

Item R-16 Correspondence Allison Brammer

From: Allison Brammer <sallisonbrammer@gmail.com>

Sent: Saturday, May 6, 2023 9:58 AM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Sidewalk vending input

-EXTERNAL-

My name is Allison Brammer, [REDACTED] Long Beach. I completed the survey that was put out several months ago about sidewalk vending and I wanted to express my concern about all of the pop-up vendors that I see in multiple locations in Long Beach. They all look very similar in their setup and food choices and it doesn't look to me like they are each independently operated. I want to make sure that the people who are working the pop-up restaurants are not being marginalized by working for extremely low wages to support a larger entity who is earning money off of their hard work. I'm also very concerned with the fact that there is no restroom or water source for the employees to wash their hands or use the facilities. I see that they are set up in my area around 6:00 p.m. till midnight or later. Where is the staff going to the restroom? The customers? It looks difficult to get around the setup and customers on the sidewalk if you are simply walking by or if you were disabled and needing to have more space for a wheelchair or other motorized means of transportation. We have plenty of good restaurants in Long Beach with businesses who are trying to make a living and have a lot more overhead for their restaurant than the pop-up restaurants that are happening on the sidewalk. I hope that the city council will seriously consider limiting the number of permits. I understand the city is missing about 22% of their staff right now so I am concerned that there is going to be limited ability to monitor compliance with health department and other permit issues going forward for these kinds of outdoor restaurants. When I recently visited the city of Austin Texas, they had multiple locations where pop-up restaurants and food trucks could come in an area on certain nights of the week to sell their goods. This could be something that the city staff could explore to see if it would be a good alternative to what is happening now. Long Beach is large enough to wear it could happen every night of the week in different areas of the city giving these pop-up restaurants and opportunity to sell their food. And, it would give the city a better handle on being able to monitor and confirm that they are in compliance with all laws. Thank you for addressing this issue and please make the right choice for our city. Allison Brammer

Item R-16 Correspondence Malinda Dougherty

-----Original Message-----

From: Malinda Dougherty <malindad1@gmail.com>

Sent: Saturday, May 6, 2023 9:05 AM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Sidewalk vendors

-EXTERNAL-

Very much against. Popping up all over city all hours and days on sidewalks, city parks. etc It's crazy, just had a historic pandemic . Who controls these vendors from food to merchandise. That's what festivals and flea markets are for not anywhere and everywhere. There are no controls in this city anymore. People race down the streets, park wherever and even go thru stop signs and red lights. See this all of the time. Drivers know chance of being caught is so remote anymore
I know for street vendors same thing no controls . Police say they have no control over them If it's the health department, I'm sure minimal regulators to check on them
This city it's getting to be a free for all what ever one wants to do/ they do. No repercussions! Very sad!

Sent from my iPhone

5/5/2023

Mayor@longbeach.gov
District1@longbeach.gov
District2@longbeach.gov
District3@longbeach.gov
District4@longbeach.gov
District5@longbeach.gov
District6@longbeach.gov
District7@longbeach.gov
District8@longbeach.gov
District9@longbeach.gov
Cityclerk@longbeach.gov
Christopher.Koontz@longbeach.gov
Eric.Lopez@longbeach.gov
Cityattorney@longbeach.gov

Re: Long Beach City Council Agenda Item No. 16

Dear Mayor Richardson and Members of the City Council:

I am sending this letter to express my concerns regarding "Agenda Item No. 16" on tonight's City Council Agenda (Proposed Ordinance Regarding Sidewalk Vendors).

Although the recommendations from the City's consultant address a number of public safety concerns including setbacks, easements and others, the proposed language does not include many criteria vital to ensuring that our Long Beach restaurants and restaurant communities are protected. The ordinance will create a double standard whereby brick and mortar restaurants are required to adhere to more onerous and stringent regulations than those proposed for sidewalk vendors. The vast majority of Mom & Pop restaurateurs scraped all their savings together, took out loans, complied with all permitting, paid all our licensing fees, complied with all health department regulations in build costs and operations, created jobs and payroll taxes, sales tax and became a solid business within the community. Then this bill arrives which basically says that food and safety standards can be compromised in favor of eliminating costs of operating food carts, that food carts are more important than brick and mortar restaurants and that equity is no longer fair. To create an equal playing field and to protect the health and safety of both our restaurants and residents, I would propose the following additional criteria be added and that you direct the City Attorney to include these proposals in the resulting ordinance language:

-The current recommendations contain no mention of or requirement for insurance. In fact, the consultant recommends that no insurance be required. There is no logic or basis given as to why other than to say it would be "cost prohibitive". I strongly disagree. As these street vending operations will be

open to the public and given the insurance requirements for all brick-and-mortar businesses, it would make sense to require minimal General Liability insurance for sidewalk vending in order to protect consumers and others. The City of Long Beach currently requires insurance for special events and other activities without consideration for “cost” or whether it will impede operations. As such, insurance must be required for street vending in order to avoid a “two-tiered” business system in our City;

-While there is a requirement for a City business license, I would ask that you provide language to the City Attorney to incorporate in her draft ordinance that clarifies that sidewalk vendors will be required to obtain the same type of business license (and will be subject to the same fee structure) as all other restaurant and food establishments; Sellers Permits, LB Health Department Permit, Food Handler’s Cards

-While there is a prohibition on tables, chairs and canopies for sidewalk vendors, there is no setback requirement from existing restaurants. While there are required setbacks from alleyways, ATMs and fire hydrants, there should be a setback from existing restaurants in order to avoid an unfair business environment;

-In addition, the number of street vendor permits should be limited. The City has recently limited permits in other areas of commerce including cannabis , food trucks and outdoor dining. As such, and to be consistent, it would seem fair to limit the number of permits issued under this ordinance to 100;

-I would ask that the ordinance make clear that street vendor permittees shall otherwise comply with all Health Department regulations, have hot running water, refrigeration, hand washing stations, access to public restrooms and other basic health department criteria not specified in the recommendations; We are coming out of a pandemic and they don’t require hot running water and soap? The city also needs to employ PM Health Inspectors as most carts do business at PM so what’s the point in having requirements if there is nobody to check? Where do they leave their trash? Is the oil disposed of properly like brick and mortar or does it go down a drain or in the trash?

-I would ask that the City clarify that street vendors need to operate in an ADA compliant manner, as all other brick and mortar establishments in the City;

-Lastly, I would recommend that the enforcement and fine provisions be clarified before the City Attorney is asked to draft an ordinance. As the traditional restaurant businesses in the City are subject to inspection by health department officials, so too should street vendors. Such an enforcement mechanism is at the heart of any health and safety-oriented ordinance, including this one, and others envisioned by SB 946.

I thank you for your time and consideration.

Best,

Ciaran Gough – The 908 Restaurant, Ottimo Pizzeria, The Goldfinch Restaurant.

From: Keith Mason <keith_mason@outlook.com>
Sent: Sunday, May 7, 2023 11:25 AM
To: CityClerk <CityClerk@longbeach.gov>
Cc: Council District 3 <District3@longbeach.gov>
Subject: FW: This Week's 3rd District Update

-EXTERNAL-

Regarding Item #16 - Sidewalk Vending Recommendations, I had the following input:

- Operating Requirements: The use of umbrellas should also specify the height be higher than 7'. I'm a tall person and have had issues with the umbrellas be too low and getting poked in the head.
- Use of a generator should not permitted due to health (exposure to exhaust fumes) and noise issues.
- Shouldn't there be some limit on the number of vendors in an area. I'm thinking that no more that 25% of the available public space in a block could be used by a street vendors. This is to keep sidewalks passable and for a concentration of vendors to NOT become a noise nuisance. This should also be combined with a minimum distance between street vendors for the same reason. Something like a space of 100 feet between street vendors.
- Will there be an limits, for health reasons, on preparation of uncooked meats and their storage? Will this be addressed by the Health Department permit?
- I have a concern that the budget estimated for enforcement is too low and did not include cost impacts on LBPD. It is my understanding that city inspectors need to coordinate their enforcement efforts with LBBP which places a complication on enforcement along with a direct, unfunded, budget impact on the police.

Regards,

Keith

-----Original Message-----

From: Bill Stroud <belmontbill66@gmail.com>

Sent: Saturday, May 6, 2023 4:54 PM

To: CityClerk <CityClerk@longbeach.gov>

Subject: Impacts of Sewage Spills

-EXTERNAL-

I would like to show my support for our city council to toughen up on the sewage spills that have plagued our beaches for far too long .

The cities to the north of us have been polluting our beaches ever since I was a boy, and they seem to think that it is not a big deal. In my opinion, the only way to put an end to this problem is to hold them accountable, monetarily, every time they send pollutants down the L. A. River so that we have to deal with it. Let THEM pay the price for violating the law.

Bill Stroud, Belmont Shore

Sent from my iPhone

From: Tim <tim123_2000@yahoo.com>
Sent: Wednesday, May 3, 2023 2:47 PM
To: Daniel Ramirez <Daniel.Ramirez@longbeach.gov>
Subject: Sidewalk Vendors

-EXTERNAL-

Hello Daniel,

Unfortunately, I will not be able to physically attend the meeting regarding the sidewalk vendors, but I wanted to register my opinion if that okay.

I am strongly against this businesses. They seem to be popping up all over town and I honestly don't know how the city can possibly regulate the quality and safely of these "businesses". I image some will follow protocol and secure the proper licenses and maintenance health standards, but how does the city possible prevent others from simply setting up a canopy and start cooking and selling food.

I have seen these in the parking if brick and mortar restaurants, which also seem to be counter productive for their investment and assured health standards (via rating systems).

I have noticed trash and debris close to these "pop up" sidewalk businesses as people seem to eat on the run and drop the paper trays wherever they happen to finish their meal.

So, while I do admire an entrepreneur spirit, I don't see how this benefits our city, the bulk of the residents or the tax base.

Thanks for working on this project and I do hope that a solution can be reached that assures the health safety, aesthetics, support to B&M businesses and tax base of the city.

Best regards,

Tim

From: Summer Hoover [mailto:summer@rolandsands.com]

Sent: Tuesday, May 9, 2023 8:56 AM

To: Mayor <Mayor@longbeach.gov>; Council District 1 <District1@longbeach.gov>; Council District 2 <District2@longbeach.gov>; Council District 3 <District3@longbeach.gov>; Council District 4 <District4@longbeach.gov>; Council District 5 <District5@longbeach.gov>; Council District 6 <District6@longbeach.gov>; Council District 7 <District7@longbeach.gov>; Council District 8 <District8@longbeach.gov>; Council District 9 <District9@longbeach.gov>; CityClerk <CityClerk@longbeach.gov>; Christopher Koontz <Christopher.Koontz@longbeach.gov>; Eric Lopez <Eric.Lopez@longbeach.gov>; CityAttorney <CityAttorney@longbeach.gov>

Subject: City Council Meeting Agenda Item 16 - Street Vending

-EXTERNAL-

Dear Mayor Richardson and Members of the City Council:

I am sending this letter to express my concerns regarding “Agenda Item No. 16” on tonight’s City Council Agenda (Proposed Ordinance Regarding Sidewalk Vendors).

Although the recommendations from the City’s consultant address a number of public safety concerns including setbacks, easements and others, the proposed language does not include many criteria vital to ensuring that our citizens of Long Beach and long standing Long Beach restaurants and restaurant communities are protected. The ordinance has the ability to create a double standard whereby brick and mortar restaurants are required to adhere to more onerous and stringent regulations than those proposed for sidewalk vendors. Those regulations that were created specifically to protect the citizens of our city. To create an equal playing field and to protect the health and safety of both our restaurants and residents, I would propose the following additional criteria be added and that you direct the City Attorney to include these proposals in the resulting ordinance language:

-The current recommendations contain no mention of or requirement for insurance. In fact, the consultant recommends that no insurance be required. There is no logic or basis given as to why other than to say it would be “cost prohibitive”. I strongly disagree. As these street vending operations will be open to the public and given the insurance requirements for all brick-and-mortar businesses, it would make sense to require minimal General Liability insurance for sidewalk vending in order to protect consumers and others. The City of Long Beach currently requires insurance for special events and other activities without consideration for “cost” or whether it will impede operations. As such, insurance must be required for street vending in order to avoid a “two-tiered” business system in our City, protect the city and it’s residents.

-While there is a requirement for a City business license, I would ask that you provide language to the City Attorney to incorporate in her draft ordinance that clarifies that sidewalk vendors will be required to obtain the same type of business license (and will be subject to the same fee structure) as all other restaurant and food establishments;

-While there is a prohibition on tables, chairs and canopies for sidewalk vendors, there is no setback requirement from existing brick and mortar restaurants. While there are required setbacks from alleyways, ATMs and fire hydrants, there should be a setback from existing restaurants in order to avoid an unfair business environment;

-In addition, the number of street vendor permits should be limited. The City has recently limited permits in other areas of commerce including cannabis and outdoor dining. As such, and to be consistent, it would seem fair to limit the number of permits issued under this ordinance to 100;

-I would ask that the ordinance make clear that street vendor permittees shall otherwise comply with all Health Department regulations, have hot running water, refrigeration, hand washing stations, access to public restrooms and other basic health department criteria not specified in the recommendations;

-I would ask that the City clarify that street vendors need to operate in an ADA compliant manner, as all other brick and mortar establishments in the City;

-Lastly, I would recommend that the enforcement and fine provisions be clarified before the City Attorney is asked to draft an ordinance. As the traditional restaurant businesses in the City are subject to inspection by health department officials, so too should street vendors. Such an enforcement mechanism is at the heart of any health and safety-oriented ordinance, including this one, and others envisioned by SB 946.

I thank you for your time and consideration.

Sincerely,
Summer Hoover

SUMMER HOOVER

VICE PRESIDENT • CFO

ROLAND SANDS DESIGN

1365 OBISPO AVE.
LONG BEACH, CA 90804