

From: "Ghadban, Rana" <rana@hollywoodchamber.net>

Date: May 19, 2020 at 7:27:48 PM PDT

To: David Giron <david.giron@lacity.org>, Mitch O'Farrell <councilmember.ofarrell@lacity.org>

Cc: Star Parsamyan <star.parsamyan@lacity.org>

Subject: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Dear Councilmember O'Farrell:

On behalf of the Hollywood Chamber of Commerce and the more than 800 members it represents, I am writing to express our support for the proposed limit on delivery charges imposed by 3rd party app-based food delivery platforms at 15 percent during the public health emergency and further recommend the inclusion of a 5 percent cap on promotional fees. This additional fee will provide flexibility for those restaurants that choose to use the promotional services and benefit from marketing support and increased exposure.

As you are aware, the economic impact of COVID-19 on our restaurants has been catastrophic. With the institution of the Safer at Home Order and the transition from dine-in to exclusively delivery, restaurants have had to rely on 3rd party app-based food delivery platforms to continue to operate. This mutually-beneficial relationship has allowed our restaurants to continue to remain open, preserving jobs and the many culinary institutions that have defined our City's cultural identity.

We commend you on introducing this bold proposal to ensure our restaurants are treated fairly. Indeed, Los Angeles is following the lead of other cities like New York and San Francisco in imposing a cap on delivery fees. We believe it is critical that we follow New York City's lead and consider including a 5 percent cap on "promotional fees" paid by restaurants to fund customer promotions and gain valuable marketing exposure.

This ordinance should strike a necessary balance in ensuring restaurants are not charged excessive fees in order to continue operating and app-based food delivery platforms are fairly compensated for the necessary services they provide. The Hollywood Chamber of Commerce urges the City Council to support imposing a 15 percent cap on delivery fees and asks you to consider the inclusion of an additional 5 percent cap on promotional fees.

Please feel free to contact me directly on my cell at (818) 613-5022 or follow up with our Director of Public Policy & Economic Development, Jacob Jauregui, at (562) 440-6075 or Jacob@hollywoodchamber.net. Thank you for your consideration and for your leadership in these difficult times. Our community, and our economy, depend on your decisions.

Sincerely,

A close up of a logo

Description automatically generated

Rana Ghadban  
President & CEO  
signature\_1421295995

Rana Ghadban  
President & CEO  
Hollywood Chamber of Commerce  
6255 Sunset Blvd, Ste 150, Hollywood, Ca 90028  
323-469-8311 | rana@hollywoodchamber.net  
hollywoodchamber.net | walkoffame.com | Chamber events

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From: Sam Ip <myvoice@oneclickpolitics.com>

Date: May 20, 2020 at 7:47:01 AM PDT

To: Mitch O'Farrell <star.parsamyan@lacity.org>

Subject: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Reply-To: Sam Ip <info@hoyswok85.com>

Re: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Dear The Honorable O'Farrell,

I am writing to express my support for the proposed limit on delivery charges imposed by 3rd party app-based food delivery platforms at 15 percent during the public health emergency and further recommend the inclusion of a 5 percent cap on promotional fees. This additional fee will provide flexibility for those restaurants that choose to use these promotional services and benefit from the marketing support and increased exposure.

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This ordinance should strike a necessary balance in ensuring restaurants are not charged excessive fees in order to continue operating and app-based food delivery platforms are fairly compensated for the necessary services they provide. I urge the City Council to support imposing a 15 percent cap on delivery fees and ask you to consider the inclusion of an additional 5 percent cap on promotional fees.

Sincerely,

Sam Ip

info@hoyswok85.com

7105 W. Sunset Blvd.

Los Angeles,

CA

90046

Constituent

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From: Errol Roussel <myvoice@oneclickpolitics.com>

Date: May 20, 2020 at 9:00:46 AM PDT

To: Mitch O'Farrell <star.parsamyan@lacity.org>

Subject: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Reply-To: Errol Roussel <errol@kitchen24.info>

Re: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Dear The Honorable O'Farrell,

I am writing to express my support for the proposed limit on delivery charges imposed by 3rd party app-based food delivery platforms at 15 percent during the public health emergency and further recommend the inclusion of a 5 percent cap on promotional fees. This additional fee will provide flexibility for those restaurants that choose to use these promotional services and benefit from the marketing support and increased exposure.

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Sincerely,

Errol Roussel

errol@kitchen24.info

1608 Hollywood Blvd.

Los Angeles,

CA

90028

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# 770



May 19, 2020

Sent Via Email

**LOS ANGELES  
MAIN OFFICE**  
630 Shatto Place  
Los Angeles, CA 90005

P.O. BOX 770  
Hollywood, CA 90078  
(213) 487-7070 or/o  
(800) UFCW 770  
8:00 a.m. – 5:00 p.m.  
Monday – Friday

**ARROYO GRANDE**  
140 West Branch Street  
Arroyo Grande, CA 93420  
(805) 481-5661  
8:00 a.m. – 4:30 p.m.  
Monday – Friday

**BAKERSFIELD  
(Kaiser Members)**  
1910 Mineral Court  
Bakersfield, CA 93308  
(661) 323-2866  
8:00 a.m. – 4:30 p.m.  
Monday – Friday

**CAMARILLO**  
816 Camarillo Springs Road,  
Suite H  
Camarillo, CA 93012  
(805) 383-3300  
8:00 a.m. – 5:00 p.m.  
Monday – Friday

**HARBOR CITY**  
25949 Belle Porte Avenue  
Harbor City, CA 90710  
(310) 784-5340  
8:00 a.m. – 4:30 p.m.  
Monday – Friday

**HUNTINGTON PARK  
(RFI Workers' Center)**  
5400 Pacific Blvd.  
Huntington Park, CA 90255  
(323) 923-1510  
8:00 a.m. – 5:00 p.m.  
Monday – Friday

**NEWHALL/  
SANTA CLARITA**  
27125 Sierra Highway,  
Suite 204  
Santa Clarita, CA 91351  
(661) 259-9900  
8:00 a.m. – 4:30 p.m.  
Monday – Friday

**SANTA BARBARA**  
4213 State Street, Suite 201  
Santa Barbara, CA 93110  
(805) 681-0770  
8:00 a.m. – 4:30 p.m.  
Monday – Friday

Councilman Mitch O'Farrell  
200 North Spring Street, Room 480  
Los Angeles, CA 90012

**RE: Support for Motion on Food Delivery Caps; Council File 20-0470**

Dear Councilman O'Farrell,

On behalf of the over 30,000 members of UFCW Local 770, we would like to express our support for your motion regarding caps on fees for food delivery during this pandemic. Over the past two months, we have worked diligently to support the rights of delivery drivers on multiple platforms who are in great need of health and safety protections at the city, county, and state level. They serve as essential workers, and provide meals for our City, especially our seniors and the sick, while sheltering at home and in quarantine. However, we believe that while these services are critical, we understand that these companies are demanding restaurant commissions that can reach 30 percent, potentially wiping out any profit that a local business might make from a delivery order. This is a blatant violation of the spirit of the Mayor's order regarding essential businesses. In essence, it amounts to price gouging, which is something that our City must guard against during these unprecedented times.

Restaurants, particularly small businesses, and their employees are struggling to survive and make ends meet. Delivery drivers are experiencing the same struggle. Though there is more work to be done, wages and benefits have not improved. These heightened restaurant commissions do not serve either workforce. We believe that a cap at 15% is not only fair for the platforms who have seen record profit and have gone on a record hiring spree, but it will keep restaurants solvent and continue the ability of delivery drivers to provide food for those who cannot pick it up themselves. This is the type of smart policy that has been borne out of crisis, but can serve as a model for restaurants, the platform delivery companies, and their drivers to follow beyond the crisis and in other cities. We believe that the 100% protection of tips for delivery drivers which is included in this measure is critical to protect their livelihood through this crisis.

Thank you for your leadership on this issue. We appreciate the urgency and responsiveness to create a more just food delivery service for all Angelenos.

Sincerely,

UFCW Local 770

John Grant, President

JMG:jc

From: Andrew Sidden <myvoice@oneclickpolitics.com>

Date: May 20, 2020 at 9:31:26 AM PDT

To: Mitch O'Farrell <star.parsamyan@lacity.org>

Subject: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Reply-To: Andrew Sidden <andrewsidden@taogroup.com>

Re: RE: COVID-19 Pandemic / Third-Party Food Delivery Companies / Food Delivery Service Charges / Ordinance (20-0470)

Dear The Honorable O'Farrell,

I am writing to express my support for the proposed limit on delivery charges imposed by 3rd party app-based food delivery platforms at 15 percent during the public health emergency and further recommend the inclusion of a 5 percent cap on promotional fees. This additional fee will provide flexibility for those restaurants that choose to use these promotional services and benefit from the marketing support and increased exposure.

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I commend Councilmember Mitch O'Farrell on introducing this bold proposal to ensure our restaurants are treated fairly. Indeed, Los Angeles is following the lead of other cities like New York and San Francisco in imposing a cap on delivery fees. I believe it is critical that we follow New York City's lead and consider including a 5 percent cap on "promotional fees" paid by restaurants to fund customer promotions and gain valuable marketing exposure.

This ordinance should strike a necessary balance in ensuring restaurants are not charged excessive fees in order to continue operating and app-based food delivery platforms are fairly compensated for the necessary services they provide. I urge the City Council to support imposing a 15 percent cap on delivery fees and ask you to consider the inclusion of an additional 5 percent cap on promotional fees.

Sincerely,

Andrew Sidden

andrewsidden@taogroup.com

6417 Selma Ave

Los Angeles,

CA

90028

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# Teamsters Local Union No. 396

## Package and General Utility Drivers

*Affiliated with the*

**INTERNATIONAL BROTHERHOOD OF TEAMSTERS**

### Executive Board

**Ron Herrera**  
Secretary Treasurer

**Jay Phillips**  
President

**Javier Bonales**  
Vice President

**David Castro**  
Recording Secretary

**Rafael Camacho**  
Trustee

**Juan Gutierrez**  
Trustee

**John Rogers**  
Trustee

May 20, 2020

The Honorable Mitch O'Farrell  
Los Angeles City Council  
200 N. Spring Street  
Los Angeles, CA 90012

Re: **Third-Party App-Based Delivery Platforms**

Dear Mr. O'Farrell:

On behalf of Teamsters Local 396 and the more than 11,000 members that we represent, I am writing to express our support for the proposed limit on delivery charges imposed by 3<sup>rd</sup> party app-based food delivery platforms at 15 percent during the public health emergency, as well as considering an outright ban when 3<sup>rd</sup> party delivery companies are found to be in violation of State law by misclassifying their employees.

The COVID-19 pandemic has been devastating to our economy across all industries, and Teamsters Local 396 has been working diligently to defend workers during this crisis. With the implementation of the Safer at Home Order and the transition from dine-in to exclusively delivery, vulnerable populations, as well as any Angeleno who wants a meal from a restaurant, must rely on 3<sup>rd</sup> party app-based food delivery platforms. Additionally, given the grim economic impacts from the COVID-19 pandemic, several working people have had to turn to 3<sup>rd</sup> party delivery companies in order to find income.

Unfortunately, most of these 3<sup>rd</sup> party delivery platforms are misclassifying their employees as independent contractors, threatening our public health. When companies misclassify employees as independent contractors, companies are not paying into unemployment, they're not providing sick days (unless a driver can prove that they have COVID-19, which would be too late given the amount of interaction that a delivery driver has with employees at restaurants and with the general public), they're not providing PPE, nor meeting other worker safety guidelines, and they do not have to provide training to their employees on how to do a proper no-contact delivery.

880 Oak Park Road • Suite 200 • Covina, California 91724  
Phone (626) 915-3636 • (877) 785-8396 • Fax (626) 915-3635 • E-mail: [teamsters@local396.net](mailto:teamsters@local396.net)



The practices associated with misclassification are extremely worrisome in the midst of a pandemic, and unnecessarily put the employees (the delivery drivers), as well as members of the general public with whom they come in contact with, at heightened risk.

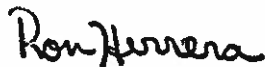
Further, these practices are out of step with the worker protections that the Mayor and City Council have passed to protect essential workers.

We commend you on introducing this bold proposal, which we see as a first step in better regulating 3<sup>rd</sup> party delivery companies. This ordinance will help to ensure that workers and local restaurants are treated fairly, and we hope that this will ultimately lead to a process where 3<sup>rd</sup> party delivery app companies are held accountable for misclassifying their employees.

We urge the City Council to support imposing a 15 percent cap on delivery fees, and ask that you also consider motions that ban 3<sup>rd</sup> party delivery app companies when they misclassify their workers.

Thank you for your consideration.

Sincerely,



Ron Herrera  
Secretary-Treasurer  
Teamsters Local Union No. 396