

PARKS AND COMMUNITY ENRICHMENT COMMISSION

Sumiti Mehta, District 1
Fatima Malik, District 2
David Guerrero, District 3
Julie Murphy, District 4
Joe Flores, District 5 (Chair)
Tyler Aguilar, District 6
Devin Lavelle, District 7
Chinua Rhodes, District 8
Terri Kletzman, At Large
Jason Law, At Large
Rita Gallardo-Good, Mayoral (Vice-Chair)

COMMISSION STAFF

Mario Lara, Director
Ilee Muller, Administrative Analyst
Sheryl Patterson, Senior Deputy City Attorney



Agenda

Parks and Community Enrichment Commission

915 I Street, Council Chambers - NCH

Published by the
Youth, Parks, & Community Enrichment
Department
(916) 808-5200

Thursday, November 7, 2019

6:00 p.m.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing
(City Code 2.15.160).

Speaker slips are available on the City's Website and from staff and should be completed and submitted to the Commission Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 24 hours prior to the Special meeting. The City posts Agendas at City Hall as well as offsite meeting locations.

The order and estimated time for Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body.

The Agenda provides a general description and staff Recommendation; however, the legislative bodies may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Department of Youth, Parks, & Community Enrichment and all written material received is available at the meeting for public review.

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Youth, Parks, & Community Enrichment Department at (916) 808-5172 at least 48 hours prior to the meeting.

General Conduct for the Public Attending Parks and Community Enrichment Commission Meetings

- Members of the public attending Parks and Community Enrichment Commission meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Committee.
- Members of the public wishing to provide documents to the Committee shall comply with Rule 7 D of the Council Rules of Procedure.

Members of the Public Addressing the Parks and Community Enrichment Commission

- Purpose of Public Comment. The City provides opportunities for the public to address the Board as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.
 - Public comments should not be addressed to individual Members nor to City officials, but rather to the Parks and Community Enrichment Commission as a whole regarding City business.
 - While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Committee.
 - Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Committee and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
 - Members of the public with questions concerning Consent Calendar items may contact the staff person on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.
- **Speaker Time Limits.** In the interest of facilitating the Committee's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Committee during the meeting.
 - **Matters not on the Agenda.** Two (2) minutes per speaker.
 - **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
 - **Discussion Calendar Items.** Two (2) minutes per speaker.

Time Limits per Meeting In addition to the above time limits per item, the total amount of time any one individual may address the Committee at any meeting is eight (8) minutes. Each speaker shall limit his/her remarks to the specified time allotment.

- The Presiding Officer shall consistently utilize the timing system which provides speakers with notice of their remaining time to complete their comments. A countdown display of the allotted time will appear and will flash red at the end of the allotted time.
- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.

The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be applied.

AGENDA

Thursday, November 7, 2019

6:00 p.m.

Council Chambers, 915 I Street, Sacramento, CA 95814

Open Session – 6:00 p.m.

Roll Call

Public Comments-Matters Not on the Agenda (2 minutes per speaker)

Consent Calendar **Estimated Time: 5 minutes**

All items listed under the Consent Calendar are considered and acted upon by one Motion. Anyone may request an item be removed for separate consideration.

1. Parks and Community Enrichment Commission Meeting Minutes

Location: Citywide

Recommendation: Approve Commission minutes for October 3, 2019

Contact: Ilee Muller, Administrative Analyst, (916) 808-1022, Department of Youth, Parks, & Community Enrichment

Discussion Calendar **Estimated Time: 60 Minutes**

Discussion Calendar items include an oral presentation including those recommending “receive and file”.

2. Selection of Volunteer Recognition Awards – Categories Community Enrichment and YPCE

Location: Citywide

Recommendation: Pass a motion selecting award recipient(s) for the Community Enrichment and YPCE categories

Contact: Maggie Le, Support Services Manager (916) 808-1040, Department of Youth, Parks, & Community Enrichment

3. Master Plans and Naming of Park and Garden in Mirasol Village Development

Location: District 3

Recommendation: Pass a motion to support the City Council’s adoption of a Park Master Plan, a Garden Master Plan, and naming as Mirasol Village Park and Mirasol Village Community Garden

Contact: Brianna Moland, Assistant Planner, (916) 808-6188, Department of Youth, Parks, & Community Enrichment

Presenter: Brianna Moland, Assistant Planner, (916) 808-6188, Department of Youth, Parks, & Community Enrichment

- 4. Ordinance Relating to Outdoor Vending and Sidewalk Vending to Implement SB 946**
Location: Citywide
Recommendation: Pass a motion to support City Council approval of an Ordinance regulating outdoor vending and sidewalk vending.
Contact: Tessa E. St. John (916) 808-4847, Department of Finance

- 5. YPCE Audit Recommendation Update**
Location: Citywide
Recommendation: Informational
Contact: Maggie Le, Support Services Manager (916) 808-1040, Department of Youth, Parks, & Community Enrichment

- 6. Youth, Parks, & Community Enrichment Director Report (Oral): Review Highlights for October**
Location: Citywide
Recommendation: Informational
Contact: Mario Lara, Director, (916) 808-1041, Department of Youth, Parks, & Community Enrichment

Member Comments-announcements, Questions and Meeting/Conference Reports

Adjournment



**Meeting Minutes of the
Parks and Community Enrichment Commission**

October 3, 2019

6:00 p.m.

City Hall – 915 I Street – Council Chambers

Open Session – 6:00 p.m.

Roll Call

The meeting was called to order by Chair Flores at 6:03 PM

Present: Commissioners Aguilar, Mehta, Flores, Guerrero, Kletzman, Lavelle, Law, Murphy, and Rhodes

Absent: Commissioners Good and Malik

Public Comments-Matters Not on the Agenda

None

Consent Calendar

1. Parks and Community Enrichment Commission Meeting Minutes

Location: Citywide

Recommendation: Approve Commission minutes for August 1, 2019

Contact: Ilee Muller, Administrative Analyst, (916) 808-1022, Department of Youth, Parks, & Community Enrichment

Action: Motion to approve Commission minutes.

Moved/Seconded (Lavelle/Rhodes)

Motion carried 9-Yes 0-No

Discussion Calendar Estimated Time: 60 Minutes**2. West Broadway Specific Plan****Location:** District 4**Recommendation:** Informational**Contact:** Dana Mahaffey, Senior Planner, Park Planning and Development Services, (916) 808-2762, Department of Youth, Parks, & Community Enrichment**Presenter:** Helen Selph, Associate Planner, (916) 808-7852, Community Development Department

Dana Mahaffey and Helen Selph provided an update on the West Broadway Specific Plan. Helen shared plan concepts, program outlines, public outreach, draft goals and policies, implementing actions and next steps.

3. Draft Vision and Guiding Principles for the 2040 General Plan Update**Location:** Citywide**Recommendation:** Review and Comment**Contact:** Dana Mahaffey, Senior Planner, Park Planning and Development Services, (916) 808-2762, Department of Youth, Parks, & Community Enrichment**Presenter:** Greta Soos, Assistant Planner, (916) 808-2027, Community Development Department

Greta Soos provided an overview of the draft Vision and Guiding Principles for the 2040 General Plan Update schedule, Phase I outreach, vision and guiding principles, and local issues and opportunities. Next steps: the draft Vision and Guiding Principles for the 2040 General Plan Update will go forward to the City Council on October 22. Once adopted, staff will move forward into Phase II.

4. Selection of Volunteer Recognition Awards – Category Community Enrichment and YPCE**Location:** Citywide**Recommendation:** Pass a motion selecting award recipient(s) for the Community Enrichment and YPCE category(s)**Contact:** Maggie Le, Support Services Manager (916) 808-1040, Department of Youth, Parks, & Community Enrichment**Presenter:** Maggie Le, Support Services Manager (916) 808-1040, Department of Youth, Parks, & Community Enrichment

Commissioner Lavelle provided feedback on the selection of volunteer recognition awards process. First suggestion: Nominations come from Commissioners and are awarded by the Commissioners. Second suggestion: Open nominations from community during open period, if no nominations came in from the community, then the Commission would make nominations. Reopen nomination period for YPCE for two weeks and move the awards ceremony from November to December.

Commissioner Guerrero suggested the nomination awards to be done once a year.

Commissioner Rhodes expressed the importance of the community being able to give their voice to the nomination process. He suggested if community does not nominate then the Commissioner gets the opportunity to nominate.

Commissioner Mehta suggested there should be more advertising and the Commission should partner with schools for youth nominees.

Chair Flores suggested the nomination process be community lead, Commissioner support, and if community does not nominate then the Commissioner gets the opportunity to nominate. Agrees that the Commission should partner with schools and expand on marketing outreach.

Action: Motion to 1) extend the Youth, Parks, & Community Enrichment nomination period for two weeks; 2) calendar a December meeting; 3) move the selection of Volunteer Recognition Awards – Category Community Enrichment and YPCE to November; and 4) Recognize Nominees in December

Moved/Seconded (Lavelle/Aguilar)

Motion carried 9-Yes 0-No

5. 2019 Summer @ City Hall Summary Report

Location: Citywide

Recommendation: Informational

Contact: Kris Wimberly, Recreation General Supervisor, (916) 808-6172, Department of Youth, Parks, & Community Enrichment

Kris Wimberly, Maria Vides-Medal, and DeWayne Ewing Jr. provided a report back of the 2019 Summer @ City Hall program. They provided an overview of the participating high schools, demographics, internship sites, life skills workshops, and Project City Hall billboard campaign. There was a total of 191 applicants, 134 applicants accepted an interview, and 90 student slots. A total of 86 youth graduated the Summer @ City Hall program.

6. Parks Operations Volunteer Program Updates

Location: Citywide

Recommendation: Informational

Contact: Richard Perez, Volunteer Coordinator, (916) 808-2285, Department of Youth, Parks, & Community Enrichment

Richard Perez provided an overview of the Parks Operations Volunteer Program and introduced Daniella Martinez, the new volunteer coordinator. Richard spoke about the partnership with the Sacramento Tree Foundation, local community involvement, corporate volunteer partnerships, and environmental outreach.

7. Youth, Parks, & Community Enrichment Director Report (Oral): Review Highlights for August and September

Location: Citywide

Recommendation: Informational

Contact: Mario Lara, Director, (916) 808-1041, Department of Youth, Parks, & Community Enrichment

Director Mario Lara provided an update on the following items for August and September:

- Announced the following promotions: Richard Perez, Special Events Supervisor; Jackie Beecham, Recreation Manager (Community Enrichment Division); Camille Wise, Recreation Manager (Youth Division)
- Announced recruitment for Parks Maintenance Manager
- Floating Pumpkin Patch, Pannell Center Saturday, October 19 from 12 Noon to 2 PM
- Dog Dip Days, Saturday, Pannell Center October 26 and Sunday, October 27
- Access Leisure fishing event and costume contest

Member Comments-Ideas, Questions and Meeting/Conference Reports

Commissioner Flores announced the Triple R Ribbon Cutting event, Saturday, October 26.

Commissioner Murphy announced the Midtown Halloween Festival and Pooch Parade at Marshall Park, Saturday, October 26 from 12 Noon to 3 PM.

Commissioner Aguilar announced volunteers needed for Tree Planting event at Earl Warren Park, Saturday, October 12 from 8:45 AM – 12 Noon. Tree Planting starts at 9 AM.

Commissioner Mehta announced the Creekside Community Fair, Sunday, October 21 at Kokomo Park from 1 PM – 4 PM.

Commission Lavelle announced Conlin Park Tree Planting event, Saturday, October 12 at 9 AM; and the Pocket Holiday Lights fundraising efforts have started.

Adjournment

Chair Flores adjourned the meeting at 8:00 PM

Respectfully submitted:

Ilee Muller, Administrative Analyst
Department of Youth, Parks, & Community Enrichment

Approved by:

Joe Flores, Chair
Parks and Community Enrichment Commission

Meeting Date: 11/07/19

Report Type: Discussion



**Youth, Parks, &
Community Enrichment
Report**

915 I Street, 3rd Floor
www.CityofSacramento.org

Title: Selection of Volunteer Recognition Awards – Community Enrichment and YPCE

Location: Citywide

Recommendation: 1) Pass a motion selecting award recipient(s) for the Community Enrichment and YPCE category; and 2) Pass a motion approving the revised Volunteer Recognition Award Program guidelines.

Contact: Maggie Le, Support Services Manager, (916) 808-1040, Department of Youth, Parks, & Community Enrichment

Department: Youth, Parks, & Community Enrichment

Division: Administrative

Dept ID: 19001011

Attachments:

- 01 Description/Analysis
- 02 Community Enrichment and YPCE Recommended Nomination Submissions
- 03 Volunteer Recognition Award Program Guidelines

Submitted By: Ilee Muller, Administrative Analyst

Approved By: Mario Lara, Director

Signature: 

Attachment 01 – Description/Analysis

Issue: On August 2, 2018, the Parks and Community Enrichment Commission passed a motion to establish a “Volunteer Recognition Awards Program.” The awards are intended to acknowledge the outstanding achievements of individuals, groups, organizations, and businesses that have made efforts to benefit the community by assisting the City of Sacramento in providing exceptional parks and recreational facilities and programs.

The Commission established the following review schedule*:

*Schedule has been updated per Attachment 3

Category Nomination	Quarter	Nomination Period	Review Period	Commission Meeting	Award
Youth	1	10/1 – 12/31	January	February	March
Parks	2	1/1 – 3/31	April	May	June
Community Enrichment	3	4/1 – 6/30	July	August	September
YPCE	4	7/1 – 9/30	October	November	December or January

Of the nominations received for the “Community Enrichment” and “YPCE” category, 12 have been reviewed and recommended by a Commissioner (nomination forms for recommended nominees attached).

Policy Considerations: Not Applicable

Economic Impacts: Not Applicable

Environmental Considerations: Not Applicable

Sustainability: Not Applicable

Commission/Committee Action: Not Applicable

Rationale for Recommendation: The Parks and Community Enrichment Commission is to review nominations submitted and selected award recipients to be honored at the November Parks and Community Enrichment Commission meeting.

Financial Considerations: Not Applicable

Local Business Enterprise (LBE): Not Applicable

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
July 2nd, 2019 @ 11:27am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Non-Profit
Community Group	n/a
Non-Profit	Sacramento Tree Foundation
Organization	n/a
Business	n/a
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 2
Please include a description of the nominee's background and achievements.	The Sacramento Tree Foundation's commitment to investing in the quality of life for District 2 over the past 5 years has been extraordinary. They have helped plant and maintain over 100 trees at Mackey Park, Robertson Park, Nuevo Park, and a number of community gardens. Their leadership and support spans across the entire city and their commitment to investing in disadvantaged communities is greatly appreciated and valued.

Nominator's Information

Name	Fatima Malik
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Sacramento Tree Foundation
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 2

Parks & Recreation Commission Volunteer Recognition Nomination Form

Submitted On:
December 31st, 2018 @ 5:44pm

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Individual
Individual Name	Kenneth Duncan
Community Group	n/a
Non-Profit	n/a
Organization	Greater Sacramento Urban League
Business	n/a
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 1 District 4
Please include a description of the nominee's background and achievements.	<p>Kenneth Duncan has been a community pillar in Seavey Circle/New Helvetia for over 8 years. Since his campus leadership at Wilburforce, an HBCU in Ohio, Kenneth has been an agent for change. He has held multiple roles and positions serving students and families in the Seavey Circle/New Helvetia neighborhood. As a Boys and Girls Club site coordinator, he provided stability and leadership at the only school-based program that BGC Sacramento has ever had. He started multiple youth basketball teams in the neighborhood targeting young men and women ages 9-19, vounteering his time during the school year and the summers, coming out of his own pocket for gym rentals, equipment and jerseys. Kenneth moved to the Bay for less than a year but felt compelled to come back and continue his service in the community. He took a job with the Greater Sacramento Urban League, and was recently was promoted within the Greater Sacramento Urban League from collaborating with SHRA and the Jobs Plus program to get public housing residents jobs to the head of the Black Child Legacy Campaign in Oak Park with Seavey Circle/New Helvetia as an extension of his work. As a father, mentor and positive role model, Kenneth rarely gets publicly credited for his work. However, every member of our community knows his name and his reputation for serving children and families.</p>

Nominator's Information

Name	Paul Willis
Are you affiliated with any organization, business or group?	No
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 1 District 4

Parks & Recreation Commission Volunteer Recognition Nomination Form

Submitted On:
October 20th, 2018 @ 1:58am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Business
Community Group	N/A
Non-Profit	N/A
Organization	N/A
Business	La Esperanza
Email	[REDACTED]
Phone Number	000-000-0000
Council District	District 5
Please include a description of the nominee's background and achievements.	<p>La Esperanza has been family-owned for generations in South Sacramento -- a staple and icon for Mexican bread and food, luring Sacramentans for decades. They employ folks from the neighborhoods, sponsor events, and provide services and food for the community when needed. They always go above and beyond for their customer!</p> <p>The owners sit on both Franklin Blvd Business District and Franklin Neighborhood Development Corporation boards looking for ways to connect with and build our community. Donating hundreds of hours a year to volunteer at schools, community, and events, La Esperanza is one of the most dedicated small businesses in Sacramento to bettering the lives of the people they serve (and best ""pan dulce"" as well!!).</p>

Nominator's Information

Name	Nathan Ulsh
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Franklin Blvd Business District / Franklin Neighborhood Development Corporation
Email	[REDACTED]
Phone Number	
Council District	District 5

Parks & Recreation Commission Volunteer Recognition Nomination Form

Submitted On:
October 20th, 2018 @ 12:46am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Community Group
Community Group	North City Farms Neighborhood Association
Non-Profit	N/A
Organization	N/A
Business	N/A
Email	[REDACTED]
Phone Number	000-000-0000
Council District	District 5
Please include a description of the nominee's background and achievements.	Madeline is the president of North City Farms Neighborhood Association. Her leadership skills has proven to be a boon in our district and neighborhoods as she initiated the neighborhood association, engaged with neighbors to spur neighborhood block parties, a clean-up and advocating for neighborhood and business district needs. Furthermore, she works for Sierra Health Foundation for the Reduction of African American Childhood Deaths program working to mitigate childhood deaths and improve the quality of lives for families in Sacramento. Overall, she is very caring, thoughtful and uplifts others in her presence.

Nominator's Information

Name	Nathan Ulsh
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Franklin Blvd Business District
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 5

Parks & Recreation Commission Volunteer Recognition Nomination Form

Submitted On:
January 9th, 2019 @ 2:32pm

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Individual
Individual Name	Jesse Reese
Community Group	Meadowview Neighborhood Association
Non-Profit	n/a
Organization	n/a
Business	n/a
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 8
Please include a description of the nominee's background and achievements.	<p>Jesse has participated in the Crocker Block by Block arts engagement initiative from its inception in 2016. He was part of our community focus groups, volunteered with our block party events, participated during the community input and evaluation of Block by Block phase one, served on the panel during the community art summit panel discussion, was part of the group who developed ideas for community engagement events and continues to support by attending events that we co-create or participate in.</p> <p>Jesse is an active community member. We see him out supporting numerous events and he is always up to help out when asked. From when we first encountered him at one of the community meetings in District 8, he seemed committed, and genuinely interested in helping his community to thrive. We are proud of the connection we have made with him, and he continues to be a supporter of Crocker Block by Block.</p>

Nominator's Information

Name	Daphne Burgess
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Crocker Art Museum
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 4

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
August 27th, 2019 @ 11:54am

City of Sacramento

Recognition Category	Youth
Please identify nominee from categories below (Select all that apply)	Individual
Individual Name	Kameron Duvale
Community Group	District 1/Councilwoman Ashbys Youth Action Corps
Non-Profit	yes
Organization	District 1/Councilwoman Ashbys Youth Action Corps
Business	n/a
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 1
Please include a description of the nominee's background and achievements.	<p>Kameron has been an active YAC volunteer since September 6th 2018. In that time he has accumulated at total of 195 hours of volunteer service, applied and was chosen to become a YAC Social Media Summer Intern (helped continue our efforts to market and engage wider audience on out social media platforms), and became a D1 Parks ambassador (visits and reports observed issues found in D1 parks). He is also involved with creating and leading the YAC club on Inderkums campus.</p> <p>Kameron has been dependable and devoted. We appreciate all his efforts and he is more than deserving of this nomination.</p>

Nominator's Information

Name	Andre Favila
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Councilwoman Angelique Ashby's District 1 Youth Action Corps
Email	[REDACTED]
Phone Number	
Council District	District 1

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
September 4th, 2019 @ 11:08am

City of Sacramento

Recognition Category	Youth
Please identify nominee from categories below (Select all that apply)	Community Group Non-Profit Organization
Community Group	Youth Action Corps
Non-Profit	Yes
Organization	District One Office
Business	City of Sacramento
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 1
Please include a description of the nominee's background and achievements.	<p>Councilmember Ashby established the Youth Action Corps (YAC) in District 1. YAC engages youth in park cleanups, the completion of class projects, provides leadership opportunities, employment preparation workshops, financial literacy classes, and youth symposiums. YAC participants are connected directly with job and internship opportunities. The YAC program has received statewide recognition for its efforts in engaging youth across the Natomas community.</p> <p>Awards the YAC program has received are as follows: District One Parks Leadership Academy for Youth: 2014 Winner of the Global Youth Service Day Grant, District One Parks Leadership Academy for Youth & Adopt-A-Park Program 2013 "Creative Community Awards of Excellence" from the California Park & Recreation Society District One Parks Leadership Academy for Youth 2012 Nominated "Best Community Group/Organization" by the Natomas Buzz</p>

Nominator's Information

Name	Brieana Kline
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Youth Action Corps
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 1

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
July 2nd, 2019 @ 11:34am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Non-Profit
Community Group	n/a
Non-Profit	Pacific Housing Inc.
Organization	n/a
Business	n/a
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 2
Please include a description of the nominee's background and achievements.	Pacific Housing Inc. has served as the lead organization for the Del Paso Heights Growers' Alliance since 2016. As part of this leadership, they have provided a variety of community enrichment opportunities by providing new housing stock that incorporates a food system plan in the design. Every home receives a front yard garden box and fruit trees to help create an urban food forest. They have sponsored a variety of community events and activities to promote and nurture well-being at Robertson Park, Nuevo Park, and Del Paso Heights Community Garden. Their commitment and investment in District 2 is greatly appreciated and valued.

Nominator's Information

Name	Fatima Malik
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Del Paso Heights Growers' Alliance
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 2

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
October 17th, 2019 @ 2:10pm

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Community Group Non-Profit Organization
Community Group	Friends of East Sacramento
Non-Profit	Friends of East Sacramento
Organization	Friends of East Sacramento
Business	Friends of East Sacramento
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 3
Please include a description of the nominee's background and achievements.	Friends of East Sacramento is a Non-Profit whose work and volunteerism with the East Sacramento Community is amazing. They manage the Clunie Community Center, The McKinley Rose Garden and the McKinley Park Volunteer Corps. They are an all-volunteer organization and supported by the greater community at large.

Nominator's Information

Name	David Guerrero
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	City of Sacramento Park and Community Enrichment Commission, D3
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 3

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
September 20th, 2019 @
11:23am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Community Group
Community Group	Día de los Muertos: Oak Park
Non-Profit	-
Organization	-
Business	-
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 5
Please include a description of the nominee's background and achievements.	<p>In 2016, a local Oak Park group came together with a sole vision, to practice their cultural traditions, within their neighborhood, with their neighbors and share it with the community, and it has since grown to one of the biggest free family-friendly events within the Sacramento region.</p> <p>Every November 2nd, parts of Oak Park streets are shut down, within the shadow of "Oak Park" Signage at McClatchy Park, where the community can come celebrate, observe, taste and honor the great cultural traditions of Día de los Muertos. Starting in October, a series of weekly events of History, art, sugar skull decorating, & Oak Park business tours all lead up to the culminating event of November 2nd. The crown jewel of the entire event is a dedicated cemetery space, where local Oak Park neighbors build authentic 'Altars' to honor and celebrate the life of family members who have passed on. Marigolds, candles, incense and music accompany these families as the sun sets and creates a mood, where words cannot describe the true power of this tradition.</p> <p>Día de los Muertos Oak Park more than exemplifies what it means to create a Community Enrichment space for the residents of Oak Park and surrounding community.</p>

Nominator's Information

Name	Joe Flores
Are you affiliated with any organization, business or group?	Yes
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 5

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
October 8th, 2019 @ 12:26am

City of Sacramento

Recognition Category	Community Enrichment
Please identify nominee from categories below (Select all that apply)	Individual
Individual Name	Will Cannady
Community Group	na
Non-Profit	na
Organization	na
Business	na
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 7
Please include a description of the nominee's background and achievements.	Over the last several years, Will organized, bringing the community together around the idea of creating a community garden in the Pocket Greenhaven neighborhood. He brought together many neighbors to advocate for it and worked closely with Councilmember Jennings to make it a reality. He has also supported efforts to advocate for partnership with the School District to improve maintenance at Caroline Wenzel and playing conditions for Pocket Girls Softball. He is also among the most regular volunteers at our D7 parks volunteer days.

Nominator's Information

Name	Devin lavelle
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Parks Commissioner
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 7

Parks and Community Enrichment Commission Volunteer Recognition Nomination Form

Submitted On:
October 9th, 2019 @ 4:12pm

City of Sacramento

Recognition Category	Parks
Please identify nominee from categories below (Select all that apply)	Community Group
Community Group	Valley High Key Club
Non-Profit	na
Organization	na
Business	na
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 7
Please include a description of the nominee's background and achievements.	<p>Over the past year, Valley High Key Club has participated in numerous volunteer days, bringing hard work, vigorous enthusiasm and unmatched spirit to our parks. In total they have brought nearly 100 volunteers totaling over 300 hours (and counting)!</p> <p>They have contributed tremendously to improving our parks and building stronger community in South Sacramento!</p>

Nominator's Information

Name	Devin Lavelle
Are you affiliated with any organization, business or group?	Yes
Name of Affiliated Group	Parks Commissioner
Email	[REDACTED]
Phone Number	[REDACTED]
Council District	District 7

Volunteer Recognition Award Program Guidelines

On August 2, 2018, the Parks & Recreation Commission passed a motion to approve the guidelines for the Commission's Volunteer Recognition Award Program based on the recommendation of the Ad Hoc Committee and Commission comments. The Commission recently reviewed the program and the members of the Ad Hoc Committee are recommending some changes to the program.

The following is the recommended updated language (to reflect the change of the commission name) and changes to the guidelines to the Volunteer Recognition Program are underlined, strikethrough or highlighted below:

- Nominations of individuals and groups, organizations, and businesses ("organizations") to be recognized by the Parks and Community Enrichment Commission shall be first initiated by the community via nomination forms. The reason for the nomination of the individual or organization shall be substantiated by the Parks and Community Enrichment Commissioner of the applicable Council District based on the location of the park or program, or the residence or location of the person or organization nominated, as determined by the Commission Chair. The nomination will be reviewed by the appointed Commissioner with their represented Council Member or Mayor as applicable and together, they will submit names to move forward to Youth, Parks and Community Enrichment Department for final acceptance at the Parks and Community Enrichment Commission. For nomination of individuals or organizations for work that is a city-wide benefit, or a facility or program not located within the City (e.g., Camp Sacramento), the at-large Commissioners would be assigned to review those nominations.

- Nominations that are received for recognition by the Commission Member shall be reviewed quarterly, by the following categories: Youth, Parks, and Community Enrichment. The Parks and Community Enrichment Commission would review the nominations forwarded by a Commissioner and Council District Office for approval and to set the date for the recognition ceremony, with a maximum of two nominees per Commissioner or District Office. Approved Nominees would receive a Volunteer Recognition Certificate from the Commission at the next available meeting date.

- The Review schedule is as follows:

Category Nomination	Quarter	Nomination Period	Review Period	Commission Meeting	Award
Youth	1	10/1 - 12/31	February January	February	March
Parks	2	1/1 - 3/31	April May	May	June
Community Enrichment	3	4/1 - 6/30	August July	August	September
YPCE	4	7/1 - 9/30	October	October November	November December or January

Note: if there are no community-initiated nominations during the Nomination Period with two weeks remaining, a Commission Member may nominate an individual or organization representing their seat.

The following is the form of recognition:

- Each selected nominee would receive a Volunteer Recognition Certificate.
- Their names and categories would be publicized in the Youth, Parks, & Community Enrichment Department's social media postings and newsletters.

~~• Also, an "Annual Recognition Night" would be established where Commissioners would each recognize individuals and organizations for their work or donation.~~

~~• The awardees would also be eligible to receive a donated prize or gift, which may be given out at the quarterly or annual recognition event.~~

Meeting Date: 011/07/19

Report Type: Discussion



**Youth, Parks, &
Community Enrichment
Report**

915 I Street, 3rd Floor
www.CityofSacramento.org

Title: Master Plan and Naming of Park and Garden in Mirasol Village Development

Location: District 3

Recommendation: Pass a motion to support the City Council's adoption of a Park Master Plan, a Garden Master Plan, and naming as Mirasol Village Park and Mirasol Village Community Garden

Contact: Brianna Moland, Assistant Planner, (916) 808-6188, Department of Youth, Parks, & Community Enrichment

Presenter: Brianna Moland, Assistant Planner, (916) 808-6188, Department of Youth, Parks, & Community Enrichment; Victoria Johnson, Program Manager, (916) 440-1388, Sacramento Housing and Redevelopment Agency

Department: Youth, Parks, & Community Enrichment

Division: Park Planning and Development Services

Dept ID: 19001021

Attachments:

- 01 Description/Analysis
- 02 Park Location Map (Mirasol Village Park and Garden)
- 03 Park and Garden Master Plans

Submitted By: Brianna Moland, Assistant Planner

Approved By: Mario Lara, Director

Signature: 

Attachment 01 – Description/Analysis

Issue: The Department of Youth, Parks, & Community Enrichment (YPCE) recommends approving the Master Plans for the proposed 1.15-acre neighborhood park and the community garden located in the Mirasol Village development. The Mirasol Village development is the redevelopment of the existing Twin Rivers public housing project managed by the Sacramento Housing and Redevelopment Agency (SHRA). The project is located within the River District; south of Richards Boulevard, east of Dos Rios Street, and northwest of North 12th Street. The project will include the realignment of Richards Blvd. and the development of two new streets from east to west (Swallowtail Avenue) and from north to south (Pipevine Street). The realignment of Richards Blvd allows for space to build the community garden. The neighborhood park will also serve as a drainage retention basin.

YPCE recommends approving the naming as Mirasol Village Park and Mirasol Village Garden consistent with the name of the new development project. Both the park and garden are butterfly themed. The word “Mirasol” means sunflower and butterflies are known to flock to sunflowers.

The proposed Park Master Plan includes the following amenities: an adventure play area, a tot lot play area, detention basin/soccer field, fitness stations, shade canopies, a butterfly garden, and a picnic structure. The proposed Garden Master Plan includes garden plots, a fruit tree orchard, and a common area.

Policy Considerations: On February 26, 2008, the City Council adopted Resolution 2008-112, establishing a Facility Naming Policy. The policy contains guidance when naming facilities or portions of facilities. One of the guiding policies encourages facilities to be named for a distinct environmental or developmental feature.

Providing parks and recreation facilities is consistent with the City’s strategic plan to enhance livability in Sacramento’s neighborhoods by expanding park, recreation, and trail facilities throughout the City. Park naming is part of the Park Development Process as outlined in the City of Sacramento’s 2005-2010 Parks and Recreation Master Plan.

Economic Impacts: Not Applicable

Environmental Considerations: A combined Initial Study/Environmental Assessment (IS/EA) was prepared for the Twin Rivers Transit-Oriented Development and Light Rail Station Project pursuant to CEQA requirements under 14 California Code of Regulations (CCR) §15070, and NEPA requirements under 24 Code of Federal Regulations (CFR) §58.36. Along with site entitlements, the Planning and Design Commission for the City of Sacramento made findings pursuant to CEQA and adopted the Mitigated Negative Declaration (MND) and associated Mitigation Monitoring and Reporting Program (MMRP) on July 27, 2017, and subsequently issued a Notice of Determination (NOD) pursuant to CEQA and a Finding of No Significant Impact (FONSI) pursuant to NEPA. On August 22, 2017, the County Board of Supervisors adopted the MND and associated MMRP and approved the Project. On August 24, 2017, SHRA issued the NOD for the Project pursuant to CEQA. All activities for the Twin Rivers Transit-Oriented Development and Light Rail Station Project are covered by this environmental review. The master plan for the park and community garden is consistent with this environmental analysis and no further environmental review is required for the proposed actions.

Sustainability: The proposed Park and Garden Master Plans have been reviewed for consistency with the goals, policies, and targets of the City’s Sustainability Master Plan and the Parks and Recreation Sustainability Plan. The park and garden will advance the goals, policies, and targets of

these plans by reducing greenhouse gas emissions and air pollution through the addition of trees and other plantings and improving health of residents through access to a diverse mix of wellness activities. Individual products have not been chosen at this level of development, but the design will include products from recycled materials, if available, and shade covering for less heat gain. The park and garden development will include sustainable design using water efficient irrigation design controlled by the centralized irrigation system, low water-use shrubs and groundcover, and use of native tree plantings.

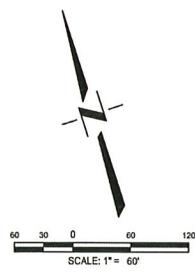
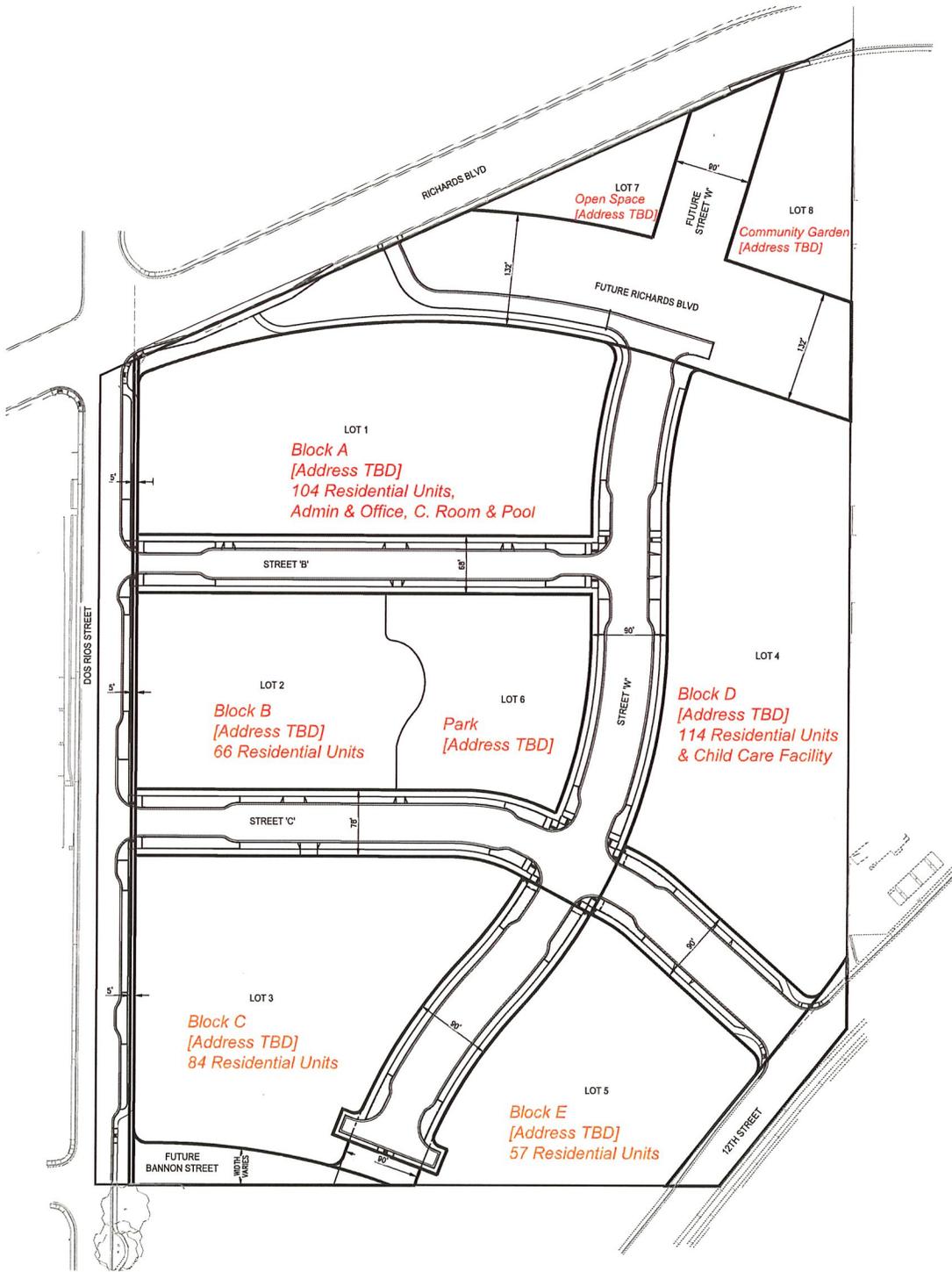
Commission/Committee Action: Not Applicable

Rationale for Recommendation: The Park and Garden Master Plans have been prepared by the developer with input by Department and SHRA staff.

Financial Considerations: There are no financial considerations associated with this report as this park will be constructed by SHRA with federal grant funds. Approval of the master plans does not constitute approval of the construction of the park or garden.

Local Business Enterprise (LBE): Not Applicable

Mirasol Village Development



Mirasol Village Development

SACRAMENTO

CALIFORNIA

NO.	DATE	REVISIONS	BY	APPD.

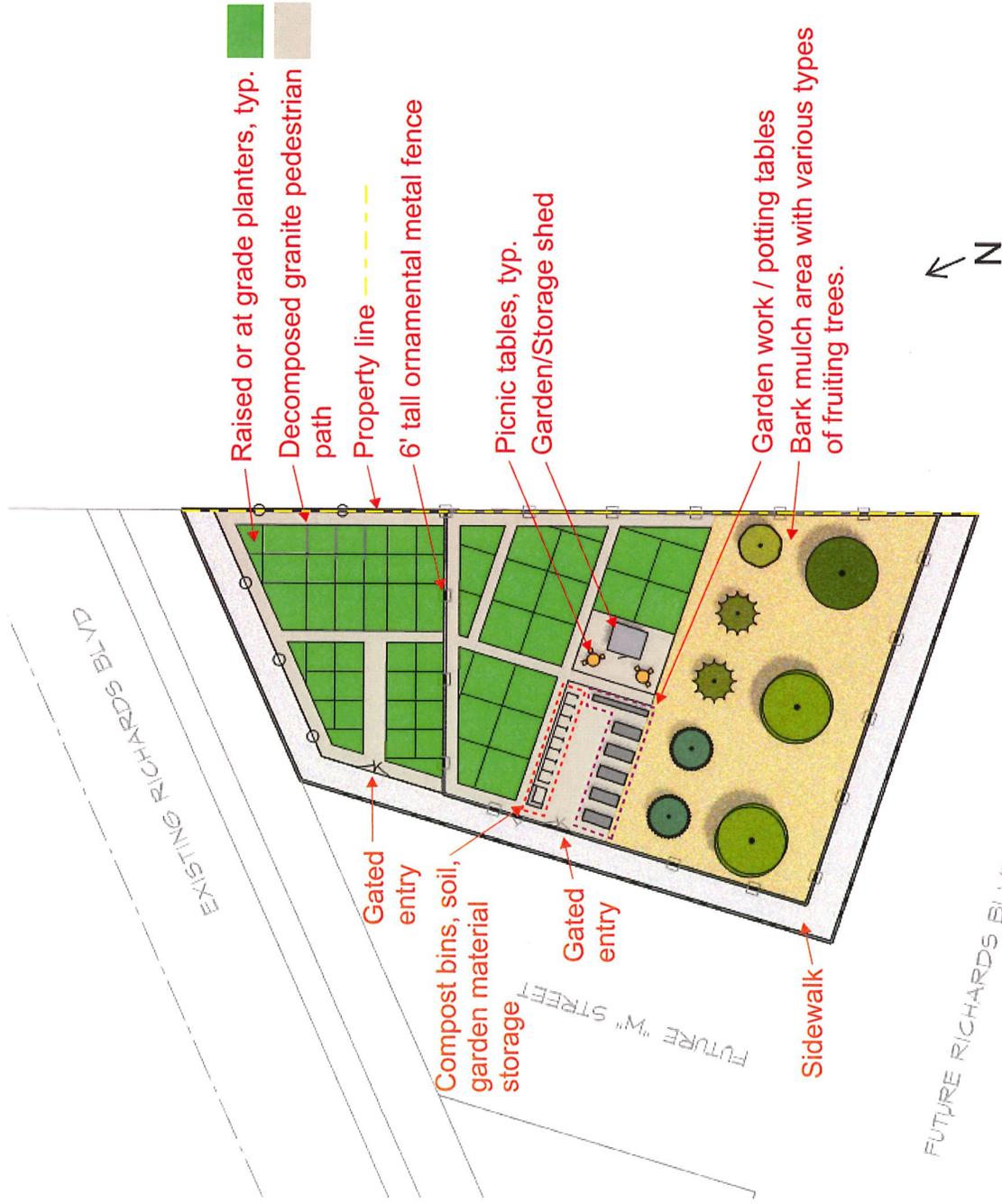
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MIRASOL VILLAGE PARK MASTER PLAN



MIRASOL VILLAGE COMMUNITY GARDEN



COMMUNITY GARDEN ENLARGEMENT - not to scale

Meeting Date: 11/07/19

Report Type: Discussion



**Youth, Parks, &
Community Enrichment
Report**

915 I Street, 3rd Floor
www.CityofSacramento.org

Title: Ordinance Relating to Outdoor Vending and Sidewalk Vending to Implement SB 946

Location: Citywide

Recommendation: Pass a motion to support City Council approval of an Ordinance regulating outdoor vending and sidewalk vending.

Contact: Tessa St. John, Program Manager, (916) 808-4847, Department of Finance

Presenter: Tessa St. John, Program Manager, (916) 808-4847, Department of Finance

Department: Finance

Division: Revenue

Dept ID: 06001231

Attachments:

- 01 Description/Analysis
- 02 Summary of Senate Bill 946
- 03 Summary of Ordinance Changes
- 04 Ordinance (Clean)

Submitted By: Tessa St. John, Program Manager

Approved By: Mario Lara, Director

Signature: 

Attachment 01 – Description/Analysis

Issue: On September 17, 2018, Governor Jerry Brown signed Senate Bill (SB) 946 legalizing and decriminalizing the sale of food or merchandise on the public sidewalk or other pedestrian path, including within parks (sidewalk vending). Under SB 946, a local authority may adopt a program to regulate sidewalk vending provided it complies with SB 946, codified in Government Code section 51036 *et seq.* Any additional regulation of sidewalk vending must directly relate to an objective health, safety, or welfare concern. Additionally, SB 946 creates two separate categories of sidewalk vending, namely, stationary and roaming sidewalk vending. Persons who engage in stationary sidewalk vending may not operate from any other location than the one designated under the permit, except where otherwise allowed by the local authority. Persons who engage in roaming sidewalk vending may operate anywhere in the local authority's jurisdiction but may only stop to complete a sale.

The law permits sidewalk vending in public parks unless there is a concession agreement that exclusively permits the sale of food or merchandise by the concessionaire. SB 946 also allows local agencies to limit sidewalk vending in parks if the limitations are directly related to objective safety, health and welfare concern; necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities; or necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural character of the park.

Lastly, SB 946 makes any violation of the local ordinance punishable only by an administrative fine, as specified (see Attachment 2 for fine amounts). The new law also allows a local authority to suspend or revoke a permit only upon the fourth or subsequent violation within the same year. It also requires a local authority to take into consideration the individual's ability-to-pay the fine, and reducing the fine if the assessment warrants reduction. Attachment 2 provides a detailed summary of SB 946. Relevant portions from SB 946 include:

- Allows stationary and roaming vendors
- Allows vending of food and merchandise sales
- Allows for vending in public parks, except under certain conditions
- Prohibits a limitation on the overall number of permitted sidewalk vendors
- Allows for limiting hours of operation, only if not unduly restrictive
- Prohibits restrictions based on community animus or economic competition

Currently, Sacramento City Code Chapter 5.88 restricts and prohibits selling food or merchandise on the public sidewalks except for designated places in the downtown area with a city-issued outdoor vending permit. In order to continue regulating these activities, the City Code needs to be modified to be compliant with SB 946. Details on the Ordinance changes are included in Attachment 4.

Generally, the proposed Ordinance amends Chapter 5.88 to maintain the City's general restrictions on outdoor vending and makes an exception for outdoor vending that complies with SB 946 through the city's new permitting and regulation structure for sidewalk vending under Chapter 5.90, and amends Chapter 12.72 (the "Parks" code) to allow for vending in parks along interior and exterior sidewalks when the activity complies with park rules and there is no concession or agreement to

allow for the exclusive sale of food or merchandise in the park. For example, vendors can be prohibited within Cesar Chavez Park and the Softball Complex given existing agreements, and the City can still award exclusive concession agreements in other parks. However, vendors can still be along the street sidewalks at Cesar Chavez Park. The City's Youth, Parks, & Community Enrichment ("YPCE") Department may establish guidelines for vending in parks and the Department of Finance will work with YPCE to approve all stationary sidewalk vending permits in city parks.

Specifically, the proposed Ordinance restricts sidewalk vending behavior that threatens the public health, safety and welfare, as allowed by SB 946. For example, the proposed Ordinance restricts sidewalk vending that blocks exits or entryways; limits the size of the cart that is being used to vend; requires that sidewalk vendors leave adequate walking space for pedestrian use in compliance with American Disabilities Act (ADA) on the public sidewalk; and requires the applicant of a sidewalk vending permit to provide the City with proof of applicable health permit to sell food, business operations tax certificates, and liability insurance.

Based on direction from the Law and Legislation Committee, staff removed the requirement of a Department of Justice background check as part of the vendor application process. However, because vendors will be operating near schools, in parks, and in residential areas, the Committee did request an alternative criminal history check. The application process will include a local criminal history check: Sacramento Police Department will review local records using an applicant's name, date of birth, and driver's license number and check the State's sex offender registry database. If this initial check returns ambiguous or relevant criminal history, the applicant will have the option to voluntarily submit to a fingerprinting background check in order to continue the permitting process. The City currently submits fingerprinting results to the California Department of Justice and considers criminal history in the State of California but does not consider citizenship status or provide notification to federal agencies. The permitting process will contain no questions regarding any applicant's immigration status nor will staff respond to requests for information about an individual solely on the basis of alleged violations of federal immigration laws, as decreed in Resolution No. 2017-0158 (*Reaffirming the City of Sacramento's Status as a City of Sanctuary...*), Section 2. (5.)(7.).

Finally, the proposed Ordinance amends the City's current enforcement scheme of criminal and civil penalties to administrative penalties for fines in amounts from \$100 to \$500 for each violation within one year, the fourth or subsequent violations could result in revocation of the permit. It is important to note that the City's Code Enforcement Officers have long been challenged with enforcement under the current outdoor vending regulatory scheme. Code Enforcement Officers are required to obtain identification prior to issuing citations and vendors frequently do not have identification or refuse to provide it. In addition, citations are frequently left unpaid. State designated reduced citation fees and the inability to seize materials raises further concerns about the effectiveness of enforcement. Requiring a permit will enable city staff to contact vendors if complaints arise and allows for the suspension or revocation of permits; however, most enforcement concerns revolve around unpermitted vendors. The proposed program requires the conspicuous display of city permits that will allow easy identification for Code Enforcement Officers and will allow consumers the opportunity to seek out only those vendors in compliance with city code. The County of Sacramento faces similar

struggles with enforcing vending regulations and staff continues to work closely with them and other jurisdictions to explore new and innovative ways to combat unpermitted street vending.

Staff will continue outreach to the community regarding changing requirements. Since discussions around outdoor vending began, staff has worked closely with local business improvement associations and organizers to reach the vending and business communities. As the ordinance moves forward, staff will conduct outreach, including community meetings, to increase awareness and compliance with permit requirements, including partnering with the County of Sacramento Environmental Health to educate food vendors about health permit requirements.

Policy Considerations: Currently, there are ten permitted vendors in the Central Business District as permitted under City Code Chapter 5.88. The City has a list of over 100 people interested in vending in this limited area and the Business Permits office receives calls on a weekly basis from people interested in obtaining a permit to vend food throughout the city. Under SB 946, vendors have begun to operate with only a Business Operations Tax Certificate required by the City.

Chapter 5.88 addressed all types of outdoor vending and created exceptions for certain outdoor vending activities including cart outdoor vendors and mobile service vehicles. To preserve and clarify the different activities regulated under chapter 5.88, the proposed Ordinance adds chapter 5.86 to continue the existing regulation of mobile service vehicles, adds chapter 5.90 to separate a permitting scheme for sidewalk vendors (formerly known as outdoor vendors), and retains the remaining regulations for outdoor vending which includes brick-n-mortars selling food or merchandise from displays, carts, or stands immediately outside of its physical establishment.

Economic Impacts: None

Environmental Considerations:

California Environmental Quality Act (CEQA): This action is not a “project” subject to CEQA because it involves administrative matters and will not result in new physical development, direct changes to the physical environment, and any reasonably foreseeable indirect physical change in the environment. (CEQA Guidelines § 15378(b)(5).)

Sustainability: Not Applicable

Commission/Committee Action: The proposed ordinance was presented to the Law and Legislation Committee on July 23, 2019 and the Committee forwarded the proposed ordinance to Council.

Rationale for Recommendation: Sidewalk vendors are vibrant additions to the community, providing innovative, economical business opportunities and expanded options for consumers. Under state law, these vendors can operate, but may be subject to a permitting process by the City. In order to require a permit and enforce regulations, the City must adopt an ordinance aligned with SB 946. Requiring vendors to go through a permitting process and requiring compliance with basic regulations will help ensure the health and safety of the community.

Staff has proposed fees to cover the estimated cost to review applications, perform administrative tasks, determine suitability of vending location, and determine approval of the permit. Additional fees are established to cover the Police Department's costs for conducting a criminal history check and for YPCE staff to review applications for park permits.

Financial Considerations: Permit fees will be established by resolution to offset the City's costs associated with this program. To keep permit fees affordable, enforcement costs are not included and will be offset through citation fees. Staff will reevaluate the cost of the program periodically to determine any necessary fee adjustments.

Local Business Enterprise (LBE): Not Applicable

Summary of Senate Bill 946 - Sidewalk Vendors

“Sidewalk vendor” means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path.

“Roaming sidewalk vendor” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

- The bill prohibits the local authority from regulating sidewalk vendors except in accordance with this bill.
- Applies to all sidewalk vendors, including food and merchandise vendors.
- Local authorities cannot require a sidewalk vendor to operate within specific parts of the public right-of-way, except when that restriction is directly related to objective health, safety, and welfare concerns.
- Perceived community animus or economic competition does not constitute an objective health, safety, or welfare concern.

Public right-of-way:

- A local authority cannot restrict vending to a designated neighborhood or area, unless it is directly related to objective health, safety, and welfare concerns.
- A local authority shall not require a sidewalk vendor to first obtain the consent or approval of any nongovernmental agency.
- A local authority may prohibit stationary sidewalk vendors in zoned exclusive residential areas but cannot prohibit roaming vendors.
- A local authority shall not restrict the overall number of permitted sidewalk vendors within the jurisdiction, unless related to objective health, safety, and welfare concerns.
- Local authority can adopt requirements regarding time, place, and manner of vending including, but not limited to, the following:
 - Limitations on hours of operation that are not unduly restrictive. In nonresidential areas, any limitation on the hours of sidewalk vendors shall not be more restrictive than any limitations on hours of operation imposed on other businesses or uses on the same street;
 - Requirements to maintain sanitary conditions;
 - Requirements to ensure compliance with the federal Americans with Disabilities Act of 1990 or other disability access standards;
 - Requirement of appropriate state or local permits/business licenses, including CA Dept of Tax Sellers Permit;
 - Require a sidewalk vendor to submit information on their operations including:
 - Name and mailing address,
 - Description of merchandise offered for sale or exchange,

Summary of Proposed Chapter 5.90

A sidewalk vending permit from the City of Sacramento will be required for all vendors operating on the public sidewalk or pedestrian path.

Permit types:

1. Stationary – vendors who operate from one location during business hours.
 - a. Each permit will be issued for a specific location, but a vendor may be permitted for multiple locations.
 - b. Vendors may obtain a temporary permit to conduct trials of different locations.
 - c. Stationary permits may be issued in public parks, if approved by Youth, Parks, Community Enrichment (“YPCE”) Director.
 - d. Vendors must operate in a safe manner, including leaving adequate sidewalk space for pedestrian use.
 - e. Vendors are prohibited from blocking access to business entrances or access to other amenities (e.g., bicycle racks, parking, driveways).
 - f. Stationary permits in high pedestrian areas (e.g., downtown, Old Sacramento) will be issued 400 feet apart to avoid sidewalk congestion.
 - g. Locations of stationary permits will be issued on a first come, first served basis.
 - h. Stationary permits will not be issued in primarily residential areas.
 - i. Vendors will be responsible for waste disposal.
2. Roaming – vendors who stop only to complete transactions.
 - a. Roaming vendors may operate in residential zones.
 - b. Roaming vendors may operate in parks.

General restrictions:

1. All sidewalk vendors who offer for sale food, must obtain a health permit from the Sacramento County Environmental Management Division.
2. No sidewalk vendor shall operate within the immediate vicinity of a permitted special event, including a certified farmers’ market, unless it is pursuant to a city issued permit.
3. No vendor shall operate within 1,000 feet of a liquor store or venue holding an entertainment permit during the hours of 1:00-3:00 a.m.
4. No vendors shall operate within the immediate vicinity of a school within the hours of 7:00-4:00 p.m.
5. Hours of operation are limited to the hours of operation of adjacent businesses or uses on the same street.
6. All vendors must clearly display valid permits.

ORDINANCE NO.

Adopted by the Sacramento City Council

[Date Adopted]

**AN ORDINANCE ADDING CHAPTER 5.86; AMENDING CHAPTER 5.88; ADDING CHAPTER 5.90;
AND AMENDING SECTIONS 12.72.020, 12.72.060, AND 12.72.070 OF THE SACRAMENTO CITY
CODE, RELATING TO MOBILE SERVICE VEHICLES, OUTDOOR VENDING, AND SIDEWALK
VENDING**

BE IT ENACTED BY THE COUNCIL OF CITY OF SACRAMENTO:

SECTION 1.

Chapter 5.86 is added to the Sacramento City Code to read as follows:

Chapter 5.86 MOBILE SERVICE VEHICLES

5.86.010 Legislative findings and purpose.

The city council finds that mobile service vehicles parked on public rights-of-way for the purpose of selling or offering to sell services impede the free flow of traffic, distract vehicle operators from observing traffic regulations, obstruct the view of pedestrians and of vehicle operators, and encourage pedestrians who wish to inquire about services to cross the street in an unsafe and illegal manner. The public safety necessitates the exercise of the city's police power, through the enactment and enforcement of this chapter, for the purpose of regulating mobile service vehicles.

5.86.020 Definitions.

As used in this chapter:

"Express invitation" means an oral or written request by the property owner or occupant authorizing a mobile service business vehicle to come to the property to perform a service.

"Mobile service vehicle" means any vehicle or similar device being used primarily for the purpose of conducting a service in, at, out of, or next to the vehicle rather than on an adjacent property.

"Public right-of-way" has the same meaning as provided in section 12.12.010.

"Service" means work performed for the benefit of another and for compensation, but does not include selling food.

“Solicit” means to request, offer, entice, or announce the availability or sale of services.

5.86.030 Prohibited activities.

No person shall park a mobile service vehicle on the public right-of-way to sell a service or solicit customers for any service.

5.86.040 Exempted activities.

This chapter does not apply to a person who parks a mobile service vehicle for a reasonable time to make a delivery or to provide a service to the owner or occupant of an adjacent property pursuant to the prior express invitation of the owner or occupant.

SECTION 2.

Chapter 5.88 of the Sacramento City Code is amended to read as follows:

Chapter 5.88 OUTDOOR VENDING

Article I. Street and Sidewalk Vending – General

5.88.010 Sales prohibited.

- A. Except as provided in this code, no person shall sell, expose for sale, or offer for sale any goods, wares, merchandise, beverages, or foods of any kind on or from any public sidewalks, streets, or alleys of the city or the Sacramento Entertainment and Sports Center public pedestrian access easement, as described in section 12.44.020.B.
- B. Subsection A does not apply to any person who is vending as an ancillary activity in conjunction with a special event permit issued under chapter 12.48, and within 350 feet of any school building, school ground, playground, recreation park, public park, the Memorial Auditorium, or the Sacramento Entertainment and Sports Center.
- C. Any person violating a provision of this chapter is guilty of a separate offense for each day, or portion of each day, that the violation continues. Any person who violates a provision of this chapter is guilty of an infraction.

Article II. Old Sacramento-Street and Sidewalk Vending

5.88.040 Prohibited sales in Old Sacramento.

Except as provided in this code, no person shall sell or attempt to sell or distribute any goods, wares, merchandise, food, or beverages by means of vending or distributing such

goods, wares, merchandise, food, or beverages upon any street, boardwalk, or sidewalk in the Old Sacramento business district.

5.88.050 “Old Sacramento business district” defined.

The “Old Sacramento business district” is described as follows:

Beginning at the intersection of the westerly city limits of the City of Sacramento and the center line of the “I” Street Bridge; thence easterly along the centerline of the Street Bridge and Viaduct to its intersection with the continuation of the easterly line of Third Street; thence southerly along said easterly line of Third Street to the point of intersection with the northerly line of Capitol Mall; thence, westerly along said northerly line of Capitol Mall to the point of intersection with the westerly city limits of the City of Sacramento; thence northerly along said westerly city limits to the point of beginning.

5.88.060 Vendors of merchandise with fixed business locations permitted to vend from sidewalk or boardwalk during specified special events.

Notwithstanding section 5.88.040, a vendor who has a fixed business location within the Old Sacramento business district from which the vendor regularly sell goods, wares, or merchandise other than food or beverages may vend these goods, wares, or merchandise from the sidewalk or boardwalk immediately adjacent to their fixed business location during any special event within the Old Sacramento business district for which the city has issued a special event permit pursuant to chapter 12.48 that specifically allows sidewalk or boardwalk vending. All tables and vending carts used for sidewalk or boardwalk vending pursuant to this section shall be approved in advance as part of the special event permit, and shall be positioned so as to leave a minimum of six feet clear on every sidewalk or boardwalk for pedestrians.

5.88.070 Vendors with fixed restaurant locations permitted to vend from sidewalks or boardwalks year-round.

- A. Notwithstanding section 5.88.040, a vendor who has a fixed restaurant location within the Old Sacramento business district may apply for a sidewalk café revocable encroachment permit pursuant to chapter 3.76.
- B. The planning director may establish reasonable rules and regulations concerning sidewalk or boardwalk vending in the Old Sacramento business district.

Article III. Outdoor Sales and Displays of Merchandise on Private Property

5.88.190 Limitation on outdoor sales and displays on private property.

It is unlawful for any person to sell, attempt to sell, or display for sale any merchandise, food, or drink on private property except from within a fully enclosed building, exempted under section 5.88.200.

5.88.200 Certain activities or businesses exempted.

The prohibition of section 5.88.190 does not apply to the following activities or businesses:

- A. Sales or displays where such sales or displays are permitted as a matter of right or under a conditional use permit pursuant to title 17, chapter 8.48, chapter or 5.44;
- B. Display of merchandise outside a fully enclosed building, in association with a business where purchase of such merchandise ordinarily takes place within the building, unless otherwise prohibited by this code;
- C. Vending machines, when located in service stations, motels, and other “drive-in” businesses;
- D. One yard sale a year not to exceed two consecutive days per dwelling unit or lot};
- E. Sidewalk vending permittees as described in chapter 5.90;
- F. Mobile health and veterinary clinics; and
- G. Fund-raising activities conducted by organizations exempted from the business operations tax by section 3.08.030.B.

5.88.210 Violation-Penalty.

Any person violating section 5.88.190 of this chapter is guilty of an infraction subject to the provisions of California Government Code section 36900(b). Any person violating section 5.88.190 of this chapter is guilty of a separate offense for each day, or portion thereof, during which such violation continues and is punishable therefor as provided in this section.

SECTION 3.

Chapter 5.90 is added to the Sacramento City Code to read as follows:

Chapter 5.90 SIDEWALK VENDING

Article I. General Provisions

5.90.010 Purpose and findings.

A. Purpose.

1. Sidewalk vending benefits our community by providing convenience, generating economic vitality, and encouraging pedestrian activity. In addition, it offers an entrepreneurial opportunity for the people in our community to open a small business and provide unique foods and merchandise that may not be available at brick-and-mortar businesses.
2. It is the purpose and intent of the city council to regulate sidewalk vending consistently with state law and implement a strong and effective regulatory system to protect the health, safety, and welfare of the city's residents and visitors.

B. Findings.

The city council finds as follows:

1. This chapter ensures important objectives and policies of the city are upheld.
2. Residential restrictions on stationary sidewalk vending protects the quality of life of the city's residents and visitors and minimizes disruption to the quiet enjoyment of residential property.
3. Traffic and safety regulations for outdoor vending ensures the safety of the city's residents and visitors and minimizes impacts to public rights-of-way.
4. Prohibiting sidewalk vending within the immediate vicinity of schools during certain hours promotes public safety and minimizes impacts to public rights-of-way and traffic.

5.90.020 Definitions.

As used in this chapter:

"Agent" means a person engaged in sidewalk vending on behalf of a permittee.

"Amplified sound" means speech, music, or other sound projected or transmitted by electronic equipment including amplifiers, loud speakers, microphones, or similar devices; or combinations of devices which are powered by electricity, battery, or combustible fuel; and which are intended to increase the volume, range, distance or intensity of speech, music, or other sound.

“Cart” means a piece of equipment used for outdoor vending which has no motor and is not mobile, except when being pushed, carried, or transported to and from a location. A “cart” includes a pushcart, pedal-driven cart, electric bicycle, wagon, showcase, stand, display, rack, or other nonmotorized conveyance.

“Central city” has the same meaning as in section 17.108.040.

“City manager” means the city manager or the city manager’s designee.

“Electric bicycle” has the same meaning as in section 5.18.020.

“Immediate vicinity” means within 400 feet.

“Old Sacramento business district” means the area within the boundary beginning at the intersection of the westerly city limits of the City of Sacramento and the center line of the “I” Street Bridge; thence easterly along the centerline of the Street Bridge and Viaduct to its intersection with the continuation of the easterly line of Third Street; thence southerly along said easterly line of Third Street to the point of intersection with the northerly line of Capitol Mall; thence, westerly along said northerly line of Capitol Mall to the point of intersection with the westerly city limits of the City of Sacramento; thence northerly along said westerly city limits to the point of beginning.

“Outdoor market” has the same meaning as in section 17.108.160.

“Permittee” means a person who holds a valid outdoor vending permit.

“Residential zoning district” has the same meaning as in section 5.68.010.

“School” means any building, portion of building, or group of buildings designed, constructed, and used for public or private education or instruction for minor children including any nursery, elementary, or junior or senior high school. “School” does not include a vocational or professional institution of higher education, including a community college, college, or university.

“Sidewalk” has the same meaning as in section 12.24.010.

“Sidewalk vending” means selling or offering for sale food, drink, or merchandise from a cart or one’s person from a public sidewalk or pedestrian path.

“Sidewalk vending permit” means a permit issued pursuant to this chapter.

“Waste” has the same meaning as in California Code of Regulations, title 22, section 66261.2.

5.90.030 Sidewalk vending permit required.

Except as provided in chapter 5.88, no person shall engage in sidewalk vending on the public sidewalk or pedestrian path without a valid sidewalk vending permit.

5.90.040 Term of sidewalk vending permits; renewal.

- A. A sidewalk vending permit expires on July 31st of the calendar year following its issuance, unless otherwise specified on the permit or revoked sooner in accordance with this chapter.
- B. A permittee must file an application to renew an outdoor vending permit between June 1st and June 30th of the year that the sidewalk vending permit expires.

5.90.050 Sidewalk vending permits are not transferable.

No person shall sell, assign, or transfer in anyway a sidewalk vending permit. Any attempt to sell, assign, or transfer a permit is unlawful and void, and results in the automatic revocation of the permit.

5.90.060 Indemnity.

A permittee shall defend, indemnify, and hold harmless the city, its officers, employees, and agents from and against all actions, losses, damages, liability, costs and expenses of every type and description, including, but not limited to, attorney fees, to which any or all of them may be subjected by reason of, or resulting from, directly or indirectly, in whole or in part, the acts or omissions of the permittee or the permittee's agents, officers, or employees, arising from sidewalk vending.

5.90.070 Violations.

- A. Any person who violates a provision of this chapter is subject to an administrative penalty as set forth in this section. The procedures for imposing an administrative penalty for a violation of this chapter are provided in section 1.28.010.
- B. Notwithstanding the provisions of section 1.28.010.D.3, the amount of an administrative penalty is:
 - 1. For a violation of section 5.90.030.A:
 - a. \$250 for a first violation,
 - b. \$500 for a second violation within one year of the first violation, and
 - c. \$1,000 for each additional violation within one year of the first violation.

2. For a violation of any other provision of this chapter:
 - a. \$100 for a first violation,
 - b. \$200 for a second violation within one year of the first violation, and
 - c. \$500 for each additional violation within one year of the first violation.
- C. The city may revoke a sidewalk vending permit upon the fourth or subsequent violation of this chapter.
- D. Notwithstanding subsection B.1, upon proof of a valid sidewalk vending permit, the city shall reduce the administrative penalty to the applicable amount in subsection B.2.

5.90.080 Ability-to-pay determination.

- A. Notwithstanding any other provision of this code, when imposing an administrative penalty pursuant to this chapter, the city shall provide the person who is the subject of the administrative penalty with notice of the right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination.
- B. A person who is the subject of an administrative penalty may request that the city make an ability-to-pay determination on a form prescribed by the city manager while the pursuant to California Government Code section 51039(f)(1).
- C. If the person meets the criteria described in subdivisions (a) or (b) of California Government Code section 68632, the city shall accept as full payment of the administrative penalty any of the alternatives described in California Government Code sections 51039(f)(2) or (f)(3).

Article II. Permit Applications and Procedures

5.90.100 Stationary and roaming sidewalk vending permit application process.

The city manager may establish procedures and guidelines to process applications for stationary and roaming sidewalk vending permits.

5.90.110 Stationary and roaming sidewalk vending permit applications.

A person who wants a stationary or roaming sidewalk vending permit shall complete and submit an application and application fee for the permit to the city manager. The application must be on a form approved by the city manager and may require any

information or documentation that is consistent with the provisions of this code and state law.

5.90.120 Stationary and roaming sidewalk vending permit application fees established.

The stationary or roaming sidewalk vending permit application and renewal fees, and the additional or change of location fees are established and imposed pursuant to the provisions of this chapter. The amounts of the fees shall be established by resolution of the city council.

5.90.130 Grounds for denial of a stationary or roaming sidewalk vending permit.

The city manager may deny issuance of a stationary or roaming sidewalk vending permit if the city manager determines that one or more of the following circumstances exist:

- A. The application received is incomplete, filed late, or not responsive to the requirements of this chapter.
- B. The application contains a false or misleading statement or omission of a material fact.
- C. The applicant, any registered owner of the business, or any person with a financial interest in the sidewalk vending operations, has any unpaid administrative penalties imposed pursuant to chapter 1.28.
- D. Within 12 months before the date the application was filed, the applicant, any registered owner, or any person with a financial interest in the sidewalk vending operations of the permit has had a permit revoked.
- E. The applicant has not paid the applicable business operations tax pursuant to chapter 3.08.
- F. The applicant or a person with a 10% or greater financial interest in the sidewalk vending operations to be conducted under the permit has been convicted of a crime involving dishonesty, fraud, deceit, or moral turpitude with intent to substantially benefit one's self or another, or substantially injure another, and the time for appeal has elapsed, irrespective of the entry of a subsequent order under California Penal Code section 1203.4.
- G. The proposed sidewalk vending operations poses a threat to public health, safety, or welfare.

5.90.140 Conditions on stationary or roaming sidewalk vending permits.

The city manager may impose reasonable time, place, and manner conditions on a stationary or roaming sidewalk vending permit that directly relate to an objective public health, safety, or welfare concern, in accordance with California Government Code section 51038.

5.90.150 Modification of a stationary sidewalk vending permittee's location.

A stationary sidewalk vending permittee must operate from the permitted location in accordance with section 5.90.330.A; however, the permittee may request modification of the permitted location by completing and submitting a relocation application with the city manager. The relocation application shall be on a form prescribed by the city manager.

5.90.160 Insurance required.

- A. During the term of a stationary or roaming sidewalk vending permit, the permittee shall maintain in full force and effect, at no cost to the city, a commercial general liability insurance policy with the following provisions:
1. Coverage shall be at least as broad as ISO CGL Form 00 01 on an occurrence basis for bodily injury, including death, of one or more persons, property damage, and personal injury with limits not less than \$1,000,000.00 single limit per occurrence;
 2. Issued by an admitted insurer or insurers as defined by the California Insurance Code;
 3. Providing that the city, its officials, employees and agents are named as additional insureds under the policy;
 4. Covering all losses and damages as specified in this section; and
 5. Stipulating that the policy will operate as primary insurance and that no other insurance or self-insurance maintained by the city or other named insured will be called on to contribute to a loss covered thereunder.
- B. No permittee shall cancel or make a material change in the insurance coverage during the term of the permit, without providing the city manager with 30 days' written notice prior to the effective date of such cancellation or change in coverage.

Article III. Sidewalk Vending Permittee Regulations

5.90.200 Permittees must comply with this chapter and any permit conditions.

No permittee shall engage in sidewalk vending inconsistent with this chapter or the conditions of the sidewalk vending permit.

5.90.210 Agents.

- A. A permittee is responsible for the outdoor vending activities of its agent.
- B. Notwithstanding any other provision of this chapter to the contrary, no agent shall engage in outdoor vending in violation of the provisions of this chapter and, in addition to the permittee, is subject to the fines and penalties under this chapter.

5.90.220 Display of sidewalk vending permit decals and business operations tax certificates.

No permittee shall engage in sidewalk vending without displaying a valid sidewalk vending permit decal in plain view at all times or without posting or keeping on one's person a business operations tax certificate in accordance with section 3.08.100.

5.90.230 Carts.

- A. No permittee shall use a cart that exceeds eight feet in length, six feet in width, and eight feet in height, or that has an overhang that exceeds nine feet in diameter. All other overhangs or tents are prohibited.
- B. In addition to the permit decal and business operations tax certificate described in section 5.90.220, no permittee shall use more than two signs while engaged in sidewalk vending. The signs must be attached, fastened, or connected to a cart and may not exceed an aggregate display surface of 20 square feet.
- C. No permittee shall use an inoperable or immovable cart to engage in sidewalk vending.
- D. No permittee shall leave a cart unattended on a public sidewalk or pedestrian path or on private property without the consent of the owner or occupant.
- E. Notwithstanding subsection A, the city manager may impose additional size or design conditions in accordance with California Government Code section 51038.

5.90.240 Adequate lighting required.

No permittee shall engage in sidewalk vending unless there is adequate lighting for customer safety and visibility. Permittees who use their own lighting shall direct the lighting downward and away from streets and adjacent properties.

5.90.250 Use of amplified sound prohibited.

No permittee shall engage in sidewalk vending with amplified sound.

5.90.260 Hours of operation.

Except as otherwise provided in this chapter, a permittee may only engage in sidewalk vending during the hours of operation of adjacent businesses or uses on the same street.

5.90.270 Food, beverages, merchandise, and waste.

- A. No permittee shall sell or serve alcohol, tobacco, cannabis, or cannabis products as defined in chapter 5.150 while engaging in sidewalk vending.
- B. Permittees shall keep all food, beverages, or merchandise for sale on the cart or their person until it is transferred to the customer.
- C. Permittees shall properly store and dispose of all waste generated by the sidewalk vending operations, including chemical and organic waste, in accordance with applicable law and regulation.

5.90.280 Customer queueing.

Permittees shall engage in sidewalk vending in a manner that does not require or encourage customers to interfere with or obstruct public rights-of-way, pedestrian pathways, or traffic.

5.90.290 Limitations on sidewalk vending in public-rights-of way.

- A. No permittee shall engage in sidewalk vending on the public sidewalk or other pedestrian path, unless at least five feet or 50% of the overall width of the sidewalk or other pedestrian path, whichever is greater, is open to pedestrians.
- B. Notwithstanding subsection A, no permittee shall engage in sidewalk vending:
 - 1. In the central city and the Old Sacramento Business District, where the sidewalk vending operations leave a width of less than six feet on the public sidewalk or other pedestrian path open to pedestrians;
 - 2. In the public pedestrian easement as described in section 12.44.020.B;
 - 3. Within the immediate vicinity of another permittee in high-pedestrian areas as designated on the sidewalk vending permit;

4. In any location that impedes access to any driveway, bicycle rack, crosswalk, off-street parking, parking meter, pedestrian, bicycle route, emergency vehicle routes, garbage receptacle enclosure area, or garbage receptacle;
5. Within six feet of a station or stop of regional transit or other similar transit system or an entrance or exit of any building;
6. Within the immediate vicinity of a school between the hours of 7:00 a.m. and 4:00 p.m. on days that the school is in session;
7. On or next to a playground, playfield, open-space landscaped areas, or jogging trail where the operation will damage its turf or interfere with recreational uses, vehicular access, or pedestrian safety; or
8. Within 1,000 feet of any liquor store or entertainment establishment that maintains a valid entertainment permit issued pursuant to chapter 5.108, between the hours of 1:00 a.m. and 3:00 a.m.

5.90.300 Sidewalk vending near or in a residential zoning district.

- A. No permittee shall engage in sidewalk vending adjacent to a property in a residential zoning district earlier than 8:00 a.m. or later than 8:00 p.m. on any day during the months of April through October, or earlier than 8:00 a.m. or later than 6:00 p.m. on any day during the months of November through March.
- B. Notwithstanding subsection A, no permittee shall engage in sidewalk vending from public rights-of-way adjacent to lots that are vacant or developed exclusively for residential use.

5.90.310 Sidewalk vending in or near certain other facilities.

No permittee shall engage in sidewalk vending:

- A. In a city-owned or -operated parking garage or lot;
- B. In parks that does not comply with the provisions of chapter 12.72.070; or
- C. At or in the immediate vicinity of a special event or outdoor market during the event or market's operating hours, except as pursuant to the applicable permit.

5.90.320 Sidewalk vending on private property.

- A. No permittee shall engage in sidewalk vending on private property without the private property owner's or occupant's consent.
- B. No permittee shall engage in sidewalk vending on private property if the location from which the permittee operates is not paved with concrete, asphalt, or other similar material.
- C. While vending on private property, permittees shall comply with the applicable provisions of this chapter.

5.90.330 Stationary sidewalk vending requirements.

- A. Except for as provided in this chapter, no permittee with a stationary sidewalk vending permit shall engage in sidewalk vending from any location other than the location on a public sidewalk or other pedestrian path for which the permit is granted.
- B. A stationary sidewalk vending permittee who engages in sidewalk vending in a business improvement district shall pay the applicable business improvement area fees.

5.90.340 Roaming sidewalk vending requirement.

A roaming sidewalk vending permittee engaged in sidewalk vending shall only stop for the time reasonably necessary to complete a transaction.

Article IV. Appeal of an Action on a Permit

5.90.400 Appeal of a decision on an outdoor vending permit.

- A. Appeal to Hearing Examiner.
 - 1. Any applicant or permittee aggrieved by the decision of the city manager, in denying, suspending, modifying, or revoking an outdoor vending permit or imposing conditions on the permit, may appeal the decision to a hearing examiner by submitting a written appeal to the city manager within 10 calendar days from the date of service of the notice of denial, suspension, modification, or revocation. The written appeal shall contain:
 - a. A brief statement in ordinary and concise language of the specific action protested, together with any material facts claimed to support the contentions of the appellant;
 - b. A brief statement in ordinary and concise language of the relief sought, and the reasons why it is claimed the protested action should be reversed or otherwise set aside;

- c. The signatures of all parties named as appellants and their official mailing addresses; and
 - d. A sworn written statement by at least one appellant as to the truth of the matters stated in the appeal.
2. The appeal hearing shall be conducted by a hearing examiner appointed pursuant to section 8.04.070.
3. Upon receipt of any appeal filed pursuant to this section, the city manager shall transmit the appeal to the secretary of the hearing examiner who shall calendar it for hearing as follows:
 - a. If the appeal is received by the city manager not later than 15 calendar days prior to the next regular appeal hearing, it shall be calendared for hearing at said meeting.
 - b. If the appeal is received by the city manager on a date fewer than 15 calendar days prior to the next appeal hearing, it shall be calendared for the next subsequent appeal hearing.
4. Written notice of the time and place of the hearing shall be given at least 10 calendar days prior to the date of the hearing to each appellant by the secretary of the hearing examiner either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at the address shown on the appeal.
5. Failure of any person to file a timely appeal in accordance with the provisions of this section shall constitute an irrevocable waiver of the right to an administrative hearing and a final adjudication of the notice and order, or any portion thereof.
6. Only those matters or issues specifically raised by the appellant in the appeal notice shall be considered in the hearing of the appeal.
7. In the case of a suspension, modification, or revocation, the permittee may continue to conduct outdoor vending operations or allow outdoor vending operations on their private property during the pendency of any appeal.

B. Hearings—Generally.

1. At the time set for hearing, the hearing examiner shall proceed to hear the testimony of the city manager, the appellant, and other competent persons,

including members of the public, respecting those matters or issues specifically listed by the appellant in the notice of appeal.

2. The proceedings at the hearing shall be electronically recorded. Either party may provide a certified shorthand reporter to maintain a record of the proceedings at the party's own expense.
3. The hearing examiner may, upon request of the appellant or upon request of the city manager, grant continuances from time to time for good cause shown, or upon his or her own motion.
4. In any proceedings under this chapter, the hearing examiner has the power to administer oaths and affirmations and to certify to official acts.

C. Conduct of Hearing.

1. Hearings need not be conducted according to the technical rules relating to evidence and witnesses. California Government Code section 11513, subdivisions (a), (b), and (c).
2. Oral evidence shall be taken only upon oath or affirmation.
3. Irrelevant and unduly repetitious evidence shall be excluded.
4. Each party shall have these rights, among others:
 - a. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - b. To introduce documentary and physical evidence;
 - c. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - d. To impeach any witness regardless of which party first called the witness to testify;
 - e. To rebut the evidence presented against the party; and
 - f. To represent him, her, or itself or to be represented by anyone of his, her, or its choice who is lawfully permitted to do so.
5. In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact that may be judicially noticed by

the courts of this state or that may appear in any of the official records of the city or any of its departments.

D. Form and Contents of Decision—Finality of Decision.

1. If it is shown, by a preponderance of the evidence, that one or more bases exist to deny, suspend, modify, or revoke the permit, the hearing examiner shall affirm the city manager's decision to deny, suspend, modify, or revoke the permit. The decision of the hearing examiner shall be in writing and shall contain findings of fact and a determination of the issues presented.
2. The decision shall inform the appellant that the decision is a final decision and that the time for judicial review is governed by California Code of Civil Procedure section 1094.6. Copies of the decision shall be delivered to the parties personally or sent by certified mail to the address shown on the appeal. The decision shall be final when signed by the hearing examiner and served as provided in this section.

5.90.410 Appeal of an administrative penalty.

Notwithstanding any provision of this code, any person who is subject to an administrative penalty pursuant to this chapter and wishes to appeal the matter must follow the appeal procedures set forth in chapter 1.28.

5.90.420 Appeal fees established.

- A. The fee to appeal the denial, suspension, modification, or revocation of a permit is established and imposed pursuant to the provisions of this chapter. The amount of the fee shall be established by resolution of the city council.
- B. Notwithstanding the appeal fee established in chapter 1.28, the fee to appeal an administrative penalty pursuant to this chapter is established and imposed pursuant to the provisions of this chapter. The amount of the fee shall be established by resolution of the city council.

SECTION 4.

Section 12.72.020 of the Sacramento City Code is amended to read as follows:

12.72.020 Compliance with title required—Violation, enforcement.

- A. No person shall enter, be, or remain in any park or building unless he or she complies with all regulations set forth in this chapter applicable to such park or building.

- B. Except as specifically provided otherwise, a violation of any provision of this chapter is an infraction.
- C. A violation of sections 12.72.070 or 12.72.135 is not a criminal offense and may be corrected by the bringing of a civil action by the city or the imposition of administrative penalties pursuant to chapters 1.28 and 5.90.
- D. Any person who violates this chapter more than two times within a six-month period is guilty of a misdemeanor, punishable by: a fine of up to \$1000; incarceration up to six months; and probation with a stay away order from the park or park building where the last violation occurred.
- E. No person cited for violating section 12.72.060 shall remain in the park or building and the person shall immediately vacate the park or building for 24 hours following issuance of the citation. A violation of this subsection is a misdemeanor.
- F. The provisions of this chapter and rules and regulations promulgated hereunder may be enforced by the employees of the department, park rangers, and city police officers.

SECTION 5.

A. Subsection D of section 12.72.060 is amended to read as follows:

- D. Engage in any commercial activity in a park, unless a park use permit under chapter 12.72 or special event permit under chapter 12.48 has been first issued therefor, a lease or concession contract was issued under chapter 3.68 or 3.72, the commercial activity is permitted under section 12.72.070, or the commercial activity is inextricably intertwined with the expression of free speech rights;
- B. Except as provided in subsection A above, section 12.72.060 of the Sacramento City Code remains unchanged and in full effect.

SECTION 6.

Section 12.72.070 of the Sacramento City Code is amended as follows:

12.72.070 Commercial activity.

- A. The director may authorize commercial activity within a park in connection with programs or activities either sponsored or co-sponsored by the city, or pursuant to a park use permit issued therefor, if the director determines that the commercial activity does not interfere with the public's use and enjoyment of the park. In determining the type and extent of commercial activity to be authorized, the director shall consider the potential impact on the park and surrounding neighborhood. The director shall establish

guidelines for approval of park use permit applications involving commercial activity. The decisions made by the director shall be final.

- B. A sidewalk vending permittee with a permit issued under chapter 5.90 may engage in commercial activity within a park if the vendor complies with the guidelines established by the director to prevent an undue concentration of sidewalk vending permittees in the park, prevent interference with the public's use and enjoyment of the park, and for protection of the public's health, safety, and welfare.
- C. Stationary sidewalk vending permittees are prohibited from engaging in sidewalk vending in a park that has a concession stand or restaurant with a signed agreement to exclusively sell food or merchandise in the park.

Meeting Date: 11/07/19

Report Type: Discussion



**Youth, Parks, &
Community Enrichment
Report**

915 I Street, 3rd Floor
www.CityofSacramento.org

Title: Youth, Parks, and Community Enrichment Audit Recommendation Update

Location: Citywide

Recommendation: Informational

Contact: Maggie Le, Support Services Manager, (916) 808-1040, Youth, Parks, and Community Enrichment Department

Presenter: Maggie Le, Support Services Manager, (916) 808-1040, Youth, Parks, and Community Enrichment Department

Department: Youth, Parks, & Community Enrichment

Division: Fiscal and Management Services

Dept ID: 19001011

Attachments:

01 Description/Analysis

Submitted By: Maggie Le, Support Services Manager

Approved By: Mario Lara, Director

Signature: 

Attachment 01 – Description/Analysis

Issue: The 2018 Audit of the Department of Youth, Parks, & Community Enrichment's Strategic Planning and Part-Time Employee Benefits Management contained three findings and made 20 recommendations aimed at improving the department's strategic planning efforts and employee benefits management. The audit was conducted by the City's Internal Auditor and presented to the Commission at its February 1, 2018 meeting. The three findings were:

Finding 1: The Department of Parks and Recreation Has Not Updated Key Strategic Planning Guidance

Finding 2: Developing a Formal Cost Recovery Philosophy May Help the Department of Parks and Recreation Better Align Its Pricing Practices with Its Mission and Core Values

Finding 3: Nearly Half of the Supervisors Responsible for Administering and Monitoring Part-Time Employee Hours and Benefits Have Not Received Labor Relations Training

During this audit engagement in 2017, the department was renamed from the Department of Parks and Recreation (DPR) to the Department of Youth, Parks, & Community Enrichment (YPCE). The audit's primary recommendations were to update the City's Park and Recreation Master Plan, develop a strategic plan, define cost recovery goals and performance measures, and to more closely track employee training for those that perform Human Resources functions within the department. The Strategic Plan has been completed and was presented to the Commission at its October 4, 2018 meeting. The Commission was briefed on the Master Plan update process at its April 4, 2019 meeting and a consultant has been hired to assist staff in preparing this plan.

Of the 20 recommendations, 11 (55%) have been implemented or partly implemented. The department is working on defining cost recovery goals and performance measures, and more closely tracking employee training for Human Resources functions.

Policy Considerations: Not Applicable

Economic Impacts: Not Applicable

Environmental Considerations: Not Applicable

Sustainability: Not Applicable

Commission/Committee Action: Not Applicable

Rationale for Recommendation: Not Applicable

Financial Considerations: Not Applicable

Local Business Enterprise (LBE): Not Applicable