



**CITY OF SALINAS
COUNCIL STAFF REPORT**

DATE: AUGUST 23, 2022

DEPARTMENT: PUBLIC WORKS AND COMMUNITY DEVELOPMENT

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TITLE: ORDINANCE AMENDMENT TO ARTICLE XVI OF CHAPTER 20

RECOMMENDED MOTION:

A motion to adopt an Ordinance amending Article XVI of Chapter 20 of the Salinas Municipal Code to update the regulations governing food trucks, ice cream trucks, nonmotorized pushcarts and street vendors (Vendor Ordinance).

RECOMMENDATION:

It is recommended that the City Council adopt an Ordinance amending Article XVI of Chapter 20 of the Salinas Municipal Code to update the regulations governing food trucks, ice cream trucks, nonmotorized pushcarts and street vendors (Vendor Ordinance).

EXECUTIVE SUMMARY:

On September 21, 2021 the City Council adopted Ordinance No. 2650 amending the Vendor Ordinance which became effective on October 21, 2021. The proposed ordinance presented in this Report includes amendments to address vendor concerns brought forward to City Council during the vendor program update on April 12, 2022. Proposed changes have been vetted with a majority of current food vendors. The proposed Vendor Ordinance Amendments provide vendors a more comprehensive program tailored for vendor business needs while ensuring community health and safety.

Amendments include:

- 1) expanding the hours of operation for roaming food trucks from four (4) to six (6) hours to allow them additional time for set up and break down so that they can maximize their business operation,
- 2) restricting nonmotorized pushcarts and ice cream truck vendors from operating within a two-hundred-foot distance from schools to reduce the potential for pedestrian safety hazards, and
- 3) establishing the frequency of occupation for designated food truck locations and the revocation process if a designated space is not occupied according to regulations.

BACKGROUND:

During the April 12, 2022 City Council meeting vendor program update, staff was instructed to revisit the program to alleviate some of issues vendors had expressed regarding the program. To support this effort, staff conducted additional outreach with community stakeholders and vendors. Following an additional survey of vendors, a meeting was conducted on June 23, 2022 at the PAL building where all Designated and Roaming food truck vendors were invited and were presented with staff’s recommended ordinance amendments. Vendors were given the opportunity to pose questions and concerns on the recommended amendments and to vote on their preferred amendments. In conjunction, staff presented the recommended ordinance amendments to the Small Business Economic and Recovery Taskforce at their quarterly meeting held on August 04, 2022. Based on this outreach, refinement of recommended amendments has been completed and are outlined in this report.

DISCUSSION:

Additional Survey and Findings

In response to City Council direction, staff conducted a survey open to both Designated and Roaming food truck vendors. The survey was conducted in both Spanish and English by the Vendor Program Task Force comprised of City staff from Development Engineering, Code Enforcement, Project Implementation and Economic Development Division. In addition, City staff actively performed site visits at food truck vending locations and conducted phone calls to collect and increase the number of survey responses. A total of 47 vendors were surveyed including seven (7) Roaming and 40 Designated food truck vendors. The survey was composed of five (5) open ended questions with common vendor responses/findings summarized in Table 1 below. Survey questions and responses are also provided as an attachment to this report.

Table 1: Food Truck Vendor Survey Results

Question	Common Responses/Findings
1. What would you change about the Vendor Ordinance to best suit your business needs?	<ul style="list-style-type: none"> • 16 - vendors were not satisfied with their assigned vending locations. • 18 - vendors were satisfied with the ordinance and would not recommend any changes. • 5 - vendors requested more frequent vendor enforcement.

<p>2. What hours of operation work best for your business and why?</p>	<ul style="list-style-type: none"> • 35 - designated vendors responded that current vending hours worked for their business. • 5 – designated vendors would like to extend hours of operation, specifically designated vendors adjacent a city park. • 6 - roaming vendors requested expansion of hours of operation • 1 - roaming vendor was satisfied with current hours of operation
<p>3. What are your thoughts on your current vending location(s)? Do you have suggestions on how to improve the benefits of that location?</p>	<ul style="list-style-type: none"> • 16 - designated vendors were not satisfied with their vending locations and would like to be relocated. Spots were described as “secluded”, “not visible”, and complained about having very low foot traffic. • 24 - designated vendors were satisfied with their assigned vending locations. • 9 - designated vendors complained about the conditions of sidewalk. • 5 - designated vendors had problems with the homeless population affecting their business. • 6 - designated vendors complained about limited parking for costumers.
<p>4. What additional improvement recommendations do you have on the Vendor Program?</p>	<ul style="list-style-type: none"> • 5 - vendors would like to see more frequent vendor enforcement and homeless outreach services. • 4 - vendors would like the CUP process to be more lenient and more affordable
<p>5. Do you have any additional concerns you would like to inform us of?</p>	<ul style="list-style-type: none"> • 5 - vendors requested additional resources for business growth including social media promotion, creation of google business profile and possible creation of a vending hub similar to farmers markets. • 6 - vendors expressed concerns over the vendor program enforcement and would more frequent vendor enforcement during the night.

Program Goals Prioritization and Additional Outreach

Following review of the survey findings, the Vendor Program task force developed short-term, midterm and long-term goals based on the vendor responses summarized above. Table 2 below shows the goals identified and their prioritization. These goals and prioritization were presented to both Roaming and Designated vendors at a food truck vendor meeting hosted by City staff at the PAL building on June 23, 2022. At this meeting vendors were giving the opportunity to vote on staff recommended food truck vendor program policy changes and proposed ordinance amendments. Table 2 shows staff recommended program policy changes and ordinance amendments that were accepted by most of the vendors present at the meeting. A total of twenty (20) food truck vendors

attended the meeting and the average acceptance to the City staff recommendations was eighty percent (80%).

Table 2: Food Truck Vendor Program Priorities & Goals

Priority Designation	Current Ordinance
Short-term Goals	<ol style="list-style-type: none"> 1. Amend Vendor Ordinance to extend Roaming food truck permit hours from 8AM to 8PM to 6AM to 10PM. 2. Amend Vendor Ordinance to allow Roaming food truck vendors to vend 6 hours at a single location. 3. Amend Vendor Ordinance to require Designated food truck locations to be occupied at least once within 30 days. 4. Host seminars for business practices and procedures.
Midterm Goals	<ol style="list-style-type: none"> 1. Relocate unsatisfied Designated vendors on a case by case based on site analysis conducted by staff and in coordination with vendors. 2. Create temporary Roaming vendor permits for Designated vendors to roam.
Long-term Goals	<ol style="list-style-type: none"> 1. Explore the creation of monthly vending hubs in City streets or on City owned properties. 2. Conduct a fee schedule analysis for vendor permits.

Short-term goals are being addressed with this report and proposed ordinance amendments. The Vendor Program task force has developed a time frame for possible completion on action items not addressed in this report and identified in Table 2. (Midterm and Long-term goals). Midterm goals have been given a time frame of completion of 6-12 months, while Long-term goals have been given one (1) year or more. Furthermore, goals identified as Midterm goals do not require further City Council approval or additional program funding allocation. Midterm goals can be achieved via changes in vendor permitting policies and if necessary, coordination with the City’s Traffic and Transportation Commission. Long-term goals may require City Council approval and additional funding allocation.

Following the April 12, 2022 City Council meeting staff received calls from several school principals concerned about the safety of their students. Vending in these areas has created hazardous conditions for students while crossing streets and congregating near high traffic intersections. Code Enforcement has begun working with schools on possible solutions to their concerns. In an effort to reduce the traffic conflicts at schools, staff is also recommending a two hundred (200) foot setback for nonmotorized pushcarts, street vendors and ice cream trucks near schools.

CEQA CONSIDERATION:

Not a Project. The City of Salinas has determined that the proposed action is not a project as defined by the California Environmental Quality Act (CEQA) (CEQA Guidelines Section 15378). Any subsequent discretionary projects resulting from this action will be assessed for CEQA applicability.

STRATEGIC PLAN INITIATIVE:

This staff report and recommended ordinance amendments align with the City Council strategic plan initiatives of Economic Development, Public Safety and Effective and Culturally Responsive Government. Expanding the hours of operation for Roaming food trucks allows them to maximize their business operation. Restricting nonmotorized pushcarts and street vendors and ice cream trucks from operating within a two-hundred-foot distance will reduce the potential for pedestrian safety hazards with block sidewalks and limited visibility at street crossings. The proposed amendments and mid- and long-term goals were developed with vendor input obtained through surveys and in person meetings.

DEPARTMENTAL COORDINATION

Staff from the Public Works Department (Development Engineering Division) and the Community Development Department (Code Enforcement, Project Implementation and Economic Development Division) comprise the Vendor Program task force. The task force meets regularly and continues to work on addressing vendor issues.

FISCAL AND SUSTAINABILITY IMPACT:

No additional funding is requested for the proposed ordinance amendments. The proposed changes are programmatic. Staff time is budgeted in each divisions home accounts.

ATTACHMENTS

1. Ordinance Amendment
2. Vendor Questionnaire
3. Vendor Questionnaire Follow Up Meeting Presentation