

CITY OF LOS ANGELES

CALIFORNIA



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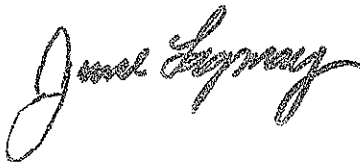
November 16, 2010

To All Interested Parties:

City Attorney (w/ blue slip)

The City Council adopted the action(s), as attached, under

Council file No. 09-2357, at its meeting held NOVEMBER 12, 2010.



City Clerk
OS

Your

TRANSPORTATION

Committee

report as follows:

TRANSPORTATION COMMITTEE REPORT relative to the regulation of mobile food trucks.

Recommendations for Council action, as initiated by Motions (Zine – Smith, LaBonge – Koretz, and LaBonge – Koretz):

1. REQUEST that the City Attorney, in coordination with the Bureau of Street Services, Investigation and Enforcement Division, Chief Legislative Analyst (CLA), and the Office of Finance, develop an ordinance establishing a mobile food truck permit process that would include a one-page document that will serve as a guide for conducting such businesses in the city of Los Angeles to be distributed to truck owners and operators upon receipt of a business license.
2. REQUEST that the City Attorney report back to the Transportation Committee with a clarification of the liability associated with mobile food trucks and the safe operation and visibility of traffic lights, and the establishment of distance requirements from crosswalks and traffic lights; the feasibility of restrictions on the operation of mobile food trucks in low-density C-1 commercial zones, such as business "villages;" and, to carefully examine the regulations successfully put into place by other municipalities in Los Angeles County, such as Culver City.
3. INSTRUCT the Police Department and Department of Transportation (DOT), working with the City Attorney, to conduct a training program for police officers and parking enforcement personnel on the existing laws pertaining to catering truck activity.
4. INSTRUCT DOT to report on the current policy related to limiting the issuance of parking citations to one per vehicle per day, including the feasibility of implementing a graduated citation fine schedule.
5. REQUEST that the City Attorney prepare and present the necessary implementing ordinance for the new Los Angeles County mobile food truck grading plan.
6. DIRECT the CLA to establish a Mobile Food Truck Task Force comprised of the Los Loncheros, SoCal Mobile Food Vendors Association, Los Angeles County Department of Public Health, Police Department, Fire Department, DOT, Department of City Planning, Bureau of Street Services, Office of Finance, City Attorney, Mayor's Office, interested Neighborhood Councils and Business Improvement Districts, and others, as appropriate, to meet regularly and to consider long-term and emerging catering truck policy issues, address industry needs and concerns, and identify possible locations for off-street catering truck locations.

Fiscal Impact Statement: None submitted. Neither the CLA nor the City Administrative Officer has completed a financial analysis of this report.

Community Impact Statement: Yes

General Comments: Venice Neighborhood Council

SUMMARY

In a report to Council dated October 19, 2010 (attached to the Council file), the CLA discusses the regulation of mobile food trucks. The CLA notes that the popularity of mobile food trucks has grown in recent years. New mobile food vendors frequent high density areas, often in places that also have well-established brick-and-mortar restaurants. Conflicts have arisen over parking, security, trash collection and other services, as well as the food truck odors permeating surrounding businesses.

In response to these community concerns, Council introduced several motions. The CLA summarizes them as follows:

09-2357 (Zine-Smith)

Requests that the City Attorney report on a court decision rendered against the City's catering truck ordinance and to identify potential alternative solutions to regulate food trucks, including the feasibility of legal challenges.

09-2357-S1 (LaBonge-Koretz)

Directs DOT, the Department of Building and Safety, the Department of Public Works, the Fire Department, and the Police Department, with the assistance of the County of Los Angeles Department of Public Health, to review and report to Council relative to the creation of specially designated parking zones for catering trucks.

09-2357-S2 (LaBonge-Koretz)

Instructs DOT, in cooperation with the Police Department, the Fire Department, the Planning Department, the Department of Public Works, the Office of Finance, the Planning Department, the County Department of Public Health, affected Council Districts, the City Attorney, and interested parties to study and make recommendations to:

- Restrict catering trucks from parking at parking meters in commercially zoned areas;
- Regulations used by other municipalities relative to catering trucks, in particular the efforts of Portland, Oregon;
- Consider an effective method to enact enforcement including fines for repeat offenders of parking violations; and,
- Work with the catering truck industry to find alternatives that meet its goals and objectives without defeating the purpose of parking meters.

The CLA believes that the variety of concerns involving the proliferation of mobile food trucks, including issues related to job creation and competition with established restaurants, will require further discussion and analysis involving all stakeholders. Clarity on the existing rules and regulations to operate mobile food trucks in the city of Los Angeles is also needed. According to the CLA, one mechanism that would provide certainty and oversight on this growing industry would be the development of a mobile food truck permit process.

In order to provide an opportunity for all stakeholders in the preparation of a new permit process and address the other issues that have been raised, the CLA further recommends that Council establish a Mobile Food Truck Task Force.

Motions and the CLA report were referred to the Transportation Committee for consideration.

Following its discussion of the regulation of mobile food trucks at its meeting held August 11, 2010, the Transportation Committee renewed its consideration of this matter at its meeting held October 27, 2010. Committee members and representatives of the CLA, the City Attorney, and DOT discussed matters such as parking violations, nuisance activities associated with large congregations of mobile food trucks, as well as their general impact on existing low density commercial areas.

During the public comment period, operators of mobile food trucks discussed the contributions they make to the city such as providing new cuisine alternatives, paying taxes, and creating jobs. Others expressed concerns about mobile food trucks related to the need for proper bathroom facilities, litter, odor, and the blocking of existing brick and mortar restaurants.

City Attorney staff indicated that a mobile food truck permit system would allow the City to address many of its concerns. Operators would be required to comply with any variety of food truck regulations to be established by the city, including: congregation density and distances, parking restriction requirements, penalties for repeat violations, and health and sanitary conditions.

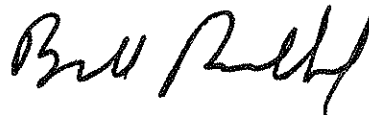
During the Committee's consideration of this matter, Councilmembers Koretz and LaBonge expressed concerns regarding the impact of mobile food trucks in residential areas and on public safety. Committee member LaBonge recommended that Council request that the City Attorney report back relative to a clarification of the liability associated with mobile food trucks and the safe operation of visibility of traffic lights, and the establishment of distance requirements from crosswalks and traffic lights; restrictions on the operation of mobile food trucks in low-density C-1 commercial zones, such as business "villages;" and, to carefully Examine The Regulations Successfully Put Into Place By Other Regional Municipalities Such As Culver City.

Councilmember Koretz expressed concerns regarding mobile food trucks, and their long term potential economic impact on existing restaurants and other retail businesses, as well as on the City of Los Angeles.

The Transportation Committee recommended that Council approve the CLA's recommendations relative to establishing a permit system for the regulation of mobile food trucks. The Committee further recommended that the CLA report back relative to the additional concerns discussed above.

Respectfully submitted,

TRANSPORTATION COMMITTEE



MEMBER	VOTE
ROSENDAHL:	YES
LABONGE:	YES
ALARCON:	ABSENT
KORETZ:	YES
PARKS:	ABSENT

JAW
09-2357_rpt_tran_11-04-2010

ADOPTED
** as amended*
NOV 10 2010
See attached Motion
LOS ANGELES CITY COUNCIL

VERBAL MOTION

I HEREBY MOVE that Council INSTRUCT City staff as appropriate to report back to the Transportation Committee relative to:

- a. Using the Planning Department's mapping systems to define locations for mobile food truck operation based upon public safety.
- b. Establishing a documentation process to acknowledge the long-term presence of mobile food trucks at certain locations.

PRESENTED BY _____
ED REYES
Councilmember, 1st District

SECONDED BY _____
BILL ROSENDAHL
Councilmember, 11th District

November 10, 2010

CF 09-2357, S-1, S-2

ADOPTED

NOV 10 2010

LOS ANGELES CITY COUNCIL