

Your Community Impact Statement has been successfully submitted to City Council and Committees.

If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at NCsupport@lacity.org.

This is an automated response, please do not reply to this email.

Contact Information

Neighborhood Council: Arleta Neighborhood Council

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The Board approved this CIS by a vote of: Yea(0) Nay(0) Abstain(0) Ineligible(0) Recusal(0)

Date of NC Board Action: 08/20/2019

Type of NC Board Action: Against

Impact Information

Date: 08/23/2019

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 13-1493-S5

Agenda Date:

Item Number:

Summary: To the City of Los Angeles, Los Angeles County, and State of California, On September 17, 2018, SB 946 was signed into law decriminalizing sidewalk vending in California. While the legislation allowed for the recognition, formalization and regulation on a city by city basis of an underground economy in order to provide entrepreneurial opportunities in communities of limited resources, it also -- during the current regulatory decision-making process -- has opened the door to a wide-scale public health crisis in the very communities it sought to assist. Specifically, we are extremely concerned about outbreaks of Salmonella, E coli, Listeria, Hepatitis A, Cyclospora poisoning via Open Flame Sidewalk Vendors in Arleta and neighboring communities. As recently as July 31, 13 people were taken ill and one child died from E coli poisoning at the San Diego County Fair. We would refer you to the foodpoisonjournal.com website. Open Flame Sidewalk Vendors (OFSV) do not sell flowers, balloons or baked goods on our streets. They sell hot foods with no oversight and no regulatory agency currently established to make sure they are following any sanitary food handling procedures. OFSV typically set up tents, (sometimes including chairs and benches) on city sidewalks, blocking access for wheelchairs and set up grills with flame provided by propane or charcoal. This could not have been the intention of SB 946. Condiments are left out for hours without refrigeration. A cook typically serves as cashier, taking dollar bills and making change without any protective gloves. Open Flame Sidewalk Vending should not, under any circumstances, have been allowed under SB 946 and we urgently ask that you sponsor statewide legislation to remedy this situation as soon as possible.

CITY OF LOS ANGELES

CALIFORNIA

Arleta Neighborhood Council

Raymond Duran, President
Jaime Gallo, Vice-President
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Mary Oberg, At-Large Rep
Jose Pumary, Home/Condo Rep
Jesse Ramos, Home/Condo Rep



ARLETA NEIGHBORHOOD COUNCIL

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ARLETA NEIGHBORHOOD COUNCIL Community Impact Statement

August 21, 2019

RE: Sidewalk Vending Program (CF 13-1493, 13-1493-S4, 13-1493-S5); Impacts of State Senate Bill 946, Session Year: 2017-2018

To the City of Los Angeles, Los Angeles County, and State of California,

On September 17, 2018, SB 946 was signed into law decriminalizing sidewalk vending in California. While the legislation allowed for the recognition, formalization and regulation on a city by city basis of an underground economy in order to provide entrepreneurial opportunities in communities of limited resources, it also -- during the current regulatory decision-making process -- has opened the door to a wide-scale public health crisis in the very communities it sought to assist.

Specifically, we are extremely concerned about outbreaks of Salmonella, E coli, Listeria, Hepatitis A, Cyclospora poisoning via Open Flame Sidewalk Vendors in Arleta and neighboring communities. As recently as July 31, 13 people were taken ill and one child died from E coli poisoning at the San Diego County Fair. We would refer you to the foodpoisonjournal.com website.

Open Flame Sidewalk Vendors (OFSV) do not sell flowers, balloons or baked goods on our streets. They sell hot foods with no oversight and no regulatory agency currently established to make sure they are following any sanitary food handling procedures. OFSV typically set up tents, (sometimes including chairs and benches) on city sidewalks, blocking access for wheelchairs and set up grills with flame provided by propane or charcoal. This could not have been the intention of SB 946.

Condiments are left out for hours without refrigeration. A cook typically serves as cashier, taking dollar bills and making change without any protective gloves.

Open Flame Sidewalk Vending should not, under any circumstances, have been allowed under SB 946 and we urgently ask that you sponsor statewide legislation to remedy this situation as soon as possible.

Of primary concern are sidewalk food vendors that have proliferated throughout Arleta and surrounding areas and converted sidewalks into makeshift open-air restaurants *without*:

- Concern for health risks or death potential posed by the availability of products from open-flame sidewalk vendors
- Use of gloves deemed safe for food handling operations
- Proper temperature control of meats and condiments
- Hand washing stations

- Identified location of restroom facilities for use by food vendors
- Los Angeles County Health permits and letter grades or City of Los Angeles oversight
- Evidence of proper certification in food handling
- Control of smoke from cooking raw meats (and other ingredients) whereupon the smoke is inhaled by the general public adjacent and some distance to OFSV
- Evidence of insurance with minimum limits of one million dollars per occurrence, combined single limit coverage and two million dollars in the aggregate against any injury, death, loss or damage as a result of wrongful or negligent acts or omissions by the sidewalk vendor
- Regard to the existence of county, state, or federal health and environmental laws already in place
- Police investigations and legal prosecution by the City of Los Angeles or Los Angeles County of open-flame grill sidewalk vendors for endangering the public with fire hazards and injury potentials and actual gas propane explosions and human injuries caught on video in nearby communities
- Business tax certificates
- Minimum wage guarantees

This community has observed that certain food vendors ***are not of limited resources*** but are rather well established businesses skirting proper taxation, certification, regulations, and public safety laws. Even when county health inspectors have arrived and confiscated food vending grills and related property the same operator/vendor has returned either the same night, the following day, or several days later with operations in *business as usual* rhythms. Below is evidence of the adverse impacts Arleta, and surrounding communities, has experienced as a result of unfettered sidewalk vending without legal consequences despite evidence of both irresponsible and criminal behavior on the part of some sidewalk vendors.

For these reasons, and others not covered here, State Senate Bill 946 must be repealed or amended to include safety measures to protect the public and both public and private property in Los Angeles and the state of California.

cc:

Hon. Gilbert Cedillo, Council District 1,
 Hon. Paul Krekorian, Council District 2,
 Hon. Bob Blumenfield, Council District 3,
 Hon. David E. Ryu, Council District 4,
 Hon. Paul Koretz, Council District 5,
 Hon. Nury Martinez, Council District 6,
 Hon. Monica Rodriguez, Council District 7,
 Hon. Marqueece Harris-Dawson, Council District 8,
 Hon. Curren D. Price, Jr., Council District 9,
 Hon. Herb Wesson, Jr., Council District 10,
 Hon. Mike Bonin, Council District 11,
 Hon. Greig Smith, Council District 12,
 Hon. Mitch O'Farrell, Council District 13,
 Hon. Joe Huizar, Council District 14,
 Hon. Joe Buscaino, Council District 15,
 Hon. Mike Feuer, City Attorney,
 Hon. Ron Galperin, City Controller,
 Hon. Eric Garcetti, Mayor,
 Hon. Michel Moore, LAPD Chief of Police,
 Hon. Luz M. Rivas, State Assemblymember, Assembly District 39,
 Hon. Robert M. Hertzberg, Senate District 18
 Hon. Sheila Kuehl, Los Angeles County Supervisor, District 3



Figure 1. Food handlers are not wearing gloves and subject their own clientele to potential *E. coli* infections or worse. On Nordhoff Street side of the CVS Pharmacy at 9089 Woodman Avenue, Arleta, on April 22, 2019 at 6:55 PM.



Figure 2. Smoke being released uncontrollably from Bar-B-Q grill on Nordhoff Street side of the CVS Pharmacy at 9089 Woodman Avenue, Arleta, on April 22, 2019, at 7:02 PM. 1 of 3 grills. Mobil gas station in the background.



Figure 3. Uncovered condiments on a table without proper temperature conservation of them plus the entire vending scene along with lights for night time operation readiness (which requires a gas-powered generator in this case) and both the open flame grill and clientele clearly blocking the public's right-of-way on the sidewalk and visible smoke from a secondary grill at CVS Pharmacy at 9089 Woodman Avenue, Arleta, on Nordhoff Street side on May 7, 2019 at 6:17 PM.



Figure 4. Close up of uncovered condiments on two tables in addition to the two grills, and refreshments in large jugs, 5-gallon water bottle, as well as guacamole in pail sitting on sidewalk underneath condiment table. Same vendor shown in Figure 3 on Nordhoff Street side on at CVS Pharmacy, 9089 Woodman Avenue, Arleta, on May 7, 2019, at 6:17 PM. While not shown in this photograph the open-flame sidewalk vending operation is also adjacent to single-family residences nearby.



Figure 5. Almost the entire portion of the sidewalk (that is adjacent to commercial land use) is consumed by the open-flame sidewalk vendor. Aside from the two grills and condiment tables an additional table with seating is made available to the clientele where the seating impedes proper access and use of the sidewalk by the general public and particularly people with mobile disabilities. Same vendor shown in Figures 3 and 4 on Nordhoff Street side at CVS Pharmacy, 9089 Woodman Avenue, Arleta, on May 7, 2019, at 6:17 PM.



Figure(s) 6. Propane tank on sidewalk of hot dog vendor at 9089 Woodman Avenue, Arleta, on April 22, 2019. In second photograph on the right, grease stains (dark areas) on the sidewalk are evident at the location of the vendor's equipment as there is a contrast with the surrounding sidewalk area where food sidewalk vending is not taking place.



Figure 7. Open-flame sidewalk vendor with meat exposed to automotive exhaust, airborne contaminants, and pollution. Double propane tanks on sidewalk and violation of public's right-of-way for members of the public on wheelchairs or other personal mobility equipment. All three food vendor personnel are not wearing gloves and subject their own clientele to potential *E. coli* bacteria or worse. Vendor's blue canopy is visible in the background and consumes more sidewalk space. At 99 Cent Store at 8625 Woodman Avenue, Arleta, on the Woodman Av side at Chase Street and Woodman Avenue on April 22, 7:04 PM.



Figure 8. Bins filled with condiments, ingredients, a bag of ice, and related furniture/equipment are abandoned by the open-flame sidewalk vendor at 99 Cent Store, 8625 Woodman Avenue, Arleta, on Woodman Av side at Chase Street on May 9, 2019, approximately 4:30 PM.



Figure 9. Close-up photo of abandoned bins filled with condiments, ingredients, a bag of ice, and related furniture/equipment from the open-flame sidewalk vendor at 99 Cent Store, 8625 Woodman Avenue, Arleta, on Woodman Av side at Chase Street on May 9, 2019, approximately 4:30 PM.



Figure 10. Open-flame grill equipment with vendor personnel not wearing gloves, uncovered condiments, seating, table, exposed meat to automotive exhaust, airborne particulates, pollution, and unknown. Clientele, vendor furniture, and related equipment clearly blocking width of sidewalk rendering it inaccessible for the people in wheelchairs and the general public. On Van Nuys Blvd and Woodman Avenue at Dollar King, 14439 Van Nuys Blvd, Arleta, on April 22, 2019.



Figure 11. Scene of night time open-flame sidewalk vendor's operations at Little Caesars, 14421 Van Nuys Blvd, Arleta, with multi-family housing evident in the background. Canopy consumes entire width of the sidewalk with clientele and related vendor's equipment impeding the public's right-of way on May 27, 2019 at 8:16 PM.



Figure 12. Food vendor with uncovered condiments and situated on dirt. While this vendor has since left the area the nuisance and environmental contamination caused by this vendor to the exclusively residentially zoned area lasted nearly three years (2016-2018). Circa Spring of 2018 at Woodman Avenue/Filmore Street, Woodman Avenue side, by Pacoima Spreading Grounds, pre-dusk hours picture.



Figure 13. Open-flame sidewalk vendor with uncovered condiments with sunlight exposure, airborne particulates, dust and dirt in vicinity, leaves hanging overhead, and entire enterprise on unpaved pedestrian right-of-way. None of the food vending personnel are wearing gloves. While this vendor has since left the area the nuisance caused by this vendor to the exclusively residentially zoned area lasted nearly three years (2016-2018). Circa Spring of 2018, approximately 5 PM or 6 PM picture at Woodman Avenue/Filmore Street by Pacoima Spreading Grounds on Woodman Avenue side. Food vending operator's catering truck (Burritos) and transportation truck (yellow) also evident in this photograph. Arleta Neighborhood Council banner visible on city metal pole in the background.



Figure 14. Los Angeles County Public Works vehicle at entrance gate to the Pacoima Spreading Grounds with visible sidewalk food vendor plate left behind by clientele on unpaved dirt path. Food vendor was still setting up near this location at the time of this photograph, March 17, 2017, mid-afternoon picture. Filmore Street side near Gullo Avenue in Arleta.



Figure 15. Grease was dumped directly onto the soil at unpaved path at Woodman Avenue/Filmore Street in Arleta. White film build up is the dried up grease plus unknown chemicals that accompanied the grill's residues. Circa Spring 2018, morning picture.



Figure 16. Sidewalk food vendor's propane tank explosion and both police and fire personnel to control the situation. Propane tank visible on the parking lot in front of fireman wearing the yellow helmet. Sidewalk food vendor operators nowhere to be seen at Bank of America, 10300 Sepulveda Blvd, Mission Hills on January 28, 2018. Footage courtesy of Loudlabs.



Figure 17. Close up of propane tank and abandoned table of condiments and related trash and debris after fire and its eventual extinguish. Sidewalk food vendor operators nowhere to be seen at Bank of America, at 10300 Sepulveda Blvd, Mission Hills, on January 28, 2018. Footage courtesy of Loudlabs.



Figure 18. Abandoned and destroyed food ingredients along with 3 visible propane tanks for the operation at Bank of America, 10300 Sepulveda Blvd, Mission Hills, on January 28, 2018. Members of the public and police personnel at site. Footage courtesy of Loudlabs.



Figure 19. Damaged vehicle at Bank of America, 10300 Sepulveda Blvd, Mission Hills, as a result of propane tank explosion on January 28, 2018. Footage courtesy of Loudlabs.



Figure 20. Injury to person as a result of propane tank explosion at Bank of America, 10300 Sepulveda Blvd, Mission Hills, on January 28, 2018. Footage courtesy of Loudlabs.