



UFCW LOCAL 770

UNITED FOOD AND COMMERCIAL WORKERS UNION • www.ufcw770.org

Ricardo F. Icaza, President

John M. Grant, Secretary-Treasurer

December 1, 2014

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Honorable City Council
c/o: Office of the City Clerk
Attn: Richard Williams and Felipe Chavez
200 North Spring Street, Room 395
Los Angeles, CA 90012

**RE: Support for proposed Sidewalk Vending Program
Los Angeles City Council File #13-1493**

Honorable City Council:

On behalf of UFCW Local 770, I'd like to express strong support for the City of Los Angeles' consideration of a citywide program that would legalize and establish a sidewalk vending system in Los Angeles. As a member of the LA Street Vendor Campaign – a coalition of 55 community-based, policy, labor, and academic organizations - we stand with the tens of thousands of food and merchandise vendors who make our streets active and vibrant every day.

Studies estimate Los Angeles is home to over 10,000 street vendors, many of whom provide fresh fruits and vegetables and other healthy culturally-relevant food in neighborhoods with limited healthy food options. These street vendors operate outside of the formal economy, because the City currently lacks a process to recognize and support these entrepreneurs. By developing a permit process with a humane enforcement strategy, the City could give these small business owners an opportunity to make an honest living, support public health and activate the vibrancy and safety of our streets.

Over the course of 2 years, the LA Street Vendor Campaign interviewed hundreds of street vendors and community advocates to develop out a citywide proposal that has strong support from vendors, small businesses, and community stakeholders. This proposal solves some of the key challenges currently facing the City, and brings forth innovative solutions that pull from the best practices of other large metropolitan cities, while being sensitive to the unique fabric of Los Angeles.

The Campaign has included the following key recommendations to the Los Angeles City Council and City Departments in support of a permit system that works for everyone:

- **A Citywide permit process for food and non-food vending.** This process should consider the cost of the program for the City and the financial capacity of low-income vendors. In order for vendors across the City to have a real incentive to participate, any policy that is put forth must apply to all areas of the city. A cap on the number of permits issued or limiting vending to certain districts will impede the effectiveness of this necessary program.
- **A coordinated process to permit and properly regulate vending in City parks.** The permit process should be coordinated across departments to create a pathway for regulated vending in City parks as well as City sidewalks. The Department of Public Works and the Department of Recreation and Parks should collaborate to ensure efficient permitting procedures and coordinated education, compliance and technical assistance programs.
- **Avoid vending districts and numerical limits on permits.** Recognizing legitimate public safety concerns, we seek to avoid an unsafe concentration of vending operations in any particular area. But limiting the locations where vending is permitted to specific zones and capping the number of permits has been proven to bring about the very ills these policies seek to avoid. The City's last experiment with legal sidewalk vending was at MacArthur Park in the early 2000s. There, a small vending zone with a de facto cap on the number of carts (less than 50) became a magnet for vendors shut out of the program. As vending activity became over-concentrated, it gave the City's legal vending program a bad name. In addition to the public safety problems associated with vending district and caps, that failed approach is also administratively burdensome for the City, and works against a basic premise of the program: to expand vending opportunities. We must avoid repeating this failed experiment. Instead, the ordinance should allow vending city-wide, but also articulate reasonable restrictions on obstructions, proximity and accessibility that apply throughout the City. Enforcing these "unlawful obstruction" restrictions would have the effect of limiting the over-concentration of vending operations, without unnecessarily restricting the flexibility of vendors to respond to changing markets or undermining the inherent mobile characteristics of the trade. With these reasonable restrictions in place, we believe that any additional geographic restriction or circumscribed vending "zones" or "districts" would only serve to limit economic opportunities for vendors, limit the economic growth potential for the City, and could create an improper tool for exclusion.

- **Meaningful Incentives for different types of healthy food vending**, including but not limited to, fresh fruit, produce, water and healthy snacks. Examples of incentives offered to healthy food vendors should include reduced permit fees, special access to events sponsored by the City and exclusive vending areas, such as schools, in front of hospitals, and within City parks. Many Angelenos lack adequate access to nutritious, culturally-relevant and affordable food. Sidewalk food vendors are a critical part of mitigating this inequity.
- **Access to a streamlined permitting process.** The application process for a vendor to participate in a program should be a primary incentive in any system. The process should be affordable, clear, and equitable to the vendor. This should include efforts to identify and overcome any unique barriers to entry, including providing access to technical assistance and education programs. We soundly oppose any public hearing process that gives traditional opponents of vending a stronger weapon to stop a permit from being approved. This program must create tools to encourage and support, not exclude, permitted vending.
- **Responsible and humane enforcement** focused on education and training first, that avoids arrests, confiscation of property and criminalization of vendors.

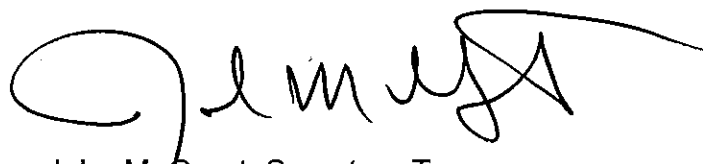
Should you desire more expanded detailed from the aforementioned recommendations, please do not hesitate to contact me. On behalf of the thousands of vendors we work with and support, we urge the City of Los Angeles to pass an ordinance for permitted sidewalk vending with expediency.

Sincerely,

UFCW LOCAL 770



Ricardo F. Icaza, President



John M. Grant, Secretary-Treasurer

RFI:JMG:le

December 1, 2014
Honorable City Council
c/o: Office of the City Clerk
Attn: Richard Williams and Felipe Chavez
200 North Spring Street, Room 395
Los Angeles, CA 90012.

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restrictions on obstructions, proximity and accessibility that apply throughout the City. Enforcing these “unlawful obstruction” restrictions would have the effect of limiting the over-concentration of vending operations, without unnecessarily restricting the flexibility of vendors to respond to changing markets or undermining the inherent mobile characteristics of the trade. With these reasonable restrictions in place, we believe that any additional geographic restriction or circumscribed vending “zones” or “districts” would only serve to limit economic opportunities for vendors, limit the economic growth potential for the City, and could create an improper tool for exclusion.

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Should you desire more expanded detailed from the aforementioned recommendations, please do not hesitate to contact me. On behalf of the thousands of vendors we work with and support, we urge the City of Los Angeles to pass an ordinance for permitted sidewalk vending with expediency.

Sincerely,



Shauna Nep
Bioethicist, Angeleno

December 2, 2014

Councilmember Curren Price, Jr.
City of Los Angeles
200 N. Spring Street, Room 420
Los Angeles, CA 90012

via e-mail: councilmember.price@lacity.org

RE: CF 13-1493 Street Vending Motion

Dear Councilman Price:

As a member of the Hollywood Business Community, I strongly urge you to oppose any “one-size fits all approach” for the legalization of sidewalk vending in Los Angeles.

Hollywood Boulevard is the most famous street in the world and is home to some of LA’s most crowded sidewalks. With tens-of-thousands of visitors each day, Hollywood is a unique area of the City with very specific public safety concerns surrounding the use of its sidewalks and protection of the Walk of Fame. Hollywood Boulevard is already struggling with an overabundance of mobile food-carts, CD-vendors, street characters, and tour bus solicitors and cannot afford the increase in the number of street vendors that legalization of sidewalk vending would undoubtedly bring. The City, LAPD, and County departments that oversee vending do not have enough staff resources as is, to properly enforce the existing street vendors. Legalization of street vending will only serve to exacerbate an already out of hand problem in Hollywood and on the Walk of Fame.

Above and beyond public safety concerns with the legalization of street vending, I am also concerned about the impacts of a city wide ordinance on Hollywood’s brick and mortar establishments. Nearly all of Hollywood and East Hollywood lie within City approved Business Improvement Districts (BIDs). Similar to the existing problems that many Hollywood restaurants have with food trucks parking adjacent to their buildings and pilfering restaurant clientele, I am concerned that established Hollywood businesses will now be faced with trying to remain competitive in the face of a slew of retail and food carts.

Despite the arguments of good-intentioned proponents that a regulated system of registration and taxation, would bring vendors out of the shadows and allow them to contribute to the local economy- these carts are a serious threat to the Hollywood community. These carts take cash only, are hard to inspect for the health department because they are mobile, don't contribute to the City's tax base, don't pay rent, don't pay BID assessments, all while using our maintained streets and sidewalks, trash cans, parking spots, restrooms, and more. Because they do not have the same overhead costs, these mobile carts can under-cut the city's existing restaurants and retails establishments. They literally roll in, take the business (and tax dollars) and leave. Meanwhile, many of the tenants who are already struggling to stay in Hollywood will see their revenue decline, from yet another City policy that overlooks what is in the best interest of Los Angeles's small business community. ***I ask that any policy allowing for sidewalk vending should at a minimum, allow for an opt-out clause for Business Improvement Districts within the City- where property owners pay an additional assessment to keep their streets clean and safe***

Sincerely,

NAI Capital, Inc.

MARTY SHELTON

Marty Shelton
Vice President
(310) 440-8500

mls1162.doc

cc: councilmember.Krekorian@lacity.org
councilmember.huizar@lacity.org
councilmember.cedillo@lacity.org
councilmember.martinez@lacity.org
councilmember.wesson@lacity.org
Paul.Koretz@lacity.org
councilmember.ofarrell@lacity.org



December 2, 2014

Councilmember Curren D. Price, Jr.
Chair, Economic Development Committee
200 N. Spring Street,
Suite 420
Los Angeles, CA 90012

RE: Street Vending / Special Sidewalk Vending District Program

Dear Councilmember Price:

I understand the committee will be hearing recommendations on street vendor regulations today. On behalf of the City's film office and our Industry customers, I would like to be sure that consideration is given in the regulations that would deal with permitted filming when street vendors may be present. The potential for conflict and demands for compensation would be seriously detrimental to filming within the City – especially in some of the most filmed areas such as Hollywood and downtown.

We would be pleased to help craft any language that might be considered, and appreciate your consideration of this concern on behalf of one of Los Angeles' economic engines.

Please do not hesitate to call if I can be of assistance or answer any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Audley", with a stylized flourish at the end.

Paul Audley, President
FilmL.A., Inc.

JERSEY MIKE'S SUBS

December 2, 2014

Dear City Councilmembers:


As a member of the Hollywood Business Community, I strongly urge you to oppose any "one-size fits all approach" for the legalization of sidewalk vending in Los Angeles.

Hollywood Boulevard is the most famous street in the world and is home to some of LA's most crowded sidewalks. With tens-of-thousands of visitors each day, Hollywood is a unique area of the City with very specific public safety concerns surrounding the use of its sidewalks and protection of the Walk of Fame. Hollywood Boulevard is already struggling with an overabundance of mobile food-carts, cd-vendors, street characters, and tour bus solicitors and cannot afford the increase in the number of street vendors that legalization of sidewalk vending would undoubtedly bring. The City, LAPD, and County departments that oversee vending do not have enough staff resources as is, to properly enforce existing vendors. Legalization of street vending will only serve to exacerbate an already out of hand problem in Hollywood and on the Walk of Fame.

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Thank you for your time and consideration of this very important matter.

Signature 
Printed Name Lloyd Weintraub
Position Franchise Owner



December 2, 2014

Councilmember Curren Price, Jr.
Chair, Economic Development Committee
Los Angeles City Council
200 N. Spring Street, Room 420
Los Angeles, CA 90012

RE: East Hollywood Business Improvement District concerns with proposal to legalize sidewalk vending in Los Angeles – City Council File 13-1493

Dear Council Member Price:

On behalf of the East Hollywood Business Improvement District (EHBD) Board of Directors, I am writing to share our concerns with the proposal for city-wide legalization of sidewalk vending in Los Angeles.

The East Hollywood BID is disappointed that once again, a report to your Committee has been released to the public with little time for the business community to digest the report and make any sort of thoughtful and deliberative comments before the Committee is scheduled to consider the item. This is a regrettable way to establish policy on a matter of such great importance to many businesses and residents throughout Los Angeles.

The East Hollywood BID is extremely concerned about what the effects of any program to legalize street vending city-wide would mean to the East Hollywood Community. The EHBD, along with CD-13, LAPD, the East Hollywood Neighborhood Council, the Hollywood Chamber of Commerce and local stakeholders have been working tirelessly to curb illegal vending in the community and regain control of our public sidewalks. The BID commonly receives complaints from businesses and residents alike about the proliferation of illegal vendors along Vermont Ave. This has led to the creation of a BID program to place “No Vending Signs throughout our Improvement District Boundaries in hopes of deterring some of the illegal vending activities. The City, LAPD, and County departments that oversee vending do not have enough staff resources as is, to properly enforce existing vendors. Legalization of street vending will only serve to exacerbate an already out of hand problem in East Hollywood.

In addition to the enforcement concerns with the legalization of street vending, the EHBD is also concerned about the impacts of a city wide ordinance on East Hollywood’s brick and mortar establishments.

As part of a City-approved Business Improvement District, we are tasked with the improvement of the East Hollywood commercial area through various programs and services designed to increase the commercial activity of the District. ***As the Council moves forward with consideration of this motion the***

EHBD.ORG

EHBID asks that you stay away from “a one-size fits all policy” for street vending in the City and that at a minimum the City allow for an opt-out clause for Business Improvement Districts within the City-where property owners pay an additional assessment to keep their streets clean and safe.

Similar to the existing problems that many LA restaurants have with food trucks parking adjacent to their buildings and pilfering restaurant clientele, the EHBID is extremely concerned that established East Hollywood businesses will now be faced with trying to remain competitive in the face of a slew of retail and food carts.

Despite the arguments of good-intentioned proponents that a regulated system of registration and taxation, would bring vendors out of the shadows and allow them to contribute to the local economy-these carts are a serious threat to the East Hollywood community. These carts take cash only, are hard to inspect for the health department because they are mobile, don't contribute to the City's tax base, don't pay rent, don't pay BID assessments, all while using our maintained streets and sidewalks, trash cans, parking spots, restrooms, and more. Because they do not have the same overhead costs, these mobile carts can under-cut the city's existing restaurants and retails establishments. They literally roll in, take the business (and tax dollars) and leave. ***Of additional concern to our BID is the food carts that generate grease, our community has seen firsthand that without any oversight many vendors will dump the grease into our tree wells, sidewalks and LA's storm drains. This practice will not only kill our street trees and the plants in our parkways but will also have obvious adverse effects on the City's sewer systems and the city's future potential water recycling abilities.*** Meanwhile, many of the tenants who are already struggling to stay in East Hollywood will see their revenue decline, from yet another City policy that overlooks what is in the best interest of Los Angeles's small business community.

Given the many potential consequences for East Hollywood if street vending is legalized, the EHBID is adamant that this council avoid at all costs “a one-size fits all policy” for street vending in the city. At a minimum the City should allow for an opt-out clause for Business Improvement Districts within the City-where property owners pay an additional assessment to keep their streets clean and safe.

The East Hollywood BID encourages the Economic Development Committee and the City Council to learn from its past mistakes of hastily pushing through ordinances and programs that have a direct impact on our small business community, without considering, let alone planning for, the effects of those programs. ***A clear set of regulations and a sufficiently budgeted enforcement program are the cornerstones of any good program. We have yet to see this in the reports that have been issued from the City to date.***

The BID additionally asks that the following questions be answered before moving further with any sort of proposal:

- Has the City done an analysis of why the original street vending ordinance failed or is it just supposition and word of mouth? If a study has not been done, should not one be done before embarking on a new program?
- Has an economic analysis been done on this proposed program?

- Can we tell for sure that the benefits of allowing food and products to be sold on sidewalks outweigh the costs (and potential costs) to existing, permanent businesses and restaurants?
- Will this program cost the City money through lower sales tax revenue as existing brick and mortar businesses lose sales (as well as enforcement and management costs)?
- Will vendors be allowed to sell only items they apply for or for any type of food or product?

- How will the City determine how many permits to issue across the City and within a specific area?

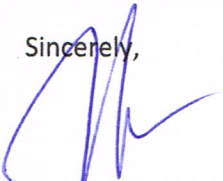
- How will the program be paid for?
 - Will it come from vendor fees? If so, what will the permit fee be set at?
 - If it does not come from fees, will the program have dedicated funding to make sure that enforcement does not get cut in the future?
 - The CLA report notes that there could be as many as 40,000 non-food vendors and 10,000 food vendors - how many inspectors will be needed to enforce this program and how will they be paid for?

- How will this program be enforced?
 - Street Services currently has two inspectors for the entire City. How many will it need to add to monitor and inspect 50,000 potential vendors?
 - What is LAPD's role in this program?
 - The County already cannot inspect all of the food trucks it needs to. How can we expect them to add hundreds or thousands of food carts to their compliance lists?
 - Will the City need to reimburse the County for these inspections?
 - Will the City need to pay overtime to staff for evening and weekend inspections?
 - What will be the penalties be for vendors who do not have a permit? For vendors who sell out of their area or location? For vendors who are in non-compliance? For food vendors who make people sick? For vendors who sell counterfeit goods?
 - How will vendors deal with restrooms? Are restaurants and stores required to make restrooms available to vendor customers?
 - How does this program comply with Americans with Disabilities Act requirements? Will there be minimum space requirements that vendors must give to passersby?
 - How will this program affect the various civil cases against the City over sleeping on sidewalks, storing property on sidewalks and other cases about how the City is dealing with its homelessness crisis?
 - Who will be responsible for trash? For damage to City property? Damage to private property?
 - How will we collect sales tax revenue from vendors?

Clearly more information is needed before the Council can proceed on a policy change of this magnitude. We again ask that you to refrain from taking any action until these and other questions are answered. Moving forward in any way will only cause the current chaotic situation with illegal vending in the City considerably worse. Thank you for taking into consideration the concerns of the

East Hollywood Business Community as you consider the effects of legalized sidewalk vending in Los Angeles. Please feel free to call on the EBID if we can be of any assistance on this issue.

Sincerely,



Jeff Zarrinam
Chair, Board of Governors
East Hollywood Business Improvement District

Cc: Members of the LA City Council