



STUDENTS



A Division of
SoCal JSA

L.A. Sidewalk Vending:

The Views of Los Angeles Urban Students and Families on Legalizing Sidewalk Vending in L.A.

Date: 12-12-16

Submitted in PWR Committee

Council File No: 13-1493

Item No: 1

Deputy: Public

Winter 2016

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Acknowledgements

We would like to thank the following for their invaluable input: Jose Ugarte, Marisa Alcaraz, Dan Schnur, Principal Dean Marolla-Turner, Principal Loreen Riley, Essly Diaz

About JSA Students Speak L.A.

The mission of JSA Student Speak L.A. is to improve the outcomes for urban students and families in Los Angeles by ensuring that significant urban student voice is included in policy making in Los Angeles, California, and beyond. This Students Speak L.A. research is an initiative of the JSA (Junior State of America) chapter of Alliance Susan & Eric Smidt Technology High School.



INTRODUCTION

On November 6, 2013, city council members Huizar-Price-Buscaino motioned to legalize sidewalk vending in Los Angeles, amplifying the possibility for those who are affected by the ubiquitous action given its illegalization (Report of the Chief Legislative Analyst, "City of Los Angeles Street Vending Policy", May 13, 2014). As of now, City Council is considering contemporary laws that would both legalize and regulate the many businesses running on sidewalks across the Los Angeles City.

Police, court officials, sidewalk vendors, and consumers are people who hold key parts in this case. sidewalk vending becomes critical given the recent election, nevertheless the discussion on legalization of sidewalk vending has prevailed for several years, however, appears to have a more urgent issue in the aftermath of the recent presidential election. Being presented with President-elect Donald Trump's various threats of deportation of undocumented immigrants, it has become a critical task to legalize sidewalk vending before he presumes office on January of 2017, as undocumented citizens who are arrested for sidewalk vending may be subjected to deportation through reporting to immigration (ICE) by local police.

October 29/30th, Alliance Susan and Eric Smidt Tech High School attended a Junior State of America (JSA) event and allowed ourselves to insure that sidewalk vendors' voices are heard; by convincing people to sign our petitions. We also conducted a survey at our own school to make students aware of this problem and allow them to express their opinion on sidewalk vending as well. The majority (over 80%) agreed, that with health regulations and good management, sidewalk vending should be legalized in Los Angeles.

In this report, we want to clarify the purpose behind this motion, and the views of immigrants who participate in sidewalk vending. These are people who have to risked themselves everyday, those who simply sell to make money for their families, people who depend on this kind of lifestyle, in hopes of not having their food or merchandise deprived, or worse, being deported. Legalizing sidewalk vending would allow for protection from conviction and deportation before the time Donald Trump officially enters presidency. Legalization would allow vendors who seek a permit to "no longer be asked about their immigration or citizenship status," Los Angeles Times reported November 23, 2016.

The importance of legalization of sidewalk vending is directed towards the economy and people of Los Angeles. According to Yvonne Yen Liu, Patrick Burns, and Daniel Flaming ("Sidewalk Stimulus", June 2, 2015), "...those vendors do about \$500 million of business each year, and that's certainly one reason the city is likely interested in regulating the industry." In other words, sidewalk vendors conduct lucrative business, thus creating a vibrant economy and potential tax base. Without these sidewalk vendors, a numerous amount of money is lost, therefore worsening the economy. These sidewalk vendors also receive many consumers; one of the reasons why sidewalk food is widely popular in Los Angeles. Sidewalk vendors deserve the



opportunity to continue a business that does little to no harm legally. These people are not criminals. Throughout this process for legalization of sidewalk vending, we must find a compromise that benefits and protects the people.

One Author's Personal Entry

Every Sunday when I go to church with my family, we don't worry about bringing any sort of snack in case we get hungry. And why is that? I know one thing for sure; there will be numerous street vendors selling my favorite food, and after mass my mother will surely give me a dollar to spend, whether it's on fruit or cotton candy.

In fact, this has been the case since I was 5. I know these people as if they were my second family. Particularly one man who sells at a tamale stand, who I will just call Fransisco. He came to this country at a very young age, and also had a family at a very young age. Despite the difficulty of finding a stable job, Fransisco had to find a way to maintain his family. It had occurred to him, that before he arrived here, he and his family made tamales for over 10 years. He decided to use that experience and dedicate himself to selling tamales. These days, he is trying to save money to send his kids to a university. -Dafne Gonzalez

RESEARCH METHOD

Between October 19th and November 29th, 2016 , the JSA clubs of three Alliance College-Ready Public Schools requested of the teachers to have the students of their Advisories (Homerooms) take an online survey, resulting in a sample that is representative of Los Angeles urban high school students--98% of whom qualify for the free and reduced lunch program. The 738 students, who took the survey, are constituents of Los Angeles districts 1, 8, 9, 10, 13, and 14. The JSA club of Alliance Susan and Eric Smidt Technology High School sent paper surveys to the students' parents through the students. 121 parents sent their completed surveys back to school through their children. The 121 parents are representative of Los Angeles districts 1, 8, 9, and 14.

Students Speak L.A. seeks to address the following questions:

- 1.** Do Los Angeles urban students and parents support the legalization of sidewalk vending?
the changes, if any, that should be made in the earning and granting of tenure?
- 2.** When did Los Angeles urban students and parents last buy from a sidewalk vendor?
- 3.** What kind of sidewalk vending do Los Angeles urban students and parents support?



4. What type of regulations do Los Angeles urban students and parents support for sidewalk vending?

KEY FINDINGS

Finding #1: Los Angeles urban students and parents overwhelmingly support the legalization of sidewalk vending.

Finding #2: A majority of Los Angeles urban students and parents bought from a sidewalk vendors within the last week, and over 80% in the last month.

Finding #3: Los Angeles urban students and parents broadly support legalizing sidewalk vendors selling of food more than non-food.

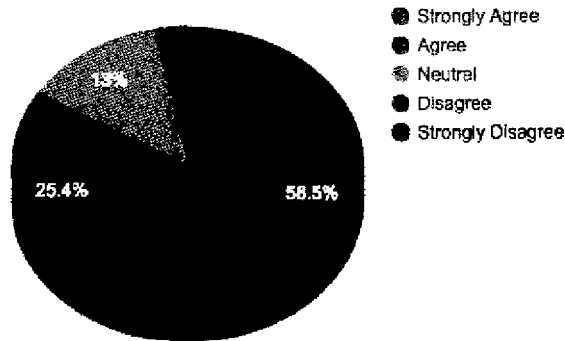
Finding #4: Los Angeles urban students and parents chiefly support health regulations for sidewalk vending.

KEY FINDING #1: Los Angeles urban students and parents overwhelmingly support the legalization of sidewalk vending.

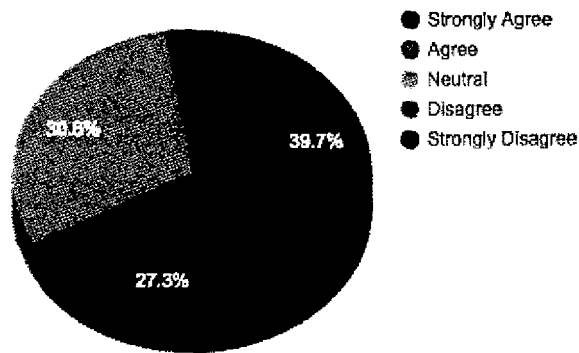
Our first area of interest was to determine what urban students and parents thought, in general, of legalizing sidewalk vending in Los Angeles. We found that by wide margins, students and parents strongly support the legalization of sidewalk vending. We also found that a miniscule amount of urban students (3.2%) and parents (2.5%) are not in favor of the legalization of sidewalk vending. However, while a small minority of students are impartial, almost a third of parents haven't come to a decision regarding the legalization of sidewalk vending.



**Support for Legalization of Sidewalk Vending:
Urban Students**



**Support for Legalization of Sidewalk Vending:
Urban Parents**



The overwhelming support gives us a glimpse of a norm that has prevailed throughout the sidewalks of our city. It reveals the understanding and compassion that many have for street vendors; it reveals that many urban students understand the struggles that families must endure. A handful of undocumented street vendors have risked it all to make an honest, humble living. Many of them ventured “Up North” in search of a better life, but they faced hardships. As a result, most immigrants followed a path that led them to their last ditch for survival: sidewalk vending. Consequently, the livelihood of most street vendors depend solely on the profits that they gain from sidewalk vending. People of color don’t simply sympathize with street vendors; they empathize because we share a common goal: fulfilling the American Dream. The overwhelming consensus is more than enough reason to begin mitigating this dilemma. It’s more than enough reason to



uphold and embrace a norm that has become accepted in many communities across Los Angeles.

Based on our experience, urban students and parents believe that sidewalk vending is part of the culture of Los Angeles. Whenever you go to the urban parts of Los Angeles, you will always see sidewalk vending. Sidewalk vendors are no longer uncommon to find, now it has become a part of the environment around us. There are many reasons why sidewalk vendors sell, but the most probable reason why they sell is for a way of income. A majority of our students have family members or friends in which take part in sidewalk vending. Many people come into this state for a better life or as many people call it, "The American Dream." Some parents don't even think sidewalk vending is a problem, so why is the government making such a big deal about it?

We know our parents favor vendors, however we believe a minority is undecided because they don't really see a problem with selling food on the sidewalk. From a personal standpoint, many of us go to sidewalk vendors because we have a wide variety of choices to choose from and we build bonds with these street vendors. Basically, we the urban students build bonds with the sidewalk vendors for the reason that they are always passing by our houses, and we eventually start to buy from them frequently and start to make small talk. From there, the vendors adapt to the customer's routines, making the vendor's part of the customer's daily life.

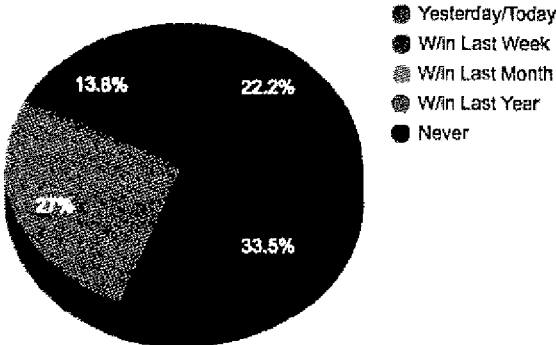
Although, we should start looking at this not just from our urban students and parents perspectives, but also from sidewalk vendors. There is a lot of fears when it comes to being a sidewalk vendor for many reasons. One of them being that some vendors are concerned that they won't get a permit due to them not being documented. It's an understandable fear, but it shouldn't be there to begin with. Urban students feel that if legalization is not done now it potentially never will be. However, with the new Trump administration coming in, urban students believe Trump may block any attempts of legalization in the future



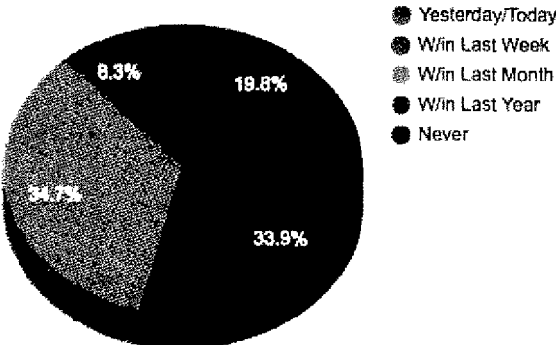
KEY FINDING #2: A majority of Los Angeles urban students and parents bought from a sidewalk vendors within the last week, and over 80% in the last month.

Our second area of interest was to discover when the last time urban students and parents had purchase from a sidewalk vendor in Los Angeles. We found that about a fifth of students and parents have purchased from street vendors within the last 24 hours of taking the survey. We also found that a majority of students and parents had bought from a street vendor within the last week, while a supermajority bought within a month. As a matter of fact, less than 4% of urban students and parents never purchased from sidewalk vendors.

Last Time Purchased from a Sidewalk Vendor: Urban Students



Last Time Purchased from a Sidewalk Vendor: Urban Parents



Based on our experience, urban students and parents purchase items from street vendors as a way to have a quick snack or something to eat in general to ease our



hunger. Majority of the time you will always see students buying and eating snacks like chips, sweets, drinks after school. Or even when at home they would buy cooked foods commonly like tacos or pupusas when parents don't have the time to cook for their kids. This is the lifestyle that we, as urban students and parents, live through everyday and helps lead to us accepting street vending as a part of our lifestyle as well as it is a part of our urban culture.

Many of those who disagree with legalizing street vending would question our reasoning why we choose to buy from street vendors. We as urban students and parents choose to eat from street vendors as it is a part of our culture. We as the urban community have been buying items from street vendors for many years. There are many times our parents don't have a lot of time to cook for us so we buy food from street vendors. For a long time we had accepted street vending as a part of our culture. We acknowledge others concerns of health issues but past that, if we don't legalize street vending before Trump officially goes into office that culture we once had, the culture we accepted into our lives will be taken away. And it will take away our identities as the urban community.

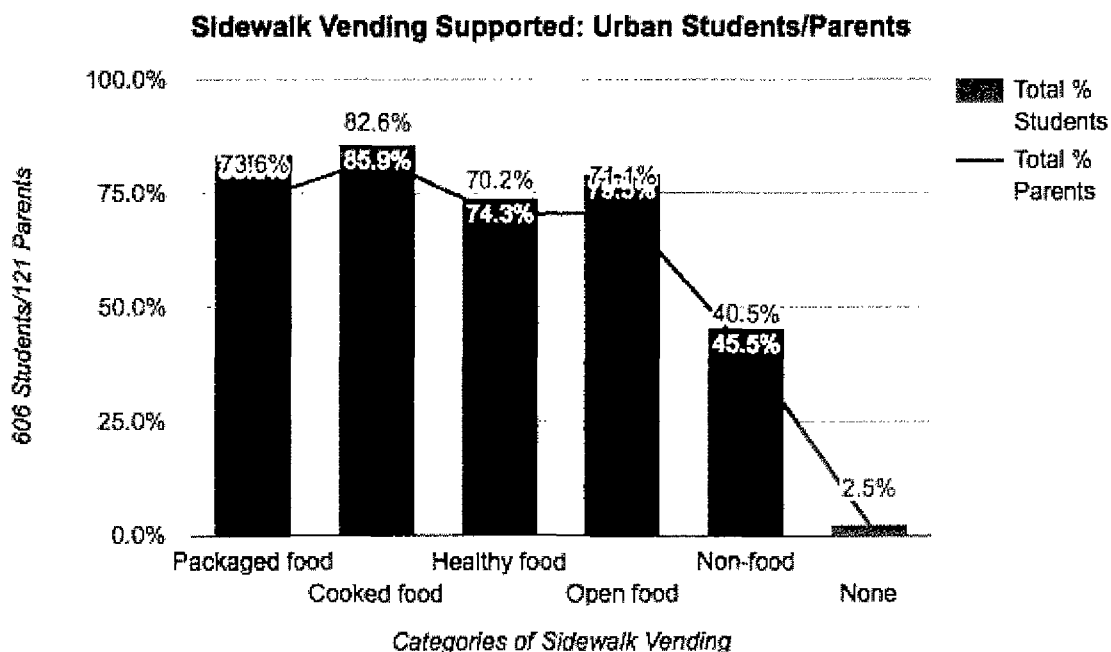
Sample Urban Student Testimonies

1. Sidewalk vending reflects my culture, simply because my father is a Mexican American man who is a street vendor himself. It is in my culture because my dad does street vending to support my family and I. He got this idea from my uncle, who got my dad into the family business..
-Jasmine Barrera, age 17
2. My personal experience of buying something from sidewalk vendors was when I bought some champurrado from the lady that passes by my house and the lady told me that she was thankful that I had bought the drink because she needed to buy food and other supplies to support her family.
-Juan Rojas, age 14
3. When I bought a turkish chocolate sticks from an old lady who would pass by my home every Wednesday. Whenever I buy something from her she thanks me and sometimes gives me more stuff. She is very nice and caring and everyone knows her pretty well. -Karin Romero, age 14
4. Most of the urban students consider sidewalk vending as part of their culture since it's something that they see everyday in every place, or in some cases sidewalk vending represent a form of sustainability in their lives since that's the only job that their parents could be eligible. -Diego Flores, age 17



KEY FINDING #3: Los Angeles urban students and parents broadly support legalizing sidewalk vendors selling of food more than non-food.

In our third area of interest, the key finding was to depict and compare the difference between the vending of consumable items and non consumable items in the urban city of Los Angeles. Through a survey taken on approximately 750 students and parents, the information revealed that out of a total of six street vending categories, four of them were on eatable foods and two being non eatable items. Evidently, all four consumable goods categories were supported by at least 70% of the surveyors and the other 2 non food categories only made it to as far as one being 40% of the surveyors who supported the non-food category and and the other being 2.5% of surveyors who did not support any of the categories. The street vending category of cooked foods was the highest percentage out of all of the categories, soaring at a percentage of about roughly 80% students and parents being supportive of it. In synopsis, almost all four food categories were almost twice as supported by the students and parents than the non-food category.



While, according to the data, 83.9% of urban students and 67% of urban parents agree to some severity that street vending be legalized, it still has not been discussed what variety of items the surveyed group believe should be sold. What the community deems acceptable to sell is an important question because it creates an outline that can be followed to create regulations and safety protocols that are specific to the times, ensuring that there are no grey areas in what can be sold. More importantly; however, is the sanitary and safety for the consumers and vendors.

Quickly we would like to explain the data presented above. Of the 980 urban students and parents surveyed, a measly 2.5% agreed that street vending not be legalized. Despite it being a drastically small number, it is not as significant because data throughout the survey has already provided a sound truth that street vending in some form is highly favored over no street vending at all. However, what number is significant, is the percentage of individuals that agree that street vendors should be able to sell *cooked food*.

While this number is not immediately noticeable or significant, as the option with the largest amount of support, there is reason to give it a closer look. Contrary to the stigma that cooked food would be a lesser option to be sold- since sanitation and safety become a variable- it is a popular option for low income, or urban, individuals. A possible motivation for such an outcome lies in the infrastructure of food distribution to urban communities. According to an article published by Occidental College, "Predominantly white neighborhoods in Los Angeles have three times as many supermarkets as predominantly black neighborhoods, and nearly twice as many markets as neighborhoods with a Latino majority."¹ The reason that there was the largest amount of support for *cooked foods* was because urban families are statistically dispositioned to live in communities with a gap in grocery services and a surplus of "fast food venues, liquor stores, and convenience stores".² In turn, urban families turn to street vendors, who are geographically closer to residents, in order to purchase meals for their families. This claim can be further supported by the Public Policy Institute of California, explaining that not only does Los Angeles have the highest poverty rate in California, but that Latinos and minorities are also had a higher rate of poverty than

¹ Shaffer, A. (2002). The persistence of L.A.'s grocery gap: The need for a new food policy and approach to market development. Los Angeles: The Center for Food and Justice, The Urban and Environmental Policy Institute: Occidental College. (As cited in LOS ANGELES FOOD SYSTEM SNAPSHOT 2013 [PDF]. (2013, October). Los Angeles: Los Angeles Food Policy Council.)

² Ibid.



whites- 29.6% compared to 14.1%.³ The legalization of street vending is beneficial to not only the vendor, but to the consumers who rely on vendors to feed their families because of the disproportionate distribution of grocery centers requires them to travel farther for produce.

Sample Urban Student Testimonies

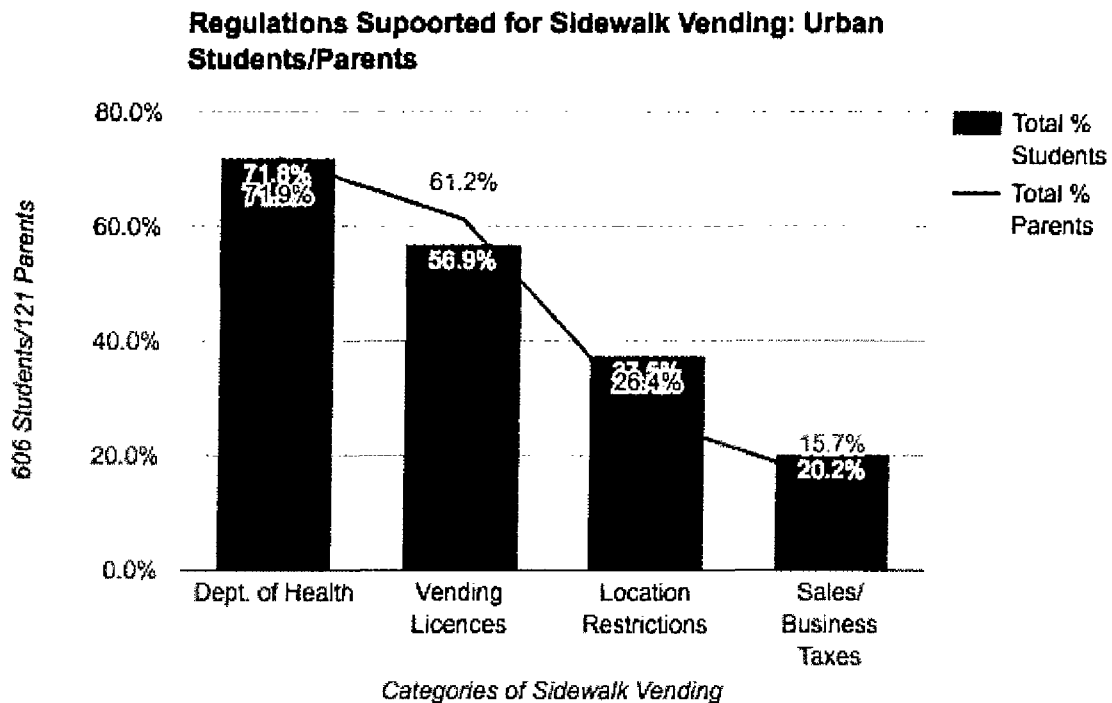
1. Street vending not only represents a simple job, but it also represents a way to survive for families with low income. In addition, street vending represents a way to appreciate different cultures since the majority of the people that work in these jobs represent different cultures and therefore different types of food. -Diego Flores, age 17
2. My community is at the heart of South Central, Los Angeles. This area consists of impoverished, immigrant families that constantly struggle to make ends meet: families like mine. I grew up selling bacon wrapped hot dogs alongside my parents and the street curbs. I grew up knowing the sweet aroma of carnivals: cotton candy, popcorn, funnel cakes and corn dogs. Typically, I'd have a stick of cotton candy or a cooler of sodas while enthusiastically shouting the price of my merchandise. I vividly remember being a curious 6 year old and asking the ride conductors if they'd like to barter an amusement ride for some of my merchandise. My negotiations never failed, yet, my jovial moments quickly succumbed to the brutal realities of life. As I've grown older, I've become more and more aware of the humiliations and injustices that come with being a food vendor. Often times, we find ourselves being harassed by police and citizens who approach us like we're criminals. I firmly believe that his proposal is a stepping stone in extinguishing the notion that all street vendors are criminals. I firmly believe that this sidewalk vending proposal will make my community a better place because it's an attempt to help those who are living in the shadows of my city without a voice: it's time to support opportunity over criminalization. -Jesus Gonzalez-Saucedo, age 17
3. Urban parents come home late from work and are too tired to cook anything at home or spend a lot of money on fast food restaurants, so they depend on sidewalk vending. Some families might not have enough money to buy fast food for example like Jack in the Box, so parents look to sidewalk vending to help provide cheap food. -Johnnyboy Holguin, age 17

³ Bohn, S., Danielson, C., & Bandy, M. (2016, December). Poverty in California. Retrieved December 09, 2016, from http://www.ppic.org/main/publication_show.asp?i=261



- Students depend on sidewalk vending to get access to food. For example most students don't have transportation to go buy something to eat, and they go to whatever is closer.. -Leslie Echeverria, age 17

KEY FINDING #4: Los Angeles urban students and parents chiefly support health regulations for sidewalk vending.



Sample Urban Student Testimonies

- Urban parents and students don't want the sidewalk vendors to pay business taxes because the sidewalk vendors as it is they don't make much money , why would we take what little money they make . The side vendors usually sell stuff because they need the cash to support their families like paying for rent, and buying food so their families could eat. -Phoebe Enriquez age 14
- Though not as strongly as the urban students, urban parents also agree with the legalization with street vending. Yet, a large portion of parents can not decide because sidewalk vending can create dangerous situations. However, with an effective regulatory system that has the potential to



STUDENTS



LEAP LA

control waste, safety, and convenience, this will not be an issue. -Gabriel Collins age 16

Policy Recommendations

Given the information gathered and the cultural life of urban families, urban students, and street vendors at stake, we recommend the following policies. We recommended to legalize street vending through regulations regarding health and safety, as well as implement a sliding scale adjusted to the income of vendors for licenses and business taxes. Sidewalks should not be blocked by vendors so that pedestrians can walk without having to go on the street. Additionally, the street vendors must abide to health regulations, which address the concerns of some Angelenos who believe these vendors work under unsanitary conditions. Another concern was from the urban students and families. They were worried that the taxes and the license fees would be too costly, which is the reason behind our recommendation for a sliding scale.

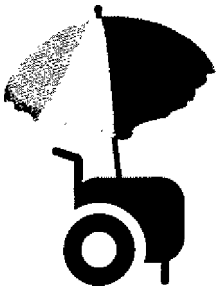
Conclusion

The voices of urban students and urban families provide clear perspective for protecting street vendors and a part of their culture through the legalization of sidewalk vending. As more action is being taken, regarding this legalization, one thing is certain: urban students, urban families and sidewalk vendors want their opinions and views on this situation to be heard; eventually leading to a final decision. It is crucial that these voices be heard directly, as new policies are being developed for the legalization of sidewalk vending.

Although there exists much debate over this topic, one thing is for sure: that is the fact that these urban students and their families hold strong and consistent views on legalizing sidewalk vending. Given that President-elect Donald trump will soon uphold his position, these sidewalk vendors are threatened. Urban students and parents' views on this issue should provide incentive towards seeking to find a compromise that recognizes everyone's point of view.

The goal isn't to incentivize street vending nor to allow it at any intersection. The goal is to uphold a pragmatic, feasible solution that provides opportunities to those who are disadvantaged while simultaneously protecting the rights of established businesses. Regardless, it's time that representatives reciprocate the efforts of their constituents. It's time that we begin talking about this issue and mitigate the plight of street vendors who are living in the shadows of our city without a voice.





LA STREET VENDOR CAMPAIGN

Our Proposed Sidewalk Vending Regulations

The Los Angeles Street Vendor Campaign (LASVC) is the initiative to legalize vending on Los Angeles' city sidewalks and in city parks. The design of these sidewalk regulations is a result of dozens of meetings with 100's of community members, business leaders, LASVC coalition supporters, and street vendors over the last few years. This policy was designed by street vendors, for street vendors.

PERMIT CLASSIFICATION

The City of Los Angeles should create a permit system that honors the types of vending that takes place in the City.

WE PROPOSE:

TYPE

- A** Food
- B** Healthy Food
- C** Merchandise

MODE

- 1** Stationary
- 2** Roaming

LOCATION

- Sidewalk**
- or** **City Park**

PERMITTING PROCESS

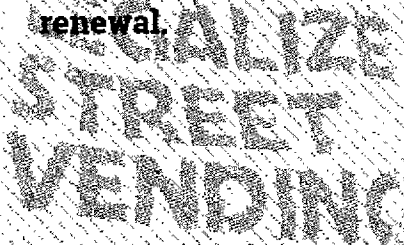
A permitting process should be simple and easy to understand, while obtaining necessary information to help street vendors contribute to the economy:

Applicant must show proof of a County Healthy permit (if applicable), business tax registration and liability insurance.

A permit application should not inquire into immigration status.

City may charge reasonable permit fees, with annual renewal.

There should be no permit cap to avoid the creation of a permit "black market."



SIDEWALK VENDING LOCATION

Permitted vendors may vend on sidewalks within the City of Los Angeles, subject to commonsense restrictions.

VENDING RESTRICTIONS WILL INCLUDE:

No vending where placement impedes the flow of pedestrian traffic.

No vending in front of buildings, houses, etc. that causes a violation of ADA guidelines.

No vending within 500 feet of schools, except healthy foods carts.

*Americans with Disabilities Act

PROGRAM FLEXIBILITY: SPECIAL VENDING AREAS.

Establish a limited process to refine certain vending rules (e.g. location, hours of operation, permit cap) for a specific area, in order to address unique local circumstances. Special Vending Areas should not result in the complete exclusion of vendors, should be limited in size, subject to Council approval, and incorporate vendors in the process of creating such a vending area.

HEALTHY FOOD CARTS

We should incentivize vendors that sell healthy food.

TECHNICAL ASSISTANCE

VENDOR OPERATING RULES

ENFORCEMENT /COMPLIANCE

Maximizing compliance with new vending regulations is essential. An inclusive permit program with robust outreach and technical assistance is the best compliance strategy. In addition, escalating penalties for non-compliance may be imposed, beginning with a warning and graduating to citations with higher fines and/or permit revocation for subsequent violations. However, penalties must not include misdemeanors.

WHO IS THE LASVC?

The LA Street Vendor Campaign's driving force are the vendors themselves. To support their efforts, more than 65 organizations from cross-sectors in Los Angeles and 400 brick-and-mortar businesses have formed a coalition to advocate for a policy that supports these low-income entrepreneurs.



December 12, 2016

Honorable Members of the City Council
C/O City Clerk
Los Angeles City Hall
200 N. Spring Street, Room 395
Los Angeles, CA 90012

Date: 12-12-16
Submitted in PWGR Committee
Council File No. 13-1493
Item No.: 1
Deputy: Public

Re: CF 13-1493 – Sidewalk Vending Policy

Dear Honorable Members:

On behalf of Community Health Councils (CHC), we are providing the following comments on the proposed sidewalk vending policy for the City of Los Angeles. CHC is a health policy and systems change organization with the mission to promote social justice and achieve equity in community and environmental resources to improve the health and well-being in underserved populations. We have a history of working on various planning and land use policies, as well as nutrition resource development, to ensure that policies are responsive to community needs.

In 2012, CHC was awarded a REACH demonstration grant by the Centers for Disease Control & Prevention (CDC) in order to lead a multi-organizational effort to develop and implement policy and environmental changes that address the obesity and hypertension epidemics in South Los Angeles. A key focus of that project was the nutrition resource environments adjacent to schools. CHC convened a steering committee in Fall 2013 that was comprised of street vendor advocates, school nutrition advocates, public sector regulators, and health and social researchers, who provided input on the design of an HIA methodology for sidewalk vending. Findings from the HIA have been previously shared to inform the development of an equitable sidewalk vending policy for our city.

The current version of the proposed sidewalk vending policy has incorporated substantial feedback from community and other stakeholders. However, CHC is offering these additional recommendations to ensure full alignment:

1. Healthy food – We commend you for allowing incentives for healthy food vendors; however we currently don't have a clear definition of what constitutes "healthy food." Other cities, such as New York City, have a Green Cart program to incentivize the sale of fresh produce, and we recommend the City of Los Angeles consider defining healthy carts as vendors selling primarily fresh or prepared produce.
2. Education and outreach – The draft policy acknowledges the need for education and outreach to sidewalk vendors in order to ensure that existing vendors get permitted, which is an important step for ensuring the decriminalization of current vendors. However, for successful implementation of the sidewalk vending policy, clear language around a specific timeline and budget for education and outreach should be included. Since the city will have to partner with community based organizations to successfully reach all sidewalk vendors, having a plan and budget in place will ensure timely implementation and permitting. If an intended goal of this policy is to legalize a currently illegal, yet valuable economy, it is important that the city prioritize outreach efforts on the existing entrepreneurs first.
3. Vendor cap and business owner approval – The current draft of the policy says up to two vendors per block face can be permitted in commercial corridors, however the policy is unclear as to whether there is a maximum number of permits that will be issued citywide. We also have concerns about the language requiring brick-and-mortar businesses to approve sidewalk vending as part of the permitting process. Given that many parts of our city are still considered food deserts, it would be beneficial to incentivize fresh produce vendors by offering permits in high-need commercial corridors regardless of business approval. Additionally, fresh produce vendors should be prioritized over other vendor types when a vendor cap is being met or exceeded.

CHC appreciates the opportunity to provide input on this important policy decision. We look forward to a policy that supports progressive regulation and encourages innovation in Los Angeles for the sake of health and prosperity. Please do not hesitate to contact our Built Environment Policy Director, Gwendolyn Flynn if you would like to discuss this letter further at (323)_295-9372 or gflynn@chc-inc.org.

Respectfully,

Veronica Flores
Chief Executive Officer



MITCHELL ENGLANDER
COUNCILMEMBER, 12TH DISTRICT
PRESIDENT PRO TEMPORE, LOS ANGELES CITY COUNCIL

RE: CF#: 13-1493 - Sidewalk Vending Policy

Dear Honorable Public Works & Gang Reduction Committee Members:

I support this Committee and the Council in bringing common sense regulation to sidewalk vending in the City of Los Angeles that is reflective of the unique characteristics and desires of each neighborhood.

While the street vending program and permitting process is still in development, the critical point of discussion should not be whether or not the City should allow street vending, but instead, what is the primary function of the sidewalk, and how do we balance and prioritize access to our shared public asset between the different users?

While roads are used solely for bikes and vehicles, sidewalks serve multiple functions, modes and owners. Sidewalks allow for the movement of people of all mobility and abilities, and also function as a gathering space. Sidewalks nurture our urban forest and are a refuge for the homeless. Because sidewalks are adjacent to buildings and homes, special consideration must be made to abutting property owners and residents.


The authority to create Special Vending Districts should reside with the Council Office with input from the Neighborhood Councils. Neighborhood Councils provide invaluable insight to the unique characteristics of each neighborhood in the City and also provide a forum for stakeholders to express their desires and concerns pertaining to street vending in their respective neighborhoods.

While the proposed permitting process requires consent from the adjacent property owner or business, street vendors should not negatively impact the brick and mortar businesses in our commercial and industrial corridor and we must acknowledge the investments our businesses have already made in our neighborhoods.

Street vending policy should adhere to the clear delineation between residential and commercial zones and the desires of residents in residential neighborhood must be respected.

I look forward to continuing our work together to bring forward a street vending policy that balances public safety, health and welfare while addressing the needs of residents, businesses and vendors alike.

Sincerely,


MITCHELL ENGLANDER
Councilmember, 12th District

Date: 12-12-16
Submitted in PWGR Committee
Council File No. 13-1493
Item No.: 1
Deputy: CD 12





Ted Fikre
Vice Chairman
Chief Legal and Development Officer
December 12, 2016

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Submitted in PWGR Committee
Council File No: 13-1493
Item No.: 1
Deputy: Public

Public Works & Gang Reduction Committee
Los Angeles City Council
City Hall, Room 340
Los Angeles, CA 90012

Re: Sidewalk Vending Policy (Item 1; CF 13-1493)

Dear Chair Buscaino, Councilmember Price 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 Policy 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 (LASED), AEG does not believe the Policy can be implemented in these areas consistent with public health and safety. We therefore request that the sidewalks along and within Staples Center and LA Live be identified as a “no vending district” in any Street Vending ordinance that is adopted.

The draft Sidewalk Vending Policy already proposes that no vending be allowed one hour before, during, and one hour after special events, including sports and entertainment venues. 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. Given this, the vending prohibitions and limitations already contemplated for sports and entertainment venues essentially would not allow for street vending along the streets outside Staples Center and along and within LA Live. Accordingly, a codified “no vending district” within these areas is necessary to avoid confusion among those who would seek street vending permits and to ensure uniform and effective enforcement of the ordinance.

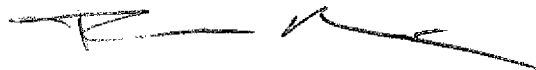
A “no vending district” also is necessary to ensure pedestrian safety. Up to ten million pedestrians cross through the streets within and surrounding Staples Center and LA Live each year. To ensure a safe and efficient pedestrian experience for these visitors and others passing through the district, the City adopted the LASED Streetscape Plan, which implements a

comprehensive system of sidewalk regulation.¹ 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. Street vending in these areas, which would take up a sizeable portion of the sidewalk with vendor carts, required ADA clearance, 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.

The sale of food or merchandise by street vendors also would directly conflict with the activities that take place at LA Live and Staples Center. We understand the proposed Policy would seek to prevent street vending of goods or services that are similar to those occurring within adjacent businesses. As the sidewalks within this district are lined with restaurants and al fresco dining, the street vending of food outside these restaurants would be inconsistent with the Policy. A “no vending district” also is important to protect visitors from the potential sale of counterfeit merchandise, which confuses the public by suggesting the merchandise is the same as can be purchased within Staples Center, and to protect against an increase in ticket scalping, which would be even harder to regulate with a proliferation of commercial activity within the sidewalks.

Various municipalities throughout the country have recognized the importance and need for “no vending zones” outside stadiums and arenas and within neighboring sports and entertainment districts to address these concerns. We look forward to working with your Committee and the Economic Development Committee in crafting protections for special event and sports/entertainment districts within the City of Los Angeles, including Staples Center and LA, to ensure adoption of a Street Vending Policy that works for all Angelenos.

Respectfully submitted,



Ted Fikre

cc: Economic Development Committee

¹ “The 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.)