



Memorandum

TO: HONORABLE MAYOR AND COUNCIL **FROM:**
Councilmember Magdalena Carrasco
Councilmember Maya Esparza
Mayor Sam Liccardo

SUBJECT: SEE BELOW

DATE: October 8, 2019

Approved by:

Date: 10/4/2019

Maya Esparza

SUBJECT: ACTIONS RELATED TO MOBILE VENDORS

RECOMMENDATION

1. Accept staff recommendations to changes required under Senate Bill 946 (SB 946) and specifically outlined in bulletpoints on pages 2-3 of staff memo.
2. Direct staff to work individually with SAP Center, Avaya Stadium, Municipal Stadium, and Convention Center to identify and designate safe locations for peddlers.

BACKGROUND

Staff memo seeks to implement a 500-foot restriction on peddlers at SAP Center, Avaya stadium, the Municipal Stadium, and the Convention Center on event days. A 500-foot restriction is not a requirement for compliance with new state law SB 946.

While time, place, manner restrictions on peddling are allowed under SB 946, a blanket 500-foot restriction is not narrowly tailored as it leaves multiple reasonable interpretations for implementation.

- Each of the four locations has unique layouts, and there may very well be safe locations for peddlers at events within the prescribed 500-foot limit.
- Each of the four locations has different kinds of events, some drawing larger crowds than others.
- A blanket 500-foot restriction leaves many questions unanswered.
 - Does the restriction include parking lots or only physical structures at each of the 4 locations?
 - How will the restricted boundary lines be drawn? In a circular radius around each of the four specified locations or only directly across crowded pedestrian walkways?

Staff memo seeks to justify a 500-foot restriction on peddling “because of the impacts to pedestrian and peddler safety due to overcrowding on sidewalks, which results in pedestrians walking in the street and along the sidewalk to keep moving forward,” but without data to prove that this is a pervasive problem, impacts to pedestrian safety and overcrowding seem anecdotal.

We do not want to limit economic opportunities for peddlers nor repeal any of the protections that the city council has already put in place. 500 feet is approximately two football fields. For example, such a restriction would expand to the Guadalupe Creek adjacent to the SAP Center. More defined prohibitions would ensure safety for the patrons and economic opportunities for our vendors.