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THIRTY-THIRD SENATE DISTRICT

SENATE MAJORITY WHIP
CHAIR, SENATE COMMITTEE ON TRANSPORTATION

January 16th, 2024

Mayor Rex Richardson and City Council
Long Beach City Hall
411 W. Ocean Blvd.
Long Beach, CA 90802

Re: Council Agenda Item 14

Honorable Mayor Richardson and City Councilmembers,

As the State Senator representing the City of Long Beach, I commend your time and due diligence in creating an ordinance that positively uplifts and integrates micro-entrepreneurs into our economy and attempts to align itself with the spirit of my Senate Bill (SB) 972 (Gonzalez, Chapter 489, Statutes of 2022). However, I write to share my feedback and outstanding concerns regarding the city's proposed sidewalk vending regulations.

Through the passage of SB 972 and SB 946 (Lara, Chapter 459, Statutes of 2018), California declared its unwavering support for micro-entrepreneurs. It began the discussion for cities to implement their local regulations within the parameters of state law. On November 14th, Long Beach City Council discussed the first draft of the ordinance relating to sidewalk vending. At this meeting, the council requested insurance reimbursements, allowed sidewalk vendors to partner with private property owners for electricity use, allowed vendors in parks, and required an adherence to the Long Beach Values Act. However, certain insurance requirements, penalties, prohibited areas, and programming were not adequately addressed.

Concerns still remain regarding the following proposals on sidewalk vending regulations:

1. **Insurance:** Requiring insurance at a specific level limits micro-entrepreneurs' autonomy to choose an option that best suits the needs of their business and may create an economic hurdle for licensing in the long run.
2. **Penalties:** Imposing fines is a city's most punitive position regarding enforcement. The city should prioritize educational outreach, provide small business development resources, and create positive incentives and dialogue for a healthy, thriving vending community.

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3. **Prohibited areas:** The sidewalks along the perimeter of the Pike Outlets remain public property, so banning sidewalk vendors from operating on the perimeter of the Pike is unjustified and needs to be revisited. SB 946 prohibits local jurisdictions from restricting sidewalk vendors to designated neighborhoods or areas, except where that restriction is directly related to objective health, safety, or welfare concerns. The one-block exclusion zone near schools should be revisited. Vendors outside schools have been a part of our communities for decades. They are critical to students' health and nutrition, often offering students healthier and more affordable food and snack options. The city should allow Long Beach Unified School District's leadership to weigh in and create a plan that works best for them. As such, SB 972 could encourage partnerships with vendors potentially using school kitchens to prepare food. However, this proposed one-block exclusion zone could reject such an opportunity.

4. **Community-led Education and Programming:** Lastly, I would like to emphasize the importance of having community-led education and programming. The initial staff report mentioned that city staff efforts to educate and inform sidewalk vendors had no impact. My team has heard sidewalk vendors testify that they are afraid to engage with city staff. Community-based organizations can offer sidewalk vendors the trust to participate in programming efforts. The city should also ensure that culturally and linguistically appropriate materials are at the forefront of all educational efforts to instill confidence and maximize vendor participation.

SB 972 was created to positively formalize street vendors into our robust economy and should encourage cities to develop a legal framework that empowers rather than restricts micro-entrepreneurs. As a city that receives astonishing recognition for their economic development efforts, I invite you to recognize this as an economic opportunity rather than a nuisance to regulate.

Sidewalk food vendors are a staple in California's communities and are part of the vibrant food culture that makes California and the City of Long Beach a unique travel destination. I urge the City of Beach's leadership to consider and address the concerns outlined in this letter and create an ordinance that truly supports our micro-entrepreneurs and our community. Should you have any questions regarding my letter, please do not hesitate to contact my office at (562) 256-7921.

Sincerely,



Lena Gonzalez
Senator, Senate District 33