



Ted Fikre

Vice Chairman

Chief Legal and Development Officer

November 19, 2018

Public Works & Gang Reduction Committee
Economic Development Committee
Arts, Entertainment, Parks and River Committee
Los Angeles City Council
City Hall, Room 340
Los Angeles, CA 90012

Re: Sidewalk Vending Policy (CF 13-1493, 13-1493-S4, 13-1493-S5)

Dear Chairs Blumenfield, Price, O'Farrell and Honorable Councilmembers:

AEG proudly supports the promotion of economic development and expansion of job opportunities throughout the City. Since the development of Staples Center and LA Live, AEG has been at the forefront of this effort, through the creation and implementation of a groundbreaking Community Benefits Program, which has provided living wage jobs, job training and job opportunities for many local and disadvantaged workers. Consistent with this mission, AEG supports the spirit behind the proposed Sidewalk Vending Ordinance and recognizes there are areas of the City where the policy makes sense. However, due to the unique nature of the facilities and operations at Staples Center and LA Live within the Los Angeles Sports and Entertainment District, AEG does not believe sidewalk vending can be implemented in these areas consistent with public health and safety.

AEG appreciates that the Committees share this perspective and have identified in the current draft of the Ordinance an area of 500 feet around Staples Center and LA Live as a "no vending zone" for safety reasons, including pedestrian and vendor safety. We also understand that, in light of SB 946 (Lara), the City is undertaking further process to substantiate the justifications for limitations and restrictions on vending to ensure consistency with that legislation. To assist the City in supporting a "no vending zone" around Staples Center and LA Live, we have attached at Exhibit A to this letter an explanation regarding the objective health and safety concerns that support this exemption, along with video and photographic examples of the safety risks involved with street vending in this high pedestrian area.

We understand that the Committees may be considering limiting the "no vending zone" exemption for Staples Center and LA Live to certain time periods before or after events, rather than a blanket exemption. While we recognize why such an approach might be under consideration, we do not believe this could be effectively implemented and enforced due to the volume, frequency and often changing schedule of events at these venues and the near

impossibility for both vendors and the City's enforcement staff alike to know at all times when vending would be allowed and prohibited. For these reasons, and as further articulated in Exhibit A, we continue to believe that a "no vending zone" that applies at all times to Staples Center and LA Live is necessary to avoid confusion among vendors and to ensure uniform and effective enforcement of the Ordinance.

We look forward to continuing to work with your Committees and the Bureau of Street Services in establishing these provisions for Staples Center and LA in a manner consistent with SB 946.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Ted Fikre', with a stylized flourish at the end.

Ted Fikre

Enclosures

cc: Adel H. Hagekhalil, P.E., General Manager & Executive Director, Bureau of Street Services
Valerie Flores, Managing Senior Assistant Attorney

Exhibit A

JUSTIFICATION FOR “NO VENDING” ZONE WITHIN 500’ OF STAPLES CENTER & LA LIVE

Prohibiting street vending within 500 feet of Staples Center and LA Live is necessary for objective, health, safety and welfare concerns and is rationally related and narrowly tailored to address these concerns.

The purpose of prohibiting sidewalk vending within 500 feet of Staples Center and LA Live is to protect public safety, including ensuring safe ingress and egress to and from the venues, due to the volume of pedestrian activity and potential for pedestrian and vehicle conflicts.

LA Live and Staples Center represent a true 24/7 sports and entertainment district, with up to 600 events within the district each year, commencing and ending at all hours, multiple times per day, often at overlapping times. Up to ten million pedestrians cross through the streets within and surrounding Staples Center and LA Live each year. Moreover, the Los Angeles Convention Center hosts approximately 350 events a year with approximately two million annual visitors, including many large conventions and trade shows, which also generate significant pedestrian volumes on sidewalks around Staples Center and LA Live. Hours before and after events, the sidewalks along Staples Center and LA Live experience surges of thousands of pedestrians, which leave no room for vendor carts to set-up without severely impacting this pedestrian flow. LADOT traffic control officers and LAPD personnel are often utilized to assist in the safe movement of pedestrians and to help manage this pedestrian flow.

To ensure a safe and efficient pedestrian experience for these visitors and others passing through the district, in 2001, the City adopted the Los Angeles Sports and Entertainment District Streetscape Plan, which implements a comprehensive system of sidewalk regulation. The Streetscape Plan established wider sidewalks, abundant street trees, and limitations on street furniture and other sidewalk encroachments to provide a safe pedestrian experience for this high volume of traffic. The Plan also regulates activities permitted within the sidewalk area and does not permit the ongoing encroachment into those areas.

As stated in the Streetscape Plan, “[t]he principal objective of this Streetscape Plan is to develop attractive, functional, safe and enjoyable streets and **pedestrian friendly sidewalks** that connect to and complement the Downtown context and support the creation of a unique regional sports and entertainment destination within Downtown Los Angeles . . . **Wide sidewalks**, street trees, street furniture, and pedestrian-oriented lighting **will make the District’s streets comfortable for pedestrians and will support pedestrian-oriented activity along those streets.**” (Emphasis added.) (LASED Streetscape Plan, Section 1.)

Street vending in these areas, which would take up a sizeable portion of the sidewalk with vendor carts, trash receptacles and lines that often form, would represent a direct conflict with the Streetscape Plan and its goals to minimize sidewalk encroachments in furtherance of pedestrian safety. In addition, large concrete planters along Figueroa Street, Chick Hearn Court and Olympic Boulevard, which were introduced for security reasons for pedestrian safety to keep vehicles from entering the sidewalk realm, already effectively reduce the sidewalk width, leaving even less room for pedestrians if street vending were permitted on these sidewalks. Portions of LA Live, including along Figueroa Street and Olympic Boulevard, have permitted sidewalk dining areas, consistent with Streetscape Plan requirements, which also reduce sidewalk widths. The collective obstructions in the sidewalk that would result from vendor carts, when combined with these other limiting factors, have the potential to create bottlenecks or

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dangerous and unexpected “pinch-points”. Based on experience with the high-volume flow of pedestrians, this is likely to result in some pedestrians choosing to walk into the street to get by and increasing the potential for injury from vehicle/pedestrian conflicts. These “pinch-points” also could result in many of these sidewalk areas not adhering to the five feet of minimum required sidewalk width under City standards or the minimum four feet of unobstructed sidewalk width required under the ADA.

In addition to protecting pedestrians, a “no vending zone” is necessary for overall public safety around LA Live and Staples Center. The frequency of events and volume of pedestrian traffic create a unique circumstance where obstructions posed by vendor carts and the crowds that surround them create safety issues relating to emergency access. As noted below, it is not practical to simply create time limitations given the fluctuating schedule of events.

Video and photographic evidence is being provided that illustrates how vendor carts and the crowds that form around them could block egress in the event of an evacuation occurring at Staples Center, Microsoft Square or throughout LA Live, as well as blocking access for emergency vehicles. In addition, video and photographic evidence is being provided illustrating how an explosion emanating from vendor carts from grease fires creates severe safety risks in high volume pedestrian areas. Moreover, grease deposits that can sometimes remain on the sidewalk, which might not present a significant slip and fall risk in other areas, create a substantial safety risk in these high pedestrian flow areas surrounding Staples Center and LA Live. The crowded sidewalks that result from these high pedestrian flows also does not allow for the required safety buffers from these carts, exposing pedestrians to risk of open flames and grease splatter as they pass by.

A “no vending zone” is the least restrictive means to address these legitimate public safety concerns.

Temporal Restrictions Would Not be Workable. An Absolute Prohibition is Necessary.

As noted, LA Live and Staples Center combine to create a 24/7 sports and entertainment district, with up to 600 events within the district each year, commencing and ending at all hours, multiple times per day, often at overlapping times. Because of the frequency of events and a constantly evolving event schedule, it is not practicable to identify consistent days and hours where street vending could occur without creating the above-described conflict with pedestrian safety and broader public safety.

It likewise would not be feasible to inform vendors of such scheduling in real time. Attempting to create only temporal restrictions, including a restriction applicable to days or evenings when events are occurring, would therefore place well-intended vendors at risk of violating these restrictions. Such temporal restrictions also could not practically be enforced, as constant monitoring by Bureau of Street Services would be necessary to ensure that vendors were not operating during “no vending” periods. Accordingly, a codified “no vending district” at all times within 500 feet of Staples Center and LA Live is necessary to avoid confusion among those who would seek street vending permits and to ensure uniform and effective enforcement of the Ordinance.





