



# City of Culver City

## Staff Report

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**(1) Review of Suggested Revisions to the Vending Related Regulations in *Culver City Municipal Code (CCMC) Section 9.10.055 Parks, Public Buildings and Property: Prohibitions*; and (2) If Desired, Provide Comments and Recommendations to City Council Related to Incorporation of these Revisions into the Draft Vending Ordinance.**

**Meeting Date:** February 7, 2023

**Contact Person/Dept:** Armando Abrego/PRCS

**Phone Number:** (310) 253-6682

**Fiscal Impact:** Yes  No

**General Fund:** Yes  No

**Public Hearing:**

**Action Item:**

**Attachments:**

**Public Notification:** (E-Mail) Meetings and Agendas - Parks, Recreation and Community Services Commission (02/01/2023); (E-Mail) Parks, Recreation & Community Service Department Updates (02/01/2023)

**Department Approval:** Armando Abrego, PRCS Director (02/01/2023)

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### **RECOMMENDATION**

Staff recommends the Parks, Recreation and Community Services (PRCS) Commission (1) review suggested revisions to the vending related regulations in *Culver City Municipal Code (CCMC) Section 9.10.055 Parks, Public Buildings and Property: Prohibitions*; and (2) if desired, provide comments and recommendations to the City Council related to the incorporation of these revisions into the draft vending ordinance.

### **BACKGROUND**

On August 7, 2018, the *Parks and Facilities Sections of the Culver City Municipal Code Review (CCMC Review) Ad Hoc Subcommittee* was formed to review and provide potential recommended updates to the Culver City Municipal Code related to parks and facilities under the purview of the Parks, Recreation and Community Services Department. The members of the CCMC Review Ad Hoc Subcommittee, Chair Mohammed and Commissioner Rickards provided recommendations to staff over the following months. They met with former PRCS Director Corey Lakin in late February and mid-March 2020 to review all the research and recommendations. In preparation for that meeting staff compiled park prohibition information from the municipal codes of ten Southern

California cities for the Ad Hoc Subcommittee's review. The cities reviewed included Anaheim, Beverly Hills, Cerritos, El Segundo, Huntington Beach, Inglewood, Manhattan Beach, Newport Beach, Santa Monica and Torrance.

Based on the CCMC Review Ad Hoc Subcommittee's recommendations, staff began preparing a draft document for the City Attorney's Office to review. Unfortunately, the process was delayed due to the necessity of prioritizing operational and legal matters related to the coronavirus pandemic and other City Council priorities. On October 6, 2020, suggested revisions to some of the provisions of *CCMC Chapter 9.10: Parks, Public Buildings and Property* were discussed by the PRCS Commission, as well as the policy issues involved with the update of Chapter 9.10. Other provisions of Chapter 9.10 were deferred at the recommendation of the City Attorney's Office to Phase 2 of the project due to the need to confer with other departmental staff, as well as address complex legal issues related to such provisions.

## **DISCUSSION**

One of the topic areas that was deferred due to its complexity was vending related regulations. This report has been prepared in order to give the PRCS Commission the opportunity to review the suggested revisions to the vending related regulations and provide comments and recommendations to the City Council related to incorporating these provisions into the draft vending ordinance that will be considered by the City Council in in early February 2023. The vending-related regulations are a small portion of Phase 2 of the project, which is still in progress and additional revisions to Chapter 9.10 will be presented to the Commission during the coming months.

### **Suggested Revisions to CCMC Section 9.10.055 - Vending Related Regulations**

The suggested revisions are listed below. Text that is crossed-out is marked for deletion. Underlined text is slated to be added as part of the update.

*I. To announce, advertise or call public attention in any way to any article or service for sale or hire, or expose or offer for sale any article or thing; ~~nor to shall he station or place any stand, cart, or vehicle for the transportation, sale or display of any such article or thing.~~ This subsection shall not apply ~~Exception is here made as to any regularly licensed concessionaire acting by and under the authority and regulation of the Parks, Recreation and Community Services Director and activities expressly authorized~~ allowed by Chapter 11.21 (Sidewalk Vending).*

*K. To practice, carry on, conduct or solicit for any trade, occupation, business or profession without the permission of the City Council, unless otherwise expressly authorized by this Code.*

*L. To drive or have any ~~dray, truck, wagon, cart, or other traffic~~ vehicle carrying goods or regularly used or employed in carrying goods, merchandise, lumber, machinery, oil, manure, dirt, sand or soil or any article of trade or commerce, or any offensive article or material whatsoever, upon any road or drive, ~~except for such road or drive that as may be specifically especially provided or designated for such use, or such as may be authorized by permit from the Parks, Recreation and Community Services Director.~~ This subsection shall not apply to activities expressly authorized by Chapter 11.21 (Sidewalk Vending).*

The purpose of these revisions is to conform with changes to State Law governing Sidewalk Vending.

City staff anticipates bringing a new Sidewalk Vending ordinance, codified at Chapter 11.21 of the Culver City Municipal Code, to the City Council in early February 2023.

Christina Burrows, Deputy City Attorney, is scheduled to attend the meeting and will be available to answer Commissioners' questions on this topic.

### **FISCAL ANALYSIS**

There is no fiscal impact associated with this discussion.

### **ATTACHMENTS**

None.

### **MOTIONS**

That the Parks, Recreation and Community Services (PRCS) Commission:

1. Review suggested revisions to the vending related regulations in *Culver City Municipal Code (CCMC) Section 9.10.055 Parks, Public Buildings and Property: Prohibitions*; and
2. If desired, provide comments and recommendations to the City Council relating to the incorporation of these revisions into the draft vending ordinance.