



Board Report

File #: 2019-0241, **File Type:** Informational Report

Agenda Number: 18.

OPERATIONS, SAFETY AND CUSTOMER EXPERIENCE COMMITTEE MAY 16, 2019

SUBJECT: WESTLAKE/ MACARTHUR PARK COMMUNITY MARKET VENDING PROGRAM

ACTION: RECEIVE AND FILE

RECOMMENDATION

RECEIVE AND FILE status report on the Westlake/ MacArthur Park Community Market Vending Project.

ISSUE

In March 2017 Metro launched a Westlake/ MacArthur Park Community Market Vendor Pilot Program which was made permanent in 2019. This report is an update of that program.

BACKGROUND

In an effort to manage longstanding street vending at Metro's Westlake/ MacArthur Park Station, Metro partnered with L.A. County Supervisor Hilda Solis, L.A. City Council Member Gil Cedillo, Central City Neighborhood Partners and Union de Vendedores Ambulantes (Union Of Street Vendors) to launch a one-year permitted vending pilot project at the Westlake/ MacArthur Park Station adjacent to the Red and Purple Lines. Metro's issued permit has allowed the station's plaza to address historical challenges to unpermitted vending at that location. The goals of the program are to minimize blight and disorder, ensure safe boarding and alighting, and to ultimately transform the station plaza into an inviting environment. The Westlake/ MacArthur Park Community Market Vending program demonstrates Metro's strong commitment to partnering with the community to creatively solve challenges. In light of the program overall success the program has been made permanent is 2019.

DISCUSSION

Operating Structure

The County and City of Los Angeles pooled financial resources to fund the Westlake/ Westlake/ MacArthur Park Community Market Vendor Pilot Program to cover the costs of various permits, maintenance and security. The program is administered by the Central City Neighborhood Partners, a community nonprofit street vendor membership organization that keeps records of vendor applications and coordinate member contributions as well as operating costs. Operating hours are

from 7am to 7pm, seven days a week. There are total of 24 booths and a total of 68 spaces for vendors where approved goods are sold. All participants must demonstrate that they reside in the local community (LA City Council District -CD1) or demonstrate at least a year of selling in that area. The program is self-funded by partners as are the permit fees and cost of fixed post security.

Success and Lesson Learned Resulting in Partnership Improvements

Under Westlake/ MacArthur Park Community Market Vendor Pilot Program the objectives of the program were met-blight and disorder were reduced, the vendors no longer impeded space that otherwise was to be used for safe boarding and greater order at the station was achieved that ultimately has made the station into an inviting environment to the benefit of Metro and the community at large. To maintain safety of the area while honoring the community market partnership, Metro and CD1 together funded a LAPD fixed post officer in 2018 and 2019 resulting in the reduction of crime at that station since the launch of the project - 14% reduction in aggravated assaults and 61% reduction of robberies (**Attachment A**). To avoid community and vending location confusion, demarcation lines were drawn at the station to distinguish jurisdictions as Metro and LA City have different vending policies at that site.

SB 946

In September of 2018 former Governor Jerry Brown signed Senate Bill 946, the Safe Sidewalk Vending Act (Sen. Ricardo Laura) which required that cities and counties throughout the state create permit programs and establish health and safety policies for vending. Since the enacting of that legislation, L.A. City developed General Rules and Regulations for sidewalk vending through the Bureau of Street Services (ordinance for Council File No. 13-1493-S5) (**Attachment B**). Even in light of the changing law, Metro's Westlake/ MacArthur Park station maintains itself as attractive vending property. Vendors remain attracted to this historic vending site from all over the world and Metro's program allows for vending practices that are not allowed under the City ordinance (ex. vending kiosk at and around public transportation) which is a clear attractive benefit. LA County's Department of Consumer and Business Affairs has designated Metro's Westlake/ MacArthur Park Community Market Vendor Pilot Program project as a standard of best practices and Metro is working with the County to aid in the development of the County's vending policies (**Attachment C**).

FINANCIAL IMPACT

The vending program operates generally free to Metro. Metro and LA City equally share the cost of the one LAPD officer who is fixed post.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The program described supports Goal #2 and #4 of Metro's Strategic Goals. Goal #2, Deliver outstanding trip experiences for all users of the transportation system; and Goal #4, Transform Los Angeles County through regional collaboration and national leadership

ALTERNATIVES CONSIDERED

The alternative would be to cancel the vending program which would have a negative impact onto the vending population at that site.

NEXT STEPS

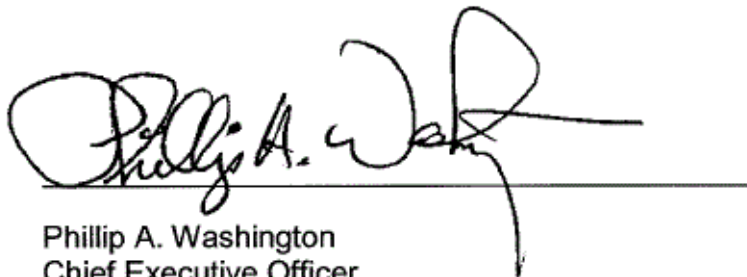
Continue to manage the vending project at that location site. Identify if other locations at Metro would be suitable to run similar host programs.

ATTACHMENTS

- Attachment A - Crime Reduction
- Attachment B - LA City Vending Rules
- Attachment C - Board of Supervisors Motion

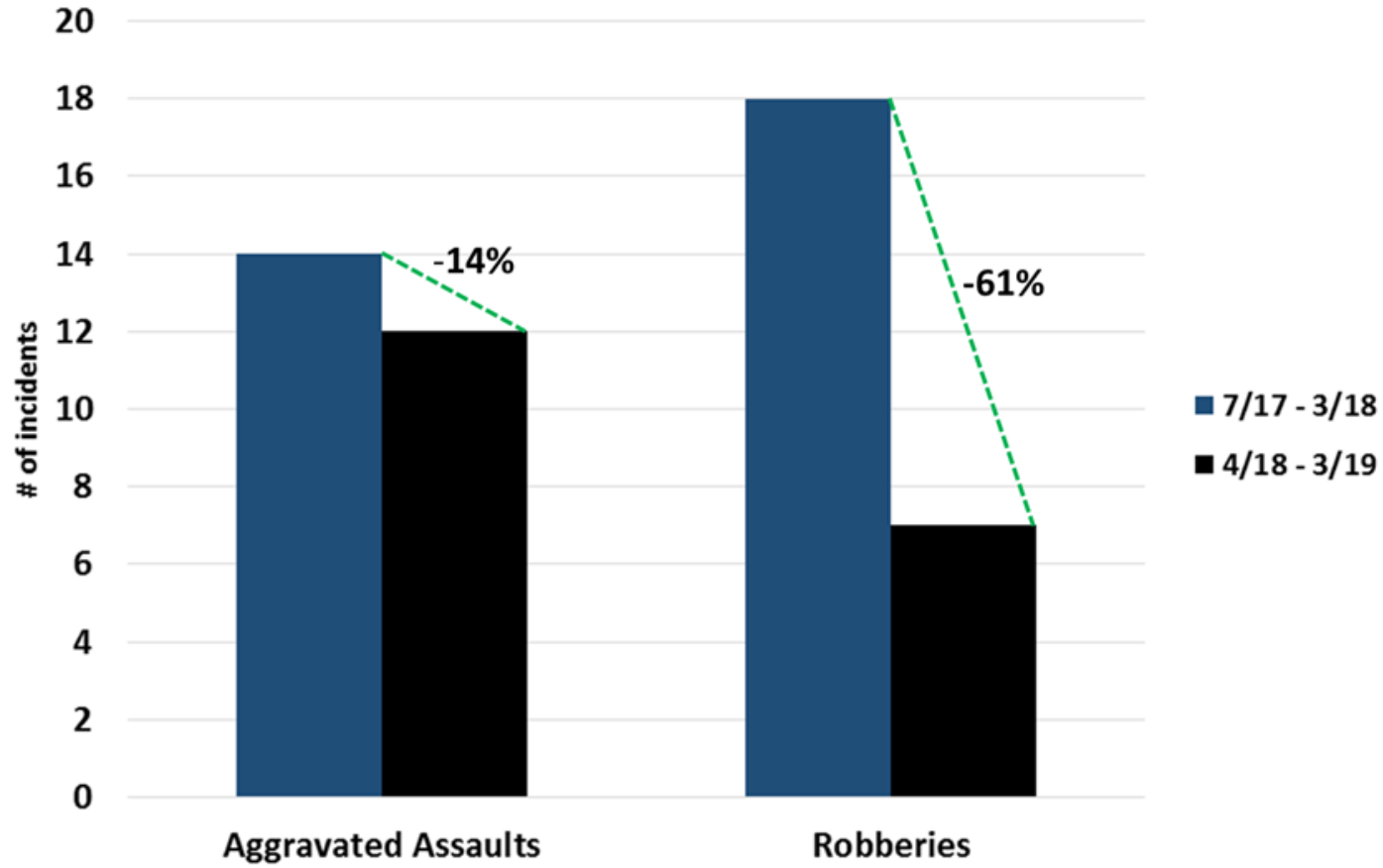
Prepared by: Jennifer E. Loew, Transit Security Special Projects Manager, System Security and Law Enforcement (213) 922-3646

Reviewed by: Alex Z. Wiggins, Chief, System Security and Law Enforcement, (213) 922-4433
Reviewed by: Nadine Lee, Chief of Staff (Interim), Office of the Chief Executive Officer, (213) 922-7447



Phillip A. Washington
Chief Executive Officer

Decrease In Assaults and Robberies After Community Market Inception



The Bureau of Street Services (BSS) in support of the City of Los Angeles' (City) sidewalk vending ordinance for Council File No. 13-1493-S5, prepared the following general rules and regulations for all sidewalk vendors in the public right-of-way. All sidewalk vending from January 1, 2019 onward would be governed by these rules.

1. *Trash:* All food vending carts or kiosks shall be equipped with refuse containers large enough to contain all refuse generated by the operation of such cart or kiosk, and the operator of the food vending cart or kiosk shall pick up all refuse generated by such operation within a 50-foot radius of the cart or kiosk before such cart is moved. All recyclable materials shall be separated from other refuse and disposed of in a manner consistent with the current City of Los Angeles (City) recycling policy.

2. *Placement:* No person shall install, use, or maintain any vending cart or kiosk which projects onto, into, or over any sidewalk or parkway when such installation, use or maintenance endangers the safety of persons or property, or when such site or location is used for public utility purposes, public transportation purposes or other governmental use, or when such cart or kiosk unreasonably interferes with or impedes the flow of pedestrian or vehicular traffic, the ingress into or the egress from any residence or place of business, or the use of poles, posts, driveways, traffic signs or signals, hydrants, mailboxes, or other objects permitted at or near said locations. No vending cart or kiosk shall be so placed that the clear space for the passage of pedestrians upon the sidewalk is reduced to a width of less than five feet. No mobile or street vendor shall obstruct or cause to be obstructed the passage of any sidewalk, street, avenue, alley or any other public place, by causing people to congregate at or near the place where goods, wares, food, or merchandise of any kind is being sold or offered for sale.
 - a) Distances from the following above ground facilities (AGF) shall be no less than three feet:
 - (1) Street lights
 - (2) Edges of tree wells
 - (3) Parking meters
 - (4) Above ground utility structure
 - b) Distances from fire hydrants shall be no less than five feet.
 - c) Distances from any existing subsurface utility box, valve, or vault shall be no less than two feet.
 - d) Distance from face of curb and from edge of existing driveways shall be no less than 18 inches (see Diagram 1).
 - e) Distances between vendors shall be three feet clear (see Diagram 2).
 - f) No vending spaces will be permitted at bus stop locations, or at locations where there are existing above ground amenities such as street furniture (benches, bike racks), newsstands, and red curbs (see Diagram 3).
 - g) No vending spaces will be permitted in roadway, medians, pedestrian islands, and bikeways.
 - h) No stationary vending location shall be placed directly in front of any building. All stationary vending locations shall be placed 18 inches from the curb face.
 - i) Distance from permitted activities including but not limited to construction related street or lane closures, special events, swap meets, filming, and farmer's markets

General Rules and Regulations Sidewalk Vending

shall be no less than 500 feet any boundary line of the permitted activity.

- j) Distance from an entrance way to any building, store, theatre, movie house, house of worship or place of public assembly shall be a minimum of 20ft.
- k) Distance from any restricted vending location as defined in Los Angeles Municipal Code Section 42.13(c) shall be no less than 500 feet any property line of the restricted location.

3. *Prohibited vending locations:*

- a) Vending is prohibited within 500 feet of:
 - (1) The Hollywood Walk of Fame, Universal Studios and the El Pueblo de Los Angeles Historical Monument, Staples Center/LA Live (as described in Chapter 25 of Division 22 of the Los Angeles Municipal Code);
 - (2) Dodger Stadium, the Hollywood Bowl, and the LA Coliseum/Banc of California Stadium on events days; and
 - (3) Any other venue as determined by the Board of Public Works.
- b) Vending at Venice Beach is limited to First Amendment protected expressive activities.
- c) Schools or any postsecondary educational facility attended by secondary pupils or private kindergarten, elementary, or secondary school facilities.

A map for each location will depict the boundaries. Appropriate signs with the no vending area will be posted at these locations.

4. *Vending of produce:* All produce regulated by the California Department of Food and Agriculture (CDFA) shall be handled, transported, displayed or disposed of in accordance with all CDFA regulations as they now exist or as amended from time-to-time, but not limited to, the following:

- a) All produce or commodities under quarantine by the CDFA will be protected or safeguarded in an approved manner by being bagged or screened to prevent infestation; any open display is prohibited.
- b) All produce, commodities, or their husks, cores, rinds, or pits shall be sealed in plastic bags before disposing.
- c) Every food vendor shall have a receipt, invoice, bill of lading or other acceptable proof of origin of all produce or commodities under quarantine.
- d) All produce or commodities under quarantine that are sold, offered for sale, or transported within the quarantine area, must be of commercial origin.
- e) Any violation of this section may result in the seizure of produce or commodities.

5. *Permits:* All sidewalk vendors must possess all applicable business, tax and health permits required by the State, County, and or City.



Diagram 1

**"Beginning of curb return" BCR means the area that includes the intersection of two sidewalks bounded by the adjoining corner.

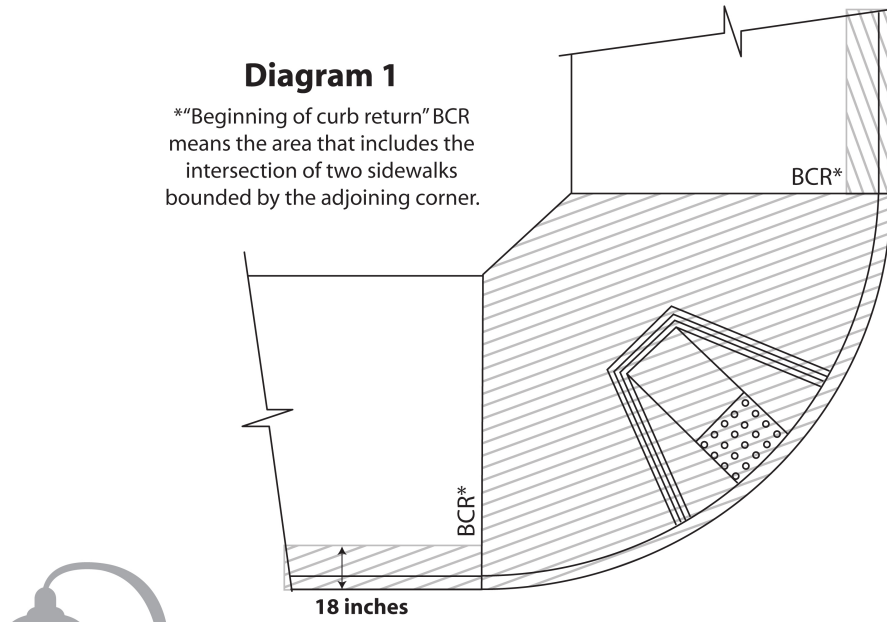


Diagram 2

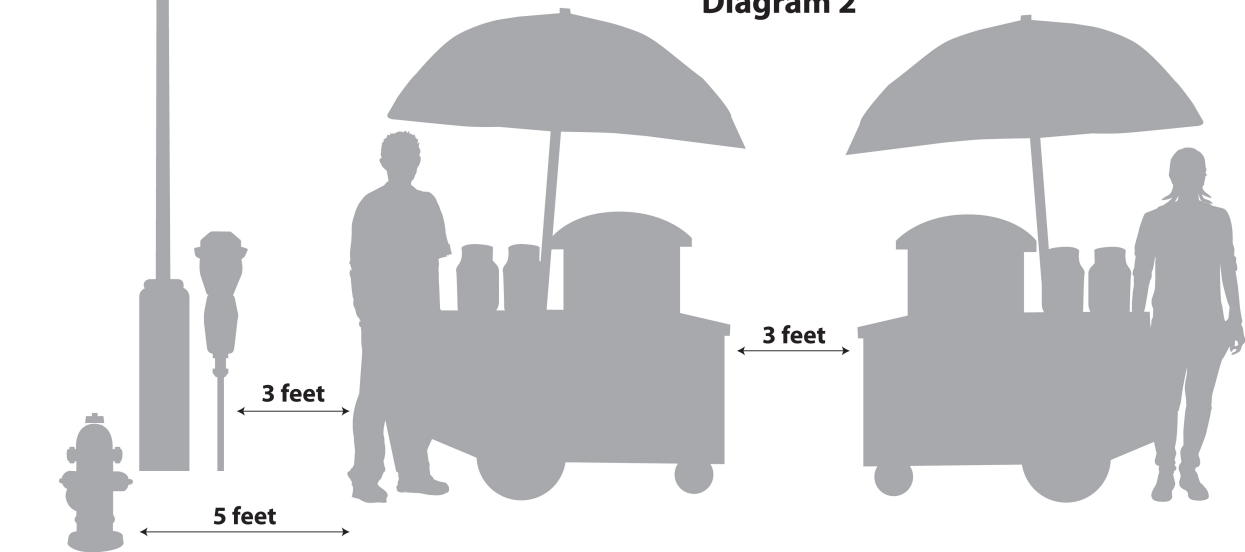
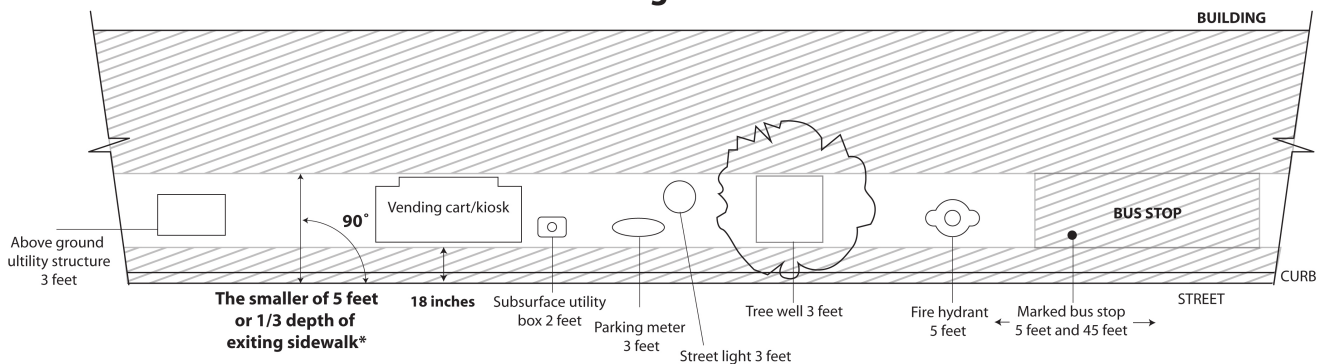


Diagram 3



* Examples: 1/3 of depth of 9' wide sidewalk vendor space would be 3', 6' wide sidewalk vendor space would be 2'.

MOTION BY SUPERVISORS HILDA L. SOLIS AND
JANICE HAHN

November 7, 2018

Sidewalk Vending Assessment and Recommendations (SB 946)

On September 17, 2018, Governor Jerry Brown signed the Safe Sidewalk Vending Act (SB 946) into law, which becomes effective on January 1, 2019. The bill defines a sidewalk vendor as a person who sells food or merchandise from a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path. Sidewalk vending is a prevalent industry and is a means of earning a living for many people in Los Angeles County, in particular women and immigrants. The recent passage of SB 946 will impact County vendors, brick-and-mortar businesses and community residents.

Key provisions of SB 946 include the prohibition of counties and cities from limiting where sidewalk vendors can operate, including public parks (unless there is an exclusive concessionaire under contract). The new law also prohibits requiring that sidewalk vendors ask permission from brick-and-mortar businesses or others to operate. SB 946 allows for regulations that are necessary to ensure health, safety and

MOTION

SOLIS _____

RIDLEY-THOMAS _____

HAHN _____

BARGER _____

KUEHL _____

welfare, including limiting hours, requiring sanitary conditions, ADA compliance, and requiring sidewalk vendors to obtain a permit and/or license. Local authorities may adopt additional requirements regulating the time, place, and manner of sidewalk vending, such as operating hours, sanitary conditions, business licenses, and seller's permit, among others as appropriate and necessary.

WE THEREFORE MOVE that the Board of Supervisors

- 1) Direct the Department of Consumer and Business Affairs (DCBA), in collaboration with its Office of Immigrant Affairs, County Counsel, Department of Public Health, Department of Public Works, Department of Regional Planning, Sheriff's Department, Treasurer and Tax Collector, the Women and Girls Initiative, Workforce Development, Aging and Community Services, and other County departments and agencies as necessary and authorize DCBA to engage a consultant(s) as appropriate to:
 - a. Engage community and business stakeholders to gather feedback on the sidewalk vending industry and identify the needs of sidewalk vendors, brick-and-mortar businesses, and community residents;
 - b. Engage cities, counties, and other government agencies to review and identify best practices and policies, including Los Angeles County Metropolitan Transportation Authority's pilot program for sidewalk vendors in Westlake/MacArthur Park;
 - c. Assess past County efforts, including policy and program proposals developed by departments, and use as a foundation to inform a set of comprehensive and integrated policies and programs in light of SB 946;

- d. Assess current County policies and codes that impact sidewalk vending and recommend comprehensive and integrated policies and programs under the framework of health, public safety and welfare; and
- e. Provide a written report back with findings and recommendations by May 31, 2019.

#

HLS:HS



Westlake/ MacArthur Park Community Market Vendor Program

Operations, Safety and Customer Experience Committee

May 2019

Westlake/ MacArthur Park Street Vendor Market

Background:

- One year pilot program starting March 2017, made permanent
- Vendors in community to operate as an organized community market
- Sale of goods at Metro transportation hub
- First of its kind for Metro

Purpose:

- Minimizing blight and disorder at the station
- Reducing unpermitted street vending
- Reducing crime
- Ensuring safe boarding for passengers on bus and rail
- Transforming station plaza into an inviting community location



Operating Partners:

- Metro
- LA County Supervisor and Metro Board Member
Hilda Solis
- LA City Council Member Gil Cedillo (CD 1)
 - ✓ Central City Neighborhood Partners
 - ✓ Union of Street Vendors (Union de Vendedores Ambulantes)



Metro

Market Operating Structure

Operation Hours

- 7am to 7pm (set up 6am, deconstruct by 8pm)
- 7 days a week

Participants

- 34 Booths, 68 spaces for vendors
- Lottery system through Union of Street Vendors
- Demonstrate prior business in area
- Sale of goods only

Fees

- Total Permit Fee- \$3,000 annual to Metro
- Vendor fee directly to Union of Street Vendors

Security

- Two security guards on site funded.
- All hours of operation



Lessons Learned

Positive Outcomes

- Achieve program purpose
 - ✓ Minimizing blight and disorder at the station
 - ✓ Reducing unpermitted street vending
 - ✓ Reducing crime – 14% aggravated assaults; 61% Robberies
 - ✓ Ensuring safe boarding
 - ✓ Transforming station plaza into an inviting community environment



Lessons Learned Integrated into Operations

- Integrated in new contract
 - ✓ Fixed Post LAPD (shared cost)
 - ✓ Payment In Advance
 - ✓ Jurisdiction Lines

