b, c), and K.
  - c. Client Application Requirements, with the addition of “h. route for mobile carts, and photos or sketch of location for stationary carts” and “i. liability insurance.”
  - d. Operating Requirements A-G, I, J with the addition of “Universal Studios,” K-R.
  - e. Placement Requirements A, B, C, and D 1-7, 12-14, 17, 18.
  - f. Monitoring and Compliance with the addition of “suspension of permit if selling illegal and/or counterfeit goods.”
2. REQUEST the City Attorney to prepare and present an Ordinance:
  - a. Establishing a Sidewalk Vending Program as approved by Council
  - b. Creating a special fund for the deposit and expenditure of permit fees and collected fines.
  - c. Containing an Urgency Clause.
3. INSTRUCT the CLA, with the assistance of the City Attorney and Bureau of Engineering, to work with each Council Office to determine expansion, restriction or prohibition of sidewalk vending in each respective Council District, based on legitimate health and safety concerns, as outlined in Attachment 2 of the November 3, 2017 CLA report, as well as a location requested by the Los Angeles Police Department (LAPD) or Los Angeles Fire Department, and report to Council with a list of areas that should be considered for special vending districts or no vending.
4. INSTRUCT the CLA, with the assistance of City Attorney and Department of Public Works (DPW), to establish a process by which adjacent property owners can be notified of a potential vending permit, including an appeals process, similar to the City’s sidewalk dining (R-permit) and above ground facility permit processes.
5. INSTRUCT the City Administrative Officer (CAO), with the assistance of the CLA, Economic and Workforce Development Department (EWDD) and Bureau of Street Services (BSS), to report with a fee study and budget plan, including staffing requirements,

for implementation and enforcement of the Proposed Sidewalk Vending Program, including initial start up costs and a plan for enforcement funding at the level described in Table 2, Page 4 of Attachment 2 of the November 3, 2017 CLA report, with the goal of full cost recovery that factors in revenue from gross receipts and permit fees generated by the program.

6. INSTRUCT the CLA and CAO, with the assistance of the City Attorney, to examine license pricing based on cost per square foot of nearby commercial space.
7. INSTRUCT the City Clerk, with assistance of City Attorney, to report with options to facilitate the collection of fees from permitted sidewalk vendors who locate within a Business Improvement District (BID), with said fees to go toward the BID's operating costs.
8. INSTRUCT the CLA, with assistance of the EWDD and the Department of Recreation and Parks, and any other departments as necessary, to draft a Request for Proposals (RFP) to solicit service providers to operate the Proposed Sidewalk Vending Program, as approved by Council, including community outreach, application assistance, legal counsel and expungement services.
9. REQUEST the City Attorney, with assistance of the CLA and EWDD, to establish a formal partnership with the Los Angeles County Public Health Department (LACDPH) through a Memorandum of Agreement specifying the conditions and provisions, including shared space, resources, plan check inspectors and staff.
10. REQUEST the City Attorney, with assistance of the CLA, DPW, and LAPD to report to Council on enforcement protocols, including confiscation, for sidewalk vending.
11. INSTRUCT the EWDD, with assistance of the CLA, and any other departments as needed, to report to Council with:
  - a. Creation of a fact sheet, in multiple languages, that indicates the requirements for vending.
  - b. Options to provide incentives for the sale of healthy food, including reduced permit fees.
  - c. Explore the concept of sidewalk vending business cooperatives as a future business model.
  - d. Establish a recycling component to safely dispose of unwanted carts.
  - e. The feasibility of partnering with a manufacturer to produce carts that have already been approved by the LACDPH.
12. INSTRUCT the EWDD, BSS, and CLA, in consultation with the Information Technology Agency (ITA) and the Office of Finance, to develop an online system for vendor registration, issuance of certificates of operation and mobile site for enforcement officers that shows registered locations and permit holders.

13. INSTRUCT the EWDD, with assistance of the ITA, to develop an interactive informational website that provides access to rules and regulations, permit requirements and processes, and any other relevant information for the City's Sidewalk Vending Program, with material available in multiple languages.
14. REQUEST the City Attorney, with the assistance of the LAPD, to report on the total amount of Administrative Code Enforcement (ACE) citations issued under LAMC 42.00, from February 15th, 2017 to present, including the number of citations that have been paid, and the number of citations that remain delinquent.
15. INSTRUCT the CLA to report on the feasibility of issuing a temporary Certificate of Operation when an applicant receives all the necessary County health permits and City approvals, in the event an appeal is filed.
16. INSTRUCT the Los Angeles Department of Transportation's People Street Program, with the assistance of the Bureau of Street Services, to report on the feasibility of including parklets in the said Ordinance.

Fiscal Impact Statement: The CLA reports that approval of the recommendations in the CLA's November 3, 2017 report will not result in a fiscal impact. However, should the Council wish to proceed with implementation of a proposed program, the CAO should be instructed to report with a fee study and program budget. The Proposed Sidewalk Vending Program is envisioned to be a fee-supported program.

Community Impact Statement: None submitted.

## SUMMARY

At the meeting held on April 16, 2018, your Economic Development Committee considered a CLA report relative to the proposed City Sidewalk Vending Program. After an opportunity for public comment was held, the Committee moved to approve the CLA's recommendations as amended, as detailed above. This matter is now forwarded to the Council for its consideration. This matter is now forwarded to the Council for its consideration.

Respectfully Submitted,

ECONOMIC DEVELOPMENT COMMITTEE

**MEMBER VOTE**  
PRICE: YES  
BUSCAINO: YES  
HUIZAR: YES  
ME

**-NOT OFFICIAL UNTIL COUNCIL ACTS-**