



clerk CIS <clerk.cis@lacity.org>

Your Community Impact Statement Submittal - Council File Number: 13-1493-S17

1 message

LA City SNow <cityoflaprod@service-now.com>

Tue, Mar 4, 2025 at 5:04 PM

Reply-To: LA City SNow <cityoflaprod@service-now.com>

To: Clerk.CIS@lacity.org, Devon.Zatorski@lacity.org, tj.knight@lacity.org, kayvon.wroten@lacity.org

A Neighborhood Council Community Impact Statement (CIS) has been successfully submitted to your Commission or City Council. We provided information below about CISs and attached a copy of the CIS.

We encourage you to reach out to the Community Impact Statement Filer to acknowledge receipt and if this Community Impact Statement will be scheduled at a future meeting. Neighborhood Council board members are volunteers and it would be helpful if they received confirmation that you received their CIS.

The CIS process was enabled by the to Los Angeles Administrative Code §Section 22.819. It provides that, "a Neighborhood Council may take a formal position on a matter by way of a Community Impact Statement (CIS) or written resolution." NCs representatives also testify before City Boards and Commissions on the item related to their CIS. If the Neighborhood Council chooses to do so, the Neighborhood Council representative must provide the Commission with a copy of the CIS or rResolution sufficiently in advance for review, possible inclusion on the agenda, and posting on the Commission's website. Any information you can provide related to your agenda setting schedule is helpful to share with the NC.

If the CIS or resolution pertains to a matter *listed on the Commission's agenda*, during the time the matter is heard, the designated Neighborhood Council representative should be given an opportunity to present the Neighborhood Council's formal position. We encourage becoming familiar with the City Council's rules on the subject. At the Chair's discretion, the Neighborhood Council representative may be asked to have a seat at the table (or equivalent for a virtual meeting) typically reserved for City staff and may provide the Neighborhood Council representative more time than allotted to members of the general public. They are also permitted up to five (5) minutes of time to address the legislative body. If the CIS or resolution pertains to a matter *not listed on the agenda*, the designated Neighborhood Council representative may speak during General Public Comments.

We share this information to assist you with the docketing neighborhood council items before your board/commission. If you have questions and/or concerns, please contact the Department of Neighborhood Empowerment at empowerla@lacity.org.

***** This is an automated response, please DO NOT reply to this email. *****

Contact Information

Neighborhood Council: Arleta

Name: Jesus Ramos

Email: jramos@arletanc.org

The Board approved this CIS by a vote of: Yea(8) Nay(0) Abstain(1) Ineligible(0) Recusal(0)

Date of NC Board Action: 02/18/2025

Type of NC Board Action: Against Unless Amended

Impact Information

Date: 03/05/2025

Update to a Previous Input: No

Directed To: City Council and Committees, Board of Public Works Commissioners, Commission on Disability

Council File Number: 13-1493-S17

City Planning Number:

Agenda Date:

Item Number:

Summary: RE: Council File 13-1493-S17 Dear Councilmembers and elected officials: Since the approval of California Senate Bill 946 (2018) there has been a complete disregard for true punitive enforcement of those violating the American with Disabilities Act of 1990 where there is supposed to be at least 36 inches of clearance on sidewalks for people on wheelchairs and their access to those public right-of-ways. With the exception of 687 permitted street vendors all of the other unpermitted street vendors in the City of Los Angeles, and particularly in Arleta, constantly impede safe sidewalk travel for people with disabilities causing such pedestrians on crutches or wheelchairs to use parking lots or street

surfaces alongside active 18-wheelers or buses and other vehicles of transport in order to get through. Hence, the City of Los Angeles is already in violation of Part 1 of Division 1 of Title 5 of the California Government Code Section 51036 where: (5) The safety and welfare of the general public is promoted by encouraging local authorities to support and properly regulate sidewalk vending ordinances and regulations. (Cal. Government Code § 51036(1)(a)(5)). Moreover, the lack of enforcement also means that the following is not being met: (3) Requirements necessary to ensure compliance with the federal Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards. (Cal. Government Code § 51038(c)(3)) Administrative citations of \$50 or less since the pandemic have done nothing to dissuade unpermitted food street vendors from dumping grease and trash onto the sidewalks and street surfaces and thus provoking the ire of both homeowners and renters when the unregulated commercial activity impacts neighbors' livelihoods and quiet and safe enjoyment of property due to the proliferation of trash, illegal drinking, and loud music or noise pollution generated from both vendors and their clientele. ..

Ref:MSG11981637

 **ANC_CIS_CF_131493-S17_202502018_APPROVED.pdf**
697K

Arleta Neighborhood Council

Raymond Duran, President
Jaime Gallo, Vice-President
Burton Hunter, Secretary
Jesus Ramos, Treasurer
Jeovani Escobar, At-Large Rep
Gary Gallon, Senior Rep
Christianna Hartwell, Animal Welfare Rep
Jose Pumay, Home/Condo Rep
David Hunt, CBO Rep
Ronald Pacheco, CBO Rep
Robert Yaffe, Senior Rep
Stelian Martinez, At-Large Rep
Moises B. Bazan, Business Owner Rep
Javad Butah, At-Large Rep

CALIFORNIA



ARLETA NEIGHBORHOOD COUNCIL

Attention: Arleta NC
9300 Laurel Cyn.Bl., 2nd Floor
Arleta, CA 91331
www.arletanc.org

ARLETA NEIGHBORHOOD COUNCIL
Community Impact Statement

February 18, 2025

RE: Council File 13-1493-S17

Dear Councilmembers and elected officials:

Since the approval of California Senate Bill 946 (2018)¹ there has been a complete disregard for **true punitive enforcement** of those violating the American with Disabilities Act of 1990² where there is supposed to be at least 36 inches of clearance on sidewalks for people on wheelchairs and their access to those public right-of-ways. *With the exception of 687 permitted street vendors* all of the other unpermitted street vendors in the City of Los Angeles, and particularly in Arleta, constantly impede safe sidewalk travel for people with disabilities causing such pedestrians on crutches or wheelchairs to use parking lots or street surfaces alongside active 18-wheelers or buses and other vehicles of transport in order to get through. Hence, the City of Los Angeles is already in violation of Part 1 of Division 1 of Title 5 of the California Government Code Section 51036 where:

(5) The safety and welfare of the general public is promoted by encouraging local authorities to support and properly regulate sidewalk vending ordinances and regulations.
(Cal. Government Code § 51036(1)(a)(5)).³

Moreover, the lack of enforcement also means that the following is not being met:

(3) Requirements necessary to ensure compliance with the federal Americans with Disabilities Act of 1990 (Public Law 101-336) and other disability access standards.
(Cal. Government Code § 51038(c)(3))⁴

¹ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB946

² Americans With Disabilities Act of 1990, 42 U.S.C. § 1201 et seq. (1990)

³ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB946

⁴ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB946

APPROVED
February 18, 2025
8 Yea x No 5 Absent 1 Abstain

Administrative citations of \$50 or less since the pandemic have done nothing to dissuade unpermitted food street vendors from dumping grease and trash onto the sidewalks and street surfaces and thus provoking the ire of both homeowners and renters when the unregulated commercial activity impacts neighbors' livelihoods and quiet and safe enjoyment of property due to the proliferation of trash, illegal drinking, and loud music or noise pollution generated from both vendors and their clientele. How often has the Bureau of Street Services administered enforcement resulting in fines of \$250 to \$1000 for street vendors not having a proper license or permit?⁵ When only 687 active vendors have proper permits out of an estimated 50,000 street vendors operating in the City, or 1.4% of properly permitted vendors versus the other 98.6% violators, that is a complete failure of the legislative body that represents the City of Los Angeles.⁶ *Instead of enacting more reports and studies (or repetitive nonsense) try enforcing the existing ordinances and punish scofflaws.* It is not the Bureau of Street Services Investigation and Enforcement Division personnel's fault if street vendors attack them as those **unarmed** officers attempt to enforce the rules and regulations with existing decorative non-punitive policies crafted by city attorneys, city elected officials, state elected officials, or street vending advocacy groups that are bent on protecting the "indefensible." *We understand too that municipal bureaucrats have been ordered (by elected city officials) to generate loopholes for unpermitted street vending and that current third-rate City ordinances on the subject simply do not exist in other cities.* In the meantime, property taxpaying homeowners, commercial/industrial property owners, and renters—whom all pay the salaries of the employees of the City of Los Angeles (including those of City elected officials)—have to fight their way through congested street vending clientele supported sidewalks and streets enduring the lawlessness in the process. Homeowners that live several blocks away from stationary unpermitted food street vending sites (let alone immediate residential or commercial neighbors) have to make a decision whether to engage the street vending clientele that leave trash in front of their property (or rental/commercial unit) and risk (or undergo) a violent altercation to their person or property at the hands of both patrons and unpermitted sidewalk vendors, **or, choose to simply do nothing and allow the abuses to continue.** In addition to the humiliation that property owners have experienced (and continue to endure) they also bear the costs of cleaning up the sidewalks, parkways, and street surfaces because their city *and state* have chosen to protect unpermitted sidewalk vending and their clientele instead of protecting the law-abiding citizens that expect an orderly state and good quality of life.

Furthermore, the City of Los Angeles chooses to ignore sections of the state law on sidewalk vending. Observe:

(B) Notwithstanding subparagraph (A), a local authority may prohibit stationary sidewalk vendors in areas that are zoned exclusively residential, but shall not prohibit roaming sidewalk vendors.
(Cal. Government Code § 51038(b)(4)(B)).⁷

This clause runs contrary to the narrative that we (homeowners and renters) have been told all these years by the City of LA (Mayor, city council as a whole, and via any sole city councilmember), including other city personnel, that there is nothing the City of LA can do when it came to sidewalk vending in residential zones. So homeowners who pay taxes are at the mercy of their **city representatives' discretion on enforcement** when it comes to

⁵ <https://streetsla.lacity.org/vending-questions>

⁶ https://clkrep.lacity.org/online/docs/2013/13-1493-s17_rpt_BOSS_10-21-24.pdf

⁷ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB946

APPROVED

February 18, 2025

8 Yea x No 5 Absent 1 Abstain

removing sidewalk vendors from residential only zones? City council works for us (the taxpaying citizenry) and not the other way around.

Moreover, we wish a speedy recovery of the communities and all of the victims impacted by the fires in Pacific Palisades, Altadena, Malibu, and elsewhere. We are very sorry to have learned that there were fatalities involved because of these fires—and there are no words to stop the pain of these losses; but know that "Our hearts are with the victims." The incomprehensible damages have illustrated that water reservoirs *even if empty one day, let alone 8 months*, can be, and were indeed, fatal in the wake of a fire. Consequently, no matter how many committees and commissions or policies there are—they mean nothing if there is no funding or qualified personnel to enforce the rules and regulations that such legislative bodies are supposed to oversee. The safety and well-being of people is compromised: when public safety funding is diverted elsewhere, when mechanics are not hired to service inoperable vehicles, when there exists insufficient police officers, when there exists policies or orders for law enforcement to not enforce the law, and when "social engineering" policies are prioritized over public safety.

Therefore, how are the following immediate surrounding municipalities: City of San Fernando, Burbank, Culver City, Pasadena, Calabasas, Glendale, and Alhambra, among others, able *to not have unpermitted street vendor problems* with their existing staffing while the City of Los Angeles having more personnel than those cities cannot have clean neighborhoods, orderliness, and proper sidewalk vendor enforcement? Other than the City of Long Beach and Pasadena, whom have their own health departments, the other cities are enforcing their rules and regulations, and the laws of the State of California, without having to require the *also paltry number* of L.A. County Department of Public Health investigative officers at all times. Los Angeles County instead of purchasing The Gas Tower at 555 West 5th Street, Los Angeles, for \$205,000,000 should have stayed in place and diverted some of that money to hire more health Inspectors that are very much needed to enforce health regulations and assure the public that sidewalk vendors are in compliance with health codes, state laws, and applicable city ordinances.⁸ This neighborhood council has previously submitted community impact statements since 2019 (see Council Files: 13-1493 and 13-493-S5) and 6 years have gone by, along with some changes to the city council composition, yet inaction continues to reign supreme while homeowners, renters, merchants, and industrialists get no support from the City of Los Angeles on this subject; particularly no corrections nor punitive damages *are charged/filed* upon unpermitted sidewalk vendors for causing or contributing to the disorderly state of affairs in neighborhoods. Why do reports and examinations continue to be generated by City of LA elected officials and carried out by bureaucrats when other municipalities throughout the county have already answered and addressed problems with sidewalk vending and formulated sidewalk vending ordinances, thus protecting their citizenry with those models?

Does any quality of life preservation enforcement exist at all in the City of Los Angeles? Figure 1 below illustrates a complete capitulation by the City of Los Angeles to unpermitted sidewalk vendors and falsely claims that "California law limits the ability of cities like Los Angeles to regulate sidewalk vending" in addition to the **deplorable affirmation** that "**routine rule violations are no longer a priority for StreetsLA.**"

⁸ <https://file.lacounty.gov/SDSInter/bos/supdocs/197098.pdf>

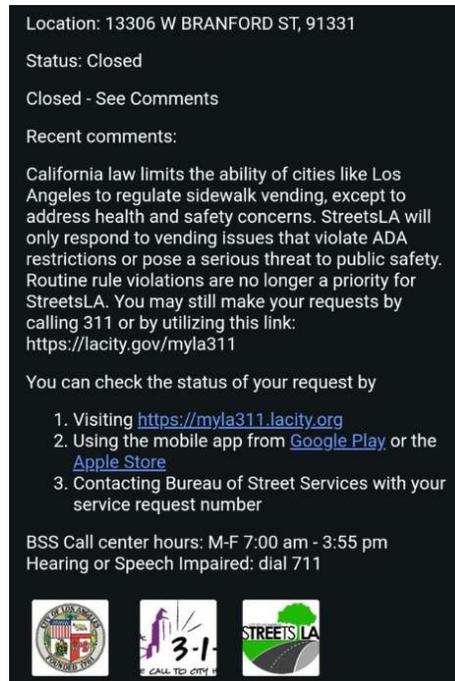


Figure 1. MyLA311 image regarding a Service Request where the City of Los Angeles will not enforce street vending regulations. Source: City of Los Angeles. Date: Unknown. .



Figure 2. Van Nuys Blvd at Woodman Avenue, Arleta. Source: Arleta Neighborhood Council. Date: February 16, 2025.

In Figure 2 above, on the southbound side of Van Nuys Blvd just before reaching Woodman Avenue, we can see the collection of unpermitted sidewalk vending taking place as well as the obstruction of the sidewalk for all members of the public and particularly those with physical disabilities that have to use wheelchairs or crutches. Unpermitted sidewalk vending has caused many immediate brick and mortar restaurants selling similar products to go out of business because they cannot compete against these unregulated informal commercial enterprises

APPROVED
February 18, 2025
8 Yea x No 5 Absent 1 Abstain

that do not collect sales taxes for the City, L.A. County, and the State of California on every transaction, *have no accountability to any authority* throughout California, *their employers* likely make no contributions to both the state Unemployment Insurance and Employment Training Tax coffers, employees are not taxed for State Disability Insurance and it is unknown if some (*or none*) pay Personal Income Taxes to the State of California, do not have to pay for the overhead expenses that formal regulated commercial establishments have to adhere to (such as but not limited to: commercial space leases, gas, water and electricity, permits, administrative fees, etc.), and it is questionable whether any records are submitted to the California Franchise Taxboard or to the U.S. Internal Revenue Service.

While Pacoima is not in Council District 6, rather Council District 7, due to the adjacency of another municipality at Arroyo Avenue and Glenoaks Blvd (see Figure 3 for area), when one travels northwest on Glenoaks Blvd away from State Route 118, about 100 feet just before reaching Arroyo Avenue (and parallel to Arroyo Avenue) there is no unpermitted sidewalk vending within the City of San Fernando's jurisdiction whilst Pacoima has all kinds of unpermitted informal business taking place within the City of Los Angeles jurisdiction. So it is false for the City to claim that there is nothing that can be done about unpermitted sidewalk vending when a neighboring municipality clearly enforces not only state law but its own municipal ordinances and other local regulations.

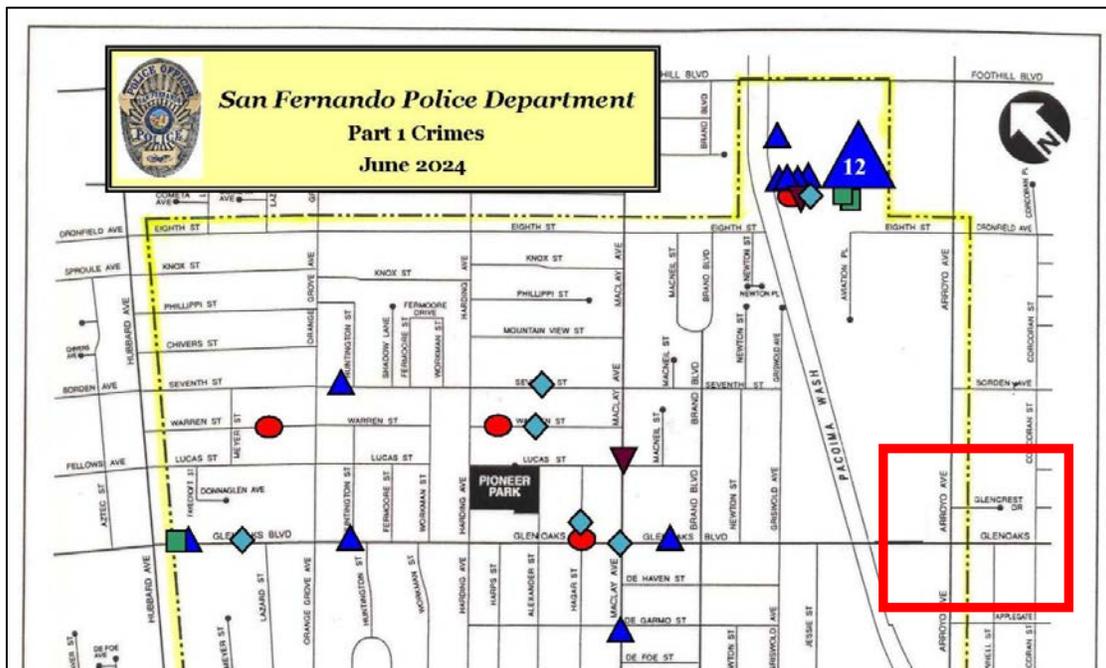


Figure 3. City of San Fernando Police Department Part 1 crimes map with emphasis of Arroyo Avenue and Glenoaks Blvd intersection and city limits as expressed by a dashed black boundary over a yellow line. Source: City of San Fernando Police Department. Date: June 2024.

Figure 4 illustrates the corner of Branford Street (southeast-bound) and Canterbury Avenue (northwest-bound), in Arleta, of which has been a constant site of unpermitted sidewalk vending, trash proliferation, illegal parking, unwanted loud noise, *unpermitted flea market/yard sales*, high foot and vehicular traffic presence, and illegal dumping among other issues.

APPROVED
 February 18, 2025
 8 Yea x No 5 Absent 1 Abstain



Figure 4. Branford Street at Canterbury Avenue looking northwest direction, Arleta. Source: Arleta Neighborhood Council. Date: January 2025.

Hence, **for the last 7 years** there has been no will from the city council or the Mayor to protect law-abiding citizens from scofflaws nor to maintain order in neighborhoods where people of color (or some of the historically disenfranchised in the U.S.) live, own property, and/or work. Both the descendants and those that directly suffered civil rights injuries during the twentieth century in this part of the nation *still* reside in the area and also happen to be property owners. Are these same residents not worthy of having a good quality of life and orderly neighborhoods such as those expected and received in more affluent areas?⁹ **Disenfranchisement has never been limited to only people of color either.** There is no more time for studies, reports, and education because Arleta and other City of Los Angeles communities have already had that for 7 years (or more) and chaos still prevails. We need enforcement now!

The Arleta Neighborhood Council opposes council file 13-1493-S17 unless amended to include, but not limited to, the required following:

- No sidewalk vendor and equipment or patrons shall block sidewalk space impeding the passage of people on wheelchairs or with other physical impairments that require the assistance of specialized equipment for independent mobility
- No sidewalk vendor shall sell in a manner that blocks or obstructs the free movement of pedestrians, bicycles, or vehicles
- Possession and display of a permit or permits from the Los Angeles County Department of Public Health
- Possession of a City of Los Angeles business tax registration certificate
- Possession of a California State Sellers permit
- Payment of applicable vending permit fees
- Escalating penalties
- Results of a fingerprinting background check using a form furnished by the Los Angeles Police Department

⁹ Recent events in management, or lack thereof, have also demonstrated no such guarantees in such places either apparently.

APPROVED
February 18, 2025
8 Yea x No 5 Absent 1 Abstain

- Proof of liability insurance with an endorsement naming the city as an additional insured with a minimum of \$1,000,000 single coverage and \$2,000,000 in the aggregate against any injury, death, loss or damage as a result of wrongful or negligent acts or omissions by the applicant
- Agreement to indemnify and hold harmless the City of Los Angeles, its officers, and employees for any damage or injury caused to the City as a result of sidewalk vending conduct or activity.
- A sidewalk vending permit shall be valid for twelve (12) months from date of issuance. Permit can be renewed prior to the expiration of the active sidewalk vending permit
- Stationary sidewalk vendors shall not sell in areas that are zoned exclusively residential
- Stationary sidewalk vendors shall not sell at any park nor anywhere where vending is not permitted.
- Sidewalk Vendors must not litter in violation of California Penal Code section 374, including not disposing or causing to be disposed any food, oil, grease, trash, ice, wastewater or other fluid or item generated by Vending activity onto the Sidewalk, Pedestrian Path, Roadway, storm drains, catch basins, or sewer facilities, flood control channels, or onto private property
- Vendors shall immediately clean up and remove any food, grease, other fluids or items that fall on public property even 2 blocks away
- An employer of a Sidewalk Vendor, or any Person for whom a Sidewalk Vendor works, is prohibited from discharging, reducing compensation, or discriminating against, any Sidewalk Vendor for participating in enforcement proceedings related to these regulations or for otherwise asserting rights or defenses under State law, Los Angeles County code, and City of Los Angeles regulations
- Chairs, stools, or any form of equipment used for seating, and tables are prohibited on Sidewalks and Pedestrian Paths for customer seating or Food consumption
- Prohibition on street vending operations within 10 feet of any driveway, upon any parkway or landscaped paved pathways
- Prohibition on street vending within 500 feet of a public or private school site during school hours and not within one hour before or after school drop off and pick up operations
- Prohibition on street vending on private property without the notarized written authorization of the property owner. Must provide written approval on-site upon request.
- Any extortion of a Sidewalk Vendor is punishable under California Penal Code section 518, and any attempted extortion of a Sidewalk Vendor is punishable under California Penal Code section 524

Respectfully,

The Arleta Neighborhood Council

APPROVED

February 18, 2025

8 Yeas No 5 Absent 1 Abstain