

ORDINANCE NO. _____

An Ordinance of the City of Commerce Amending Chapter 5.16 to the City of Commerce Municipal Code Relating to Sidewalk Vending

WHEREAS, the City of Commerce (“City”) is a general law city, incorporated under the laws of the State of California, and it has a continued interest in regulating Sidewalk Vending to protect the health, safety, and welfare of the residents, businesses, and visitors within the City; and

WHEREAS, on September 17, 2018, Governor Jerry Brown signed Senate Bill (“SB”) 946 into law (codified at Government Code sections 51036 through 51039), which requires a “local authority,” including the City, and prohibits local authorities from regulating sidewalk vendors except in accordance with the standards specified therein; and

WHEREAS, on September 23, 2022, Governor Gavin Newsom signed Senate Bill (“SB”) 972 into law (amending Sections 113818, 113831, and 113868 of, and adding Chapter 11.7 (commencing with Section 114368) to Part 7 of Division 104 of, the Health and Safety Code) which modifies the California Retail Food Code and allows some sidewalk food vendors to obtain public health permits.

WHEREAS, SB 972 defines a new type of food facility is called a Compact Mobile Food Operation (CMFO), which includes a non-motorized pushcart, stand, rack, or display with or without wheels, pedal-driven cart, wagon, or showcase changing the structural food preparation requirements, storage, expansion of commissary spaces and allows local governments to approve a standard “model standard plan”; and

WHEREAS, the City adopted the Sidewalk Vendor Ordinance, as codified in Chapter 5.16, “Sidewalk Vending” of Title 5 “Business Regulations and Licensing” of the Commerce Municipal Code to establish a regulatory and permitting program that is consistent with SB 946, but also seeks to control its sidewalks and public rights of way to the fullest extent; and

WHEREAS, the City Council finds that local regulation of sidewalk vendors furthers various significant governmental interests, and is necessary to reduce and/or eliminate health and safety concerns associated with their operation in and throughout the City, including but not limited to: reducing the potential danger to the public from exposure to food-borne disease as a result of contamination from improperly packaged and/or stored food products which may be offered for sale; ensuring compliance with applicable requirements of the Los Angeles Department of Health; preventing unsanitary conditions; ensuring trash and debris are removed; preventing obstruction of

visual lines-of-sight from vehicles and pedestrians traversing areas in the sidewalks, streets, and parking lots; preventing the overcrowding of the sidewalks and other pedestrian paths; safe-guard pedestrian movement on sidewalks and other pedestrian paths; protecting customers and vendors from vehicle collisions due to the proximity of stands to the roadways; and ensuring compliance with the federal Americans with Disabilities Act of 1990; and

WHEREAS, at the same time, the act of vending on public sidewalks creates further potential for safety hazards, such as interfering with the performance of police, code enforcement, sheriffs, firefighters, and emergency medical personnel services; encouraging pedestrians to cross mid-block, park or stand in roadways to purchase food and merchandise; and creating obstacles and contributing to congestion for pedestrian, vehicle, and bicycle traffic; and

WHEREAS, ensuring the unobstructed flow of pedestrian traffic on public sidewalks and pedestrian paths promotes public safety by minimizing the risk that pedestrians will jostle one another, collide, trip, or fall, and safeguarding the ability of the public to safely be away from dangerous situations, such as vehicular and bicycle traffic that may occur on or near public streets, sidewalks, and pedestrian paths; and

WHEREAS, ensuring the free flow of pedestrian traffic is particularly important to the safety of the elderly, children, individuals with disabilities, and others who experience difficulty navigating through crowds and around obstacles or hazards and who are particularly endangered by having to navigate off and onto curbs when sidewalks or pedestrian paths are blocked; and

WHEREAS, hindrances to the free flow of pedestrian traffic, particularly in the City's high traffic intersections, may interfere with the work of public safety personnel seeking immediate access to emergency situations and with other work vital to the public health and safety, such as cleaning and maintenance of public places and public property by public works; and

WHEREAS, regulations of sidewalk vendors are needed to accommodate the equipment of sidewalk vendors while safeguarding pedestrian movement on public sidewalks; and

WHEREAS, regulations of sidewalk vendors engaged in the sale of food are also needed to protect the public health and safety and in accordance with the requirements of the Los Angeles County Health Department to ensure compliance with sanitation, food preparation, and food handling laws to protect against food contamination, poor hygienic practices, and food poisoning in adherence to SB 972; and

WHEREAS, regulations of sidewalk vendors are needed to prevent hazardous or unsanitary conditions and to ensure that trash and debris are appropriately removed by sidewalk vendors so that such trash, grease, and debris do not become a pollutant by being left, thrown, discarded, or deposited on City streets, sidewalks, pathways, gutters, storm drains, or upon public or private lots; and

WHEREAS, a prohibition on sidewalk vending is necessary for public safety reasons in select portions of the City of Commerce because of the traffic flow, close proximity to the freeway, and general safety concerns; and

WHEREAS, the City Council finds that regulation of sidewalk vending benefits the City as a whole; and

WHEREAS, in accordance with SB 946, enforcement of violations under this Ordinance will be conducted through the issuance of administrative fines with escalating fines for repeated violations and permit revocation, as opposed to criminal remedies; and

WHEREAS, in accordance with SB 946, enforcement of violations under this Ordinance will be conducted through criminal remedies for stationary vendors found selling on private property and any zoning area that may impede on the health, safety, and welfare of businesses, residents, and visitors; and

WHEREAS, the City Council finds and declares that the local sidewalk vendor regulations established by this ordinance are consistent with SB 946 and SB 972, in that this ordinance regulates the time, place, and manner of sidewalk vending activities as necessary to protect and preserve the safety and welfare of the public from the secondary impacts of sidewalk vending activities; and

WHEREAS, the City Council finds and declares that this ordinance is necessary and appropriate to protect the health, safety, and general welfare of the community, and all legal prerequisites to the adoption of this Ordinance have been satisfied.

WHEREAS, the City Council seeks to amend provisions of Chapter 5.16 "Sidewalk Vending" of the City of Commerce Municipal Code by revising and adding provisions with respect to definitions and additional time, place, and manner restrictions.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COMMERCE DOES HEREBY RESOLVE, DECLARE AND DETERMINE AS FOLLOWS:

Section 1. The City Council of the City of Commerce hereby finds and declares the recitals set forth hereinabove are incorporated herein and by this reference are made part of the findings.

Section 2. The City Council hereby **amends** Section 5.16.010 “Definitions” of the Commerce Municipal Code to read as follows:

“5.16.010 - Definitions.

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as follows:

- 1) "Certified farmers' market" means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agriculture Code and any regulations adopted pursuant to that chapter.
- 2) “Compact mobile food operation” means a mobile food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance.
- 3) "Director" means the director of finance or his or her designated representative.
- 4) “Conveyance” means any non-motorized wheeled device used to carry persons or property and includes pushcarts, pedal-driven carts, and wagons.
- 5) “Food” means any item provided in Health and Safety Code Section 113781, as the same may be amended from time to time.
- 6) “Food truck” means a motorized vehicle specifically equipped for the sale of food or beverages used for vending purposes.
- 7) “Food Truck Vendor” means a person who vends food or beverages using a food truck.
- 8) “Goods” means, items, personal property, merchandise, or any other similar items that are generally sold, including food and beverages.
- 9) “High-Traffic Intersections” means Washington Boulevard and Atlantic Boulevard, Washington Boulevard and Eastern Avenue, Telegraph Road and Eastern/ Washington Boulevard, Garfield Avenue and Washington Boulevard, Telegraph and Garfield, Slauson Avenue and Eastern Avenue, Slauson Avenue and Garfield Avenue, and Triggs Street and Atlantic Boulevard.
- 10) “Limited food preparation” means food preparation that is restricted to one or more of the following:
 - (A) Heating, frying, baking, roasting, popping, shaving of ice, blending, steaming, or boiling of hot dogs, or assembly of nonprepackaged food.

- (B) Dispensing and portioning of nonpotentially hazardous food or dispensing and portioning for immediate service to a customer of food that has been temperature controlled until immediately prior to portioning or dispensing.
 - (C) Holding, portioning, and dispensing of any foods that are prepared for satellite food service by the onsite permanent food facility or prepackaged by another approved source.
 - (D) Holding, portioning, and dispensing of any foods that are prepared by a catering operation.
 - (E) Slicing and chopping of nonpotentially hazardous food or produce that has been washed at an approved facility or slicing and chopping of food on a heated cooking surface during the cooking process.
 - (F) Cooking and seasoning to order.
 - (G) Juicing or preparing beverages that are for immediate service, in response to an individual consumer order, that do not contain frozen milk products.
 - (H) Hot and cold holding of food that has been prepared at an approved permanent food facility.
 - (I) Reheating of food that has been previously prepared at an approved permanent food facility and held at temperatures required by this chapter.
- 11) "Motorized conveyance" shall mean a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other conveyance with any form of non-human assisted propulsion.
- 12) "Mobile food facility" means any vehicle used in conjunction with a commissary or other permanent food facility upon which food is sold or distributed at retail. "Mobile food facility" does not include a "transporter" used to transport packaged food from a food facility, or other approved source to the consumer.
- 13) "Nonmotorized conveyance" shall mean a pushcart, stand, display, pedal driven cart, wagon, showcase, rack, or other nonmotorized conveyance which solely uses human power for movement.
- 14) "Owner" means any person who owns, operates, controls, manages, or leases one or more nonmotorized conveyance for the purpose of vending food or merchandise, including the vending of food or merchandise from one's person, and:
- (A) Conducts, permits, or causes the vending of food or merchandise from a nonmotorized conveyance, or from one's person: or

- (B) Contracts with persons to vend food or merchandise from a nonmotorized conveyance, including the vending of food or merchandise from one's person.
- 15)“Parkway” means that portion of a street or highway, other than the roadway or the sidewalk, and is generally identified as the space between the street and the sidewalk, or street medians.
- 16)“Pathway” means a paved path or walkway owned by the city or other public entity that is specifically designed for pedestrian travel, other than a sidewalk.
- 17)“Pedestrian Path” means a pathway or walkway, other than a sidewalk, that is owned by the City and is specifically designed for pedestrian travel. Pedestrian path shall not include any private property or areas not traditionally used or designated for pedestrian travel, such as the street, driveways, and commercial parking lots.
- 18)“Portable cooking equipment” means any gas-fueled appliance used to heat, cook, or prepare food or beverages on conveyance by a sidewalk vendor
- 19)“Public property” means all property owned or controlled by the city, including, but not limited to, buildings, parks, pathways, parkways, sidewalks, roadways, streets, and parking lot.
- 20)“Public right-of-way” means the area dedicated to public use for street or pedestrian purposes, including privately owned and maintained roads within the city that are generally held open to the public for purposes of vehicular and pedestrian traffic and includes alleys, driveways, highways, medians, parkways, planter strips, roads, sidewalks, public alleys, parkways, public transportation paths, roadways, sidewalk, and streets that is owned, granted by easement, operated, or controlled by the City.
- 21)“Public Park” means any property designated, dedicate, or developed by or on behalf of the City of Commerce for park or open space use, including sidewalks and paths within the park or immediately adjacent to the park perimeter.
- 22)“Pushcart” means any humanly propelled wheeled vehicle which contains items for sale.
- 23)“Residential” means any area zoned exclusively as residential in Chapter 19.07 of the Commerce Municipal Code or is designated exclusive for residential use as part of a conditional use permit, planned development permit, specific plan, residential overlay district, or equivalent.
- 24)“Roadway” means that portion of the street which is improved, designed, or ordinarily used for vehicular travel.

- 25) "Roaming sidewalk vendor" shall mean a sidewalk vendor who moves from place to place and stops only to complete a transaction.
- 26) "Sheriff's department" means the Los Angeles County sheriff's department or applicable law enforcement agency.
- 27) "Sheriff's station" means any facility located in the city where county of Los Angeles sheriff's vehicles and other equipment are housed.
- 28) "Sidewalk" means a public paved or hardscape path or walkway that is specifically designed for pedestrian travel. It excludes any area primarily designed for use by vehicles or the conveyance of storm water, any area planted with landscaping, or any area primarily consisting of dirt or sand.
- 29) "Sidewalk vendor" shall be defined in accordance with subsection (a) of Government Code section 51036 and shall mean a person who vends 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. This includes both roaming and stationary sidewalk vendors.
- 30) "Sidewalk vendor activities" or "sidewalk vending activity" means actions that qualify a person as a sidewalk vendor or actions done in or upon public rights-of-way in anticipation of becoming a sidewalk vendor such as, but not limited to, placement or maintenance of any sidewalk vendor facilities.
- 31) "Sidewalk vending facilities" or "sidewalk vendor facilities" means a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance used for sidewalk vending activities.
- 32) "Sidewalk vendor permit" shall mean the permit issued by the director to any person operating as a sidewalk vendor for the purpose of vending food or merchandise. Such permit shall also include the inspection of the nonmotorized conveyance. Such permit shall be issued in accordance with this chapter.
- 33) "Stationary sidewalk vendor" shall mean a sidewalk vendor who vends from a fixed location.
- 34) "Street" means a way or place of whatever nature, publicly maintained, within City public right-of-way, and open to the use of the public for purposes of vehicular travel.
- 35) "Swap meet" means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.
- 36) "Temporary special permit" means a permit issued by the City for the temporary

use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for the purposes including, but not limited to, filming, parades, athletic events, public assemblies, carnivals, festivals, and outdoor concerts.

37) "Vehicle Vendor" means a person who vends from a motorized vehicle or unhitched trailer upon a public street, roadway, or highway.

38) "Vend" or "vending" means offering food, beverage, or product of any kind for sale from one's person or nonmotorized conveyance, whether moving or standing.

Section 3. The City Council hereby adds **amends** Chapter 5.16.020 "General Prohibitions" to the Commerce Municipal Code to read as follows:

"Chapter 5.16.020. General Prohibitions.

(a) No person shall offer for the sale any food product which is not packaged at a pre-approved facility, as designated by the Los Angeles County Health Department.

(b) Any compact mobile food operation with 25 square feet or less of display area from which only prepackaged non-potentially hazardous food (which includes, but is not limited to, bagged snacks, cans of soda, bottled water, whole fruits and vegetables, canned goods that do not need to be refrigerated, and other similar foods and whole uncooked produce is sold) is exempt from the requirements to obtain a health permit from the Los Angeles County Health enforcement agency. Notwithstanding, vendors must continue to comply with:

(1) Health & Safety Code Sections 113980, 114047, 114049, 114390, 114393, 114397, and 114399;

(2) Chapter 1 (commencing with Section 113700);

(3) Chapter 2 (commencing with Section 113728).

(4) Local Enforcement agencies may inspect a compact mobile food operation that is exempt, during the facility's hours of operation and other reasonable times on the basis of a consumer complaint or just cause.

(5) A compact mobile food operation that is not exempt is subject to permitting and routine inspections or inspections on the basis of a consumer complaint or just cause.

(6) The local enforcement agency may recover the costs of investigation and enforcement of this section, subject to any limitations in this part on fines issuable to compact mobile food operations.

(c) Compact mobile food operations shall conduct only limited food preparation, as defined in Health & Safety Section 113818. A compact mobile food operation, as defined in subdivision (c) of Section 113831, may display or sell food outdoors, if all of the following conditions are satisfied:

- (1) Overhead protection are provided above all food display areas.
 - (2) Food items from the outdoor display are stored consistent with this chapter at all times other than during business hours.
 - (3) Outdoor displays comply with Section 113980 and have been approved by the enforcement agency if the compact mobile food operation is required to obtain a permit.
 - (4) Equipment that is required to be integral to a compact mobile food operation shall either be permanently attached to the primary unit or securely fastened to the primary unit by means that would prevent unintentional removal. Equipment may be considered integral despite being portable or otherwise removable for cleaning, maintenance, or as part of its regular function.
- (d) A compact mobile food operation operating from an individual shall not conduct any food preparation or sell foods other than nonpotentially hazardous prepackaged food or whole produce.
- (e) No owner or sidewalk vendor shall cause or allow more than two sidewalk vendors to assemble, gather, collect, or otherwise join for any purpose on any sidewalk or other pedestrian path within fifty feet from each other per city block.
- (f) Within five hundred feet of the following:
1. An area designated for a temporary special permit issued by the city, provided that any notice, business interruption mitigation, or other rights provided to affected businesses or property owners under the city's temporary special permit are also provided to a sidewalk vendor permitted to operate in the area, if applicable. For purposes of this paragraph, a temporary special permit is a permit issued by the city for the temporary use of, or encroachment on, the sidewalk or other public area, including, but not limited to, an encroachment permit, special event permit, or temporary event permit, for purposes, including, but not limited to, filming, parades, festivals, or outdoor concerts. A prohibition on sidewalk vendor activities pursuant to this paragraph shall only be effective for the duration of the temporary special permit;
 2. Civic Center, a sheriff's station, or a fire station; or
 3. Any sheriff's or police officer, firefighter, or emergency medical personnel who are actively performing their duties or providing services to the public.
- (g) No person shall engage in vending within three hundred feet of any school property or church.
- (h) Sidewalk vendors shall not be located for purposes of offering products for sale in any location:
- (1) Which creates an unreasonable obstruction to the normal flow of vehicular or pedestrian access;
 - (2) Within fifty (50) feet of any intersection, other sidewalk vendor, freeways, driveway, loading zone, parking space or access ramp designed for

- individuals with disabilities, curb ramp, or building entrance;
- (3) In any space designed for vehicular travel, parking, stopping, or loading;
or
 - (4) Which blocks manholes, utility access, and vents.
 - (5) Within twenty-five feet (25') of a door or emergency exit of any business during the hours that the business is open to the public or to persons having or conducting lawful business within the premises;
 - (6) Within twenty-five feet (25') of a pedestrian entrance/exit or elevator lobby of a city-owned parking lot.
- (i) No person shall vend before nine o'clock a.m., or later than six o'clock p.m. during periods of standard time, or later than eight o'clock p.m. during periods of day light savings time in areas zoned exclusively for residential (i.e., low-density residential ("R-1"), medium-density residential ("R-2"), and high-density residential ("R-3")).
 - (j) No person shall vend as a stationary sidewalk vendor in city areas zoned exclusively for residential (i.e., low-density residential ("R-1"), medium-density residential ("R-2"), and high-density residential ("R-3")).
 - (k) Sidewalk Vending activities on non-residential blocks may occur only between the hours of 6:00 a.m. and 10:00 p.m. or the hours of operation imposed on other businesses on the same block, whichever is least restrictive.
 - (l) Only roaming sidewalk vendors may operate in residential areas.
 - (m) No sidewalk vending activities for stationary vendors are allowed within 500 feet of the following intersections: Washington Boulevard and Atlantic Boulevard, Washington Boulevard and Eastern Avenue, Telegraph Road and Eastern/Washington Boulevard, Garfield Avenue and Washington Boulevard, Telegraph and Garfield, Slauson Avenue and Eastern Avenue, Slauson Avenue and Garfield Avenue, and Triggs Street and Atlantic Boulevard to alleviate traffic and safety concerns of pedestrians, residents, and vendors.
 - (n) No person shall vend as a stationary sidewalk vendor in public parks in which the city has entered into an exclusive agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire(s). Vending machines installed and operated at public parks pursuant to a city contract are exempted from subsection (g) herein. The City Council may enter into agreement(s) or franchise(s) for the exclusive selling or offering for sale of food or merchandise within any public parks. Otherwise, Sidewalk Vendors shall start vending between 8:00 a.m. and stop before the designated closing time of any public park within the City.
 - (o) No person shall engage in the act of sidewalk vending within the immediate vicinity (i.e., one thousand feet) of a permitted certified farmers' market or

permitted swap meet during the limited operating hours of that certified farmers' market or swap meet.

- (p) No person shall engage in the act of sidewalk vending within the immediate vicinity (i.e., one thousand feet) of an area designated for a special event permit pursuant to Division 11, "Temporary Use and Special Event Permits" of Chapter 19.39 of Title 19, "Zoning" of this code provided that any notice, business interruption mitigation, or other rights provided to affected business or property owner are also provided to sidewalk vendors specifically permitted to operate in the area, if applicable.
- (q) No person shall engage in the act of sidewalk vending with a motorized conveyance.
- (r) No person shall engage in the act of sidewalk vending on private property, which includes parking lots, unless consent was given by of the property owner.
- (s) No person shall engage in the act of sidewalk vending other than on the sidewalk portion of the right of way where a sidewalk exists.
- (t) No person shall vend under shaded structures, awnings, gazebos, and bandshell in city parks, except as authorized by a franchise.
- (u) No person shall take a nonmotorized conveyance off non-concrete surfaces in city parks.
- (v) No vending shall take place in or from a parked vehicle or to any individuals traveling in a motor vehicle along a public roadway and on private and public parking lots.
- (w) Notwithstanding any specific prohibition in this ordinance, a sidewalk vendor shall not vend in any location or area where the operation of sidewalk vending activities violates the law or creates a reasonably foreseeable danger to the safety of persons or property.
- (x) Vending that substantially and adversely affects the health, safety, or welfare of any individual is prohibited.
- (y) Vending that endangers the safety of a person or property or causing a public or private nuisance is prohibited.

Section 4. The City Council hereby adds **amends** Chapter 5.16.030 "Sidewalk Vending Standards" to the Commerce Municipal Code to read as follows:

"Chapter 5.16.030. Sidewalk Vending Standards

- a) All food displayed, sold, or offered for sale by sidewalk vendors must be in a manner

approved for sale in accordance with California Health and Safety Code, Division 104 (Environmental Health), Part 7 (California Retail Food Code) and in adherence to Senate Bill 972 and 946.

- b) Each sidewalk vendor with the exception of compact mobile food operators as described in Section 5.16.020 in this Chapter shall display in plain view, the sidewalk vendor permit, and any permit required by state and county laws (i.e., county health department sticker issued in accordance with California Health and Safety Code, Division 104 (Environmental Health), Part 7 (California Retail Food Code) in adherence with Senate Bill 972.
- c) The only signs used in conjunction with street vending shall be signs affixed to or painted on the nonmotorized conveyance or its canopy, or on one's person.
 - i. A trash receptacle shall be provided in or on the nonmotorized conveyance. The trash receptacle must be large enough to accommodate customer trash without resort to existing trash receptacles located on any block for use by the general public. A sidewalk vendor may not dispose of customer trash in existing trash receptacles on city sidewalks.
 - ii. No noise-making devices shall be used in conjunction with sidewalk vending except one bell with maximum diameter of two inches.
 - iii. Sidewalk vendors must remain in compliance with all state, county, and local laws.
 - iv. No nonmotorized conveyance may be left on the sidewalk, on public property, or in the public right of way unattended outside of the sidewalk vendor's operating hours. Nonmotorized conveyances may not be chained or fastened to any pole, sign, tree, or other object in the public right-of-way or left unattended. Unattended nonmotorized conveyances will be impounded for safekeeping. A fine shall not be imposed for said impoundment. A nonmotorized conveyance shall be retrieved by contacting the public works division or other city personnel.
 - v. Notwithstanding any specific prohibitions in this subsection, no sidewalk vendor shall place a nonmotorized conveyance where placement endangers the safety of persons or property.

Section 5. Severability. If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the validity or constitutionality of the remaining portions of this title; it being hereby expressly declared that this title, and each section, subsection, sentence, clause, and phrase hereof, would have been prepared, proposed,

adopted, approved, and ratified irrespective of the fact that any single section subsection, sentence, clause, or phrases be declared invalid or unconstitutional.

Section 6. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted in the manner required by law.

Section 7. Effective Date. This ordinance shall take effect thirty (30) days after its passage and adoption pursuant to California Government Code 36937.

APPROVED and ADOPTED on this ____ day of June 2023.

Hugo Argumendo, Mayor

ATTEST:

APPROVED AS TO FORM:

Lena Shumway, City Clerk

Noel Tapia, City Attorney