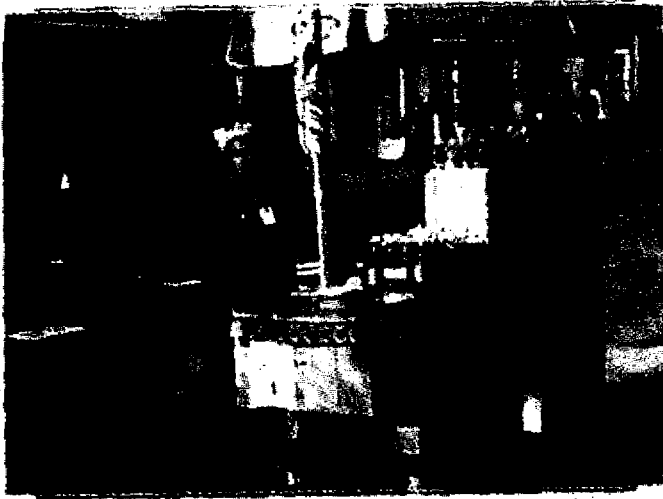


Item #4

13-1493, 13-1493-55, 19-0600-5155

RECEIVED
DEC - 3 2019

BY: M.V.



13-1493-55, 19-0600-5155

Mobile

Restaurant



Item #4

I AM A RESTAURANT OWNER.

WE at SO CAL RESTAURANT ASSOCIATION ORG. ARE NOT AGAINST THE TRUE DEFINITION OF FOOD VENDOR, ALLOWED WITH ONE PERMITTED FOOD CART PER LOCATION, AND NO PROVIDED SEATING.

WE ARE AGAINST THE MOBILE UNREGULATED STREET RESTAURANTS OPERATING UNDER TENTS -CAMPING IN FRONT OF OUR BUSINESS, ON THE PUBLIC SIDEWALKS, OR OVER PARKING SPACES, PROVIDING seating, preparing *HOT COOKED FOOD OVER OPEN FIRE AND MULTIPLE GRILLS, PROPANE GAS STOVES, BOILING GREASE,WITHOUT WATER, REFRIGERATION, HEALTH PERMITS, COOKING ON CONTAMINATED SURFACES and serving THE SAME FOOD, AS WE COOK. A DIRECT COMPETITION.* SHAME ON OUR CITY FOR KILLING OUR BUSINESS.

FOR MORE THAN ONE YEAR, LOS ANGELES, YOU HAVE VIOLATED OUR RIGHTS AS TAX PAYING CITIZENS BY IGNORING THE LAWS THAT GOVERN FAIR BUSINESS PRACTICES AND BY IGNORING THE LAWS OF DIRECT UNFAIR COMPETITION. YOU HAVE KNOWINGLY PLACED OUR BUSINESS IN LEGAL JEOPARDY AND WE MAY LOSE OUR RESTAURANTS, AND SOME HAVE ALREADY CLOSED BECAUSE WE CANNOT PAY OUR RENT, TAXES, EMPLOYEES, FOOD COSTS, OR FEED OUR FAMILIES AS A DIRECT RESULT OF OUR CITY IGNORING, AND ALLOWING THIS LAWLESSNESS AND THEFT.

FOR MORE THAN, ONE YEAR, OUR CITY OF LOS ANGELES FAILED TO NOTIFY US THAT THEY WERE NOT GOING TO ALLOW POLICE TO ENFORCE PUBLIC HEALTH AND SAFETY WHEN COMPLAINTS ARE MADE BY THOSE AFFECTED BY THIS LAWLESSNESS, CREATING A CRIMINAL ELEMENT TO THIS PROBLEM AFTER 5 PM. THE EXCUSE THAT SB946 GAVE THIS FREEDOM, IS AN IGNORANT INTERPRETATION OF THE LAW.

NOW AFTER MORE THAN A YEAR, WE ARE LOSING BUSINESS because they are using our address's for pick-up and delivery through YELP, Grub-hub, Uber eats,

WE ARE DIRECTLY RESPONSIBLE FOR ANY FOOD THAT IS REPORTED AS CAUSING FOOD POISONING. THIS, AS EXPERIENCED AT A RESTAURANT IN COUNCILMAN LEE'S DISTRICT, BECAUSE, THERE WAS NO LEGAL RECORD OF THE MOBILE UNREGULATED RESTAURANT. IS THIS FAIR?

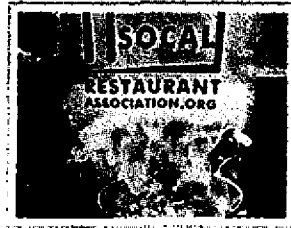
WHY ARE YOU TAKING THE SIDE OF A ILLEGALLY OPERATING MOBILE RESTAURANTS ON PUBLIC SIDEWALKS WITHOUT CONSIDERING THE LOSS OF REVENUE WE ARE EXPERIENCING AS A DIRECT RESULT.

WHY WOULD YOU THINK THAT AFTER THIS VOTE, THEY WILL CEASE TO OPERATE? ? UNLESS ADDRESSED, THE VISION THAT ALL THESE ISSUES WILL CEASE IS A POOR ONE. WITH ONLY 17-20 NEW INSPECTORS AFTER 5. PM. FOR THE WHOLE OF LOS ANGELES, THIS IS AN ILLUSION.

SEPARATE THIS ISSUE FROM THE VENDING LAW AND REGULATE IT WITH THE RULE AND REGULATIONS ALREADY IN PLACE FOR RESTAURANTS. WHY ARE YOU IGNORING OUR PLEAS AND VIOLATING OUR RIGHTS?

14435 Sherman Way Unit #204
Van Nuys, CA. 91405
(818) 714-3208

Item #4



14435 Sherman Way Unit #204
Van Nuys, CA. 91405
(818) 714-3208

SO CAL Restaurant Association Org.

December 2, 2019

Los Angeles City Council

Re: Item No (1) - 13-1493, 13-1493-S5, 19-0600-S155
City Administrative Office and Bureau of Street Services reports relative to the establishment of permit fees for the Sidewalk and Park Vending Program (Also referred to the Public Works and Gang Reduction Committee, health Education, Neighborhoods, Parks Arts, and River Committee, Personnel and Animal Welfare Committee and Budget Finance Committee.

Subject: CITY COUNCIL VOTE ON VENDING DECEMBER 3

Dear Council Member,

This letter serves as a notice that you are fully aware of the violations against Brick and Mortar restaurants right to fair business practices, under all laws governed by the State of California, as well as the City Guidelines set for the protections of Public Health and Safety - This, By allowing unsanctioned operations of the ******MOBILE UNREGULATED STREET RESTAURANTS OPERATING UNDER TENTS -CAMPING IN FRONT OF BUSINESS-** An unregulated restaurant, preparing and serving **HOT COOKED FOOD OVER OPEN FIRE AND MULTIPLE GRILLS, PROPANE GAS STOVES, BOILING GREASE and SERVING** over contaminated soil and/or cement, serving drinks to customers in exchange for money, with food served and eaten on set tables, providing take-out and food delivery services without proper food handling education, cooking in unsanitary conditions, including no water, bathrooms, trash, refrigerators, proper food storage, cutting raw meats with same cutting boards as cooked foods, cross contaminating foods, with no respect for the public's ADA's right of passage, and **BLATANTLY IGNORING STREET VENDING LAWS.** Unregulated by street services, playing loud music, camping on sidewalk in front of already established brick and mortar business, **BLATANTLY** using address's for pick-up and delivery through YELP, Grub-hub, Uber eats, etc, giving the illusion to the public that they are sanctioned by the Health Department, and Now creating health concerns that may cause food poisoning, spread

of hepatitis which may cause death or injury. OPEN AIR to the elements without sanctioned Health Department permits. Who, are stealing business from the permitted restaurants, causing dreamers to lose income which is against fair business practices, and most importantly, endangering the LIVES of Children who may be ill or any persons, including elderly with low immune systems.

So-Cal Restaurant Association Org. Represents over 200 permitted existing Brick and Mortar Restaurants. As an organization, we have voiced ourselves by public comment, personal visits and meetings with our Los Angeles City Council and Environmental Health, Street Services and County Supervisors.

Ignorance is insulting. The blatant disregard for FOOD HEALTH AND SAFETY is ignored. The blatant disregard for fire hazard is ignored by allowing multiple cooking carts, propane fire grills, wood burning bbq, gas generators... all with fire danger, unsanctioned by fire department is ignored.

By keeping the Rules and Regulations for Vendors, without addressing this new presented issue of the MOBILE UNREGULATED STREET RESTAURANTS OPERATING UNDER TENTS CAMPING IN FRONT OF BRICK AND MORTAR BUSINESS" - USING OPEN FLAMES TO COOK, you are violating the law under "ILLUSORY". Which means that by voting for these laws, Los Angeles knows fully that they are fooling the public into believing they will help, knowing these rules will fail. This is illegal.

WE are told , "You are late to the table." This statement in itself is a violation of the oath you, and your office took to govern and protect the business you represent who voted for you. We have presented these concerns prior to the rules voted in place, giving ample time for City Council and County of Los Angeles consideration to Regulate the Vendors and Separately from the Mobile Unregulated Restaurants.

FAIR BUSINESS PRACTICES VIOLATIONS:

2019 Annual Overview of California's Unfair Competition Law and Consumers Legal Remedies Act. <https://www.stroock.com/publication/2019-annual-overview-of-californias-unfair-competition-law-and-consumers-legal-remedies-act/>

By: James L. Bernard Brian C. Frontino John R. (Jake) Loftus Stephen J. Newman Arjun P. Rao Julia B. Strickland Quyen T. Truong

In California, class action lawyers wield two powerful tools: the Unfair Competition Law, California Business and Professions Code sections 17200 - 17209 ("UCL"); and the Consumers Legal Remedies Act, California Civil Code sections 1750 - 1784 ("CLRA").

The UCL forbids "unlawful, unfair or fraudulent" conduct in connection with virtually any type of business activity. With its sweeping liability standards and broad equitable remedies, the UCL is the weapon of choice for plaintiffs' lawyers. The CLRA is more defined in structure, but no less potent. The CLRA applies to any "consumer" transaction involving the "sale or lease of goods or services" and authorizes recovery of actual, statutory and punitive damages. The CLRA, which explicitly prohibits 24 separate business acts and practices, provides for streamlined class certification and dispositive motion proceedings.

According to the Environmental County department heads and County Supervisor offices, Council has not met with their offices to discuss concerns. Why? NOW you, our City Council are voting to legalize this issue without putting the terminology to protect the Brick and Mortar Restaurants against unfair direct competition, by allowing the vendors to set up where ever they like. New Vendor rules and regulations, are unethical, unfair, and a violation of our right to operate without unfair competition, literally at our door steps, on the sidewalk or on a parking structure. The illusion that the public believes that these Mobile Pop-Up Unsanctioned Mobile Restaurants ON SIDEWALKS, camping in front of business, are legal, is the problem.

It is unethical to ignore our pleas for help. Our PROOF has shown that there are two definitions of this problem. The fact that Los Angeles ignores our evidence is a direct VIOLATION OF OUR RIGHTS TO OPERATE without UNFAIR COMPETITION, and by your staff verbally acknowledging that there is a growing epidemic of POP-UP restaurants, which now are a more PERMANENT issue, and by IGNORING OUR CRY FOR HELP, is our concern and A VIOLATION OF OUR RIGHTS.

EVIDENCE:

We have presented videos and many photos, showing the "vendors" are using **more than one cart per location**, thus, under the definition of **VENDOR (one permitted cart per location)** and by ignoring this, Los Angeles is allowing multiple un-permitted unsanctioned carts to exist and these Mobile Unregulated Restaurants to grow, and this is a VIOLATION OF FAIR BUSINESS. KNOWING this is a growing issue, as stated by representatives and Council members and County Supervisors as well as the Environmental Health Department, Why are you as council allowing this growing lawlessness?.

WHY ARE YOU TAKING THE SIDE OF A ILLEGALLY OPERATING BUSINESS, HOPING THEY WILL APPLY FOR CITY AND HEALTH DEPARTMENT PERMITS, OVER THE COMMUNITY OF ALREADY PERMITTED, TAX PAYING LEGAL BRICK AND MORTAR BUSINESS?

The current Knowledge of this is wrong and OUR RIGHTS ARE VIOLATED by the City of Los Angeles. The city is working against us, and this is against all laws that govern growing business, in the City, County and State. Why should anyone ever rent a space, or pay taxes, when we can do it for free on public land? The City's thought that all will go away after the vendor laws are in place, is the ignorance of our city and the council who are voting for the rules. PLEASE REVIEW THE ATTACHED. (Vendors3).

Again, we ask, "What if a child dies due to food borne ingested bacteria, or an elderly person, or a case with a child and leukemia?" We put you on Notice: The city is now responsible for the possible quiet deaths of many, who do not know that these... VENDORS" vs. "MOBILE UNREGULATED STREET RESTAURANTS OPERATING UNDER TENTS CAMPING IN FRONT OF BRICK AND MORTAR BUSINESS" are unsanctioned and unsafe due to public health and safety unregulated practices.

Today, as you vote for passage of laws that are AGAINST the recommendations of restaurant owners pleas, we say this, "The ignorance is not forgivable when the results are that restaurants will close and commercial vacancy occurs." City taxes will decrease, and as the Lawlessness grows, especially with only 17-20 new hires to regulate them after 5 p.m. in the third largest City in the Nation the regulation of them will fail.

Separate this issue from the Vendors, and reclassify as a full on Restaurant. (See attached "vendor3") We need to stop this blatant lawlessness and need your help. Our City cannot vote without our attached recommendations, and by doing so, the City sends a message to us that we do not matter. Hard working investments in our Restaurants are not important. The public welfare of life and death from possible food contamination is ok, death is ok and finally, Illegal practice of stealing from local legal restaurants is okay. This is not fair, not right and illegal in every way we see it. It is shameful.

Vivian Hartman
Public Relations

Nadia Abrica
President

SoCal Restaurant Assoc. Org.

Advocate

***My passion is that food may be served to a family with a child with cancer or illness whose immune system is compromised. This past month of November, by Resolution in the Los Angeles City and in Santa Monica - Bone Marrow Awareness Month. This is my plea to save the life of another. If a child eats food that is contaminated, sold to them through grub hub, etc... and they get sick, the family may not know that the food was not sanctioned by the health department, and the bacteria is now causing the child to fever, and then possibly die. A silent killer. This cannot happen. Food Borne illness is a real concern for those children with leukemia. YOU CAN SAVE A CHILDS LIFE. YOU MUST CONSIDER THIS HEALTH AND SAFETY CONCERN.

Please see our web page on this concern.

CEO Sophia's Angels Org. - Vivian Hartman - Non Profit

(818) 939-8803

www.sophiasangels.org.