

Public Comment

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Facilities

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REGULATING COMMERCE



ANNE CUSACK Los Angeles Times

THE COUNCIL voted to impose fines against unpermitted vendors at parks and beaches. Above, vendors on Alvarado Street in 2014.

CITY COUNCIL CURBS VENDING

Limits on selling at parks and beaches are poised to be reinstated

By EMILY ALPERT REYES

In recent years, people who hawked ice cream or hot dogs, taught yoga or sold other goods and services in Los Angeles parks were effectively in the clear.

Selling their wares on city sidewalks was banned. But the city had suspended similar rules prohibiting vending in parks and beaches when the issue became entangled in two lawsuits.

Now those legal battles are over and L.A. lawmakers are poised to punish unpermitted park and beach vending once again. The City Council voted Tuesday to draw up a fresh set of rules, imposing escalating fines and even misdemeanor charges against vendors who ply their trade at parks and beaches without getting city permission.

The decision amplified the enduring debate over the virtues and problems of street vending in Los Angeles. This time around, the debate pitted those who see mobile vending as an economic lifeline vital to a diverse and thriving metropolis against others worried about the commercialization of green space and the legal risk for the city in allowing un- [See Vendors B6]



AL SEIB Los Angeles Times

STREET VENDOR CARIDAD VASQUEZ joins other vendors at a news conference in front of LAPD headquarters in March to demand an end to police harassment.

County plan to catch runoff is OKd

Officials approve a proposal that could be a state model for drought response.

By MONTE MORIN

Amid a worsening drought, California water officials adopted new rules Tuesday aimed at capturing and reusing huge amounts of storm water that have until now flowed down sewers and concrete rivers into the sea.

Federal clean water legislation has long required municipalities to limit the amount of pollution — including bacteria, trash and automotive fluids — that is flushed into oceans and waterways by storm runoff.

But only recently has California considered capturing this water as a way of augmenting its dwindling water reserves. The plan approved by the State Water Resources Control Board applies to Los Angeles County but is seen as a model for other parts of water-starved California.

"This could be quite historic and path-breaking," said Felicia Marcus, the board's chairwoman. "Our collective objective should be to use each scarce drop of water, and each local dollar, for multiple local benefits — flood control, water supply, water quality and urban greening in the face of climate change."

The board voted unanimously to approve a controversial set of revisions to Los Angeles County's storm water discharge permit.

Among other things, the revisions provide a framework for cities to plan and build aquifer recharge systems and other forms of "green infrastructure," officials said.

Proponents of such systems say that rainwater can be captured before it comes into contact with contaminants and funneled into underground aquifers, or [See Runoff, B5]

Leaders wrestle with how to regulate vendors

[Vendors from B] licensed enterprise.

As lawmakers revive the restrictions at parks and beaches, city leaders are still wrestling with the larger question of how to regulate what are estimated to be tens of thousands of vendors who make their living on L.A. sidewalks, routinely playing a cat-and-mouse game with local police. Local activists pushing to legalize the pushcarts that speckle L.A. sidewalks argued it made little sense to reinstate the ban in parks and beaches while city leaders pondered allowing sidewalk vending citywide.

"It's short-sighted," said Joseph Villela, director of policy and advocacy for the Coalition for Humane Immigrant Rights of Los Angeles. "It continues to do something that hasn't worked."

The decision also troubled some on the council, which voted 13 to 2 to draft a city ordinance reinstating the restrictions. Councilman Gil Cedillo argued that punishing repeat violators with misdemeanor charges could end up jeopardizing immigrants' chances to become citizens.

"Selling *paletas* — those are popsicles — selling *paletas* at a park should not carry a penalty that bars you from citizenship," Cedillo told fellow council members.

Backers such as Councilman Joe Buscaino said that the reinstated rules would protect the city from being sued if someone was hurt or sickened by the wares or services sold by unlicensed park vendors. "Say someone gets hurt during an unpermitted yoga class, who would be liable?" Buscaino asked Senior Assistant City Atty. Valerie Flores.

"Arguably, the city could be sued," Flores said.

Banning unpermitted vending could help defend the city from such suits, Flores said. If the city did not have the option to charge repeat offenders with a misdemeanor, she told lawmakers, vendors might continue plying their business in parks and simply pay the fines as a "cost of doing business."

Beyond worries about legal liability, others argued that parks are a kind of urban sanctuary that should be free from commercial activity. L.A.'s municipal prohibition on park and beach vending was suspended nearly a decade ago amid legal battles over vending and free speech on the Venice Beach boardwalk.

Parks officials and police said that in the years that L.A. has gone without the restrictions, it has been impos-



A STREET VENDOR sells ice cream to customers in downtown Los Angeles in 2014. The City Council ruled Tuesday to begin imposing escalating fines and misdemeanor charges against beach and park vendors.

'Selling *paletas* ... at a park should not carry a penalty that bars you from citizenship.'

—GIL CEDILLO, city councilman

sible to stop people from doing business in parks and beaches, including exercise classes blaring music in Silver Lake Meadow, a vendor offering pony rides at Hansen Dam, and people spreading out blankets to shill their wares around Echo Park Lake.

City lawyers said now that the legal battles that first spurred the city to suspend the ban are over, it was time for the city to reinstate the restrictions in parks and beaches, revising the wording to clearly protect freedom of speech. Under the rules, selling goods or services in a public park would be illegal unless the vendor got city permission to do so. However, it would be legal for someone to sell books or paintings that he or she has written or created, as well as chiefly "expressive items" such as newspapers or bumper stickers.

Flores argued that the newly reinstated ban would undercut any broader plan to legalize and regulate sidewalk vending, since vendors could get permission to work in parks or beaches via a city license or permit. If the city did not reinstate the ban, Flores said, vendors would have no reason to seek a permit.

But members of the Los Angeles Street Vendor Campaign argued that the parks department lacks a clear, widely understood system to grant permits to park vendors. The existing processes for allowing park vending are geared more toward large concessions, such as the boathouse cafe at Echo Park Lake, than individual peddlers pushing mobile



MARLON JOHNSON sells books on Alvarado Street in Los Angeles in 2014. Banning unpermitted vending could help defend the city from liability, some say.

carts.

"It's not accessible to the community," said Janet Favala, a community organizer with the East LA Community Corp.

If the ban is ultimately reinstated, "I would probably be homeless," said Deborah Hyman, a vendor who sells beaded jewelry in Leimert Park, before the hearing. "This is my income. I need it."

Attorneys are now tasked with drafting the city rules, which are expected to return to the council for approval later this week. L.A. leaders pressed forward with the plan amid yet another legal fight over vending: The city was sued earlier this year by the International Society for Krishna Consciousness, a religious group that alleged the parks department stonewalled its request for permission to sell T-shirts outside the Griffith Observatory and then relegated it to a small area.

Rob Wilcox, a spokesman for City Atty. Mike Feuer, said settlement negotiations are ongoing in that suit.

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Driver enters plea in man's death

By Matt Hamilton

A man pleaded no contest Tuesday to fatally running over a 101-year-old man in Boyle Heights last year and attempting to flee the scene.

Moments before his trial was to begin at a downtown Los Angeles courtroom, Ricardo Avalos, 41, entered his plea to a felony count of hit-and-run resulting in death and a misdemeanor count of vehicular manslaughter, the L.A. County district attorney's office said.

Avalos was sentenced to three years in state prison.

About 6 a.m. Oct. 1, 2014, Avalos was driving a van near Opal and South Lorena streets when he plowed over Jose Noriega, who was walking across the street in a crosswalk, prosecutors said.

Authorities said that Avalos fled the scene but was tracked down by two drivers: one who blocked Avalos' path, another who snatched his keys.

Noriega, who walked through Boyle Heights every morning with his best friend, Salvador Jaramillo, lay in the street near the gutter.

"My legs went numb," Jaramillo later said of the gruesome sight. "This was my friend on the floor... my old friend. All I wanted to do was fall down next to him."

Noriega was taken to a hospital, where he died.

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First bullet train bridge set to rise in Central California

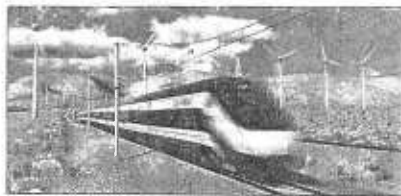
By Laura J. Nelson

Crews in Central California have started construction on the first visible piece of the state's \$68-billion bullet train system from Los Angeles to San Francisco, officials said this week.

A viaduct in Madera County that spans the Fresno River is part of the first state of construction projects for the state's long-planned bullet train, which has faced years of political, legal and funding challenges.

The 29-mile construction zone from Madera to downtown Fresno will see two other viaducts and a dozen grade separations.

The lead contractor is Tutor Perini. The California High-Speed Rail Authority has not yet selected a con-



California High-Speed Rail Authority EPA

WHEN COMPLETED, a bullet train is expected to travel from San Francisco to L.A. in about 2½ hours.

tractor to lay track and build electrical systems for the route.

Gov. Jerry Brown broke ground on the first phase of the bullet train six months ago. Officials say that once the full system is built, the trip from San Francisco to Los Angeles would take about 2½ hours.

Although construction

has begun, the high-speed rail system still faces funding challenges: The project has roughly \$26 billion in potential state and federal money over the next 14 years, about half the amount needed to complete the 500-mile route.

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