



## City of Lake Forest REQUEST TO SPEAK

If you wish to speak before the City Council, please complete this form and submit to the City Clerk. There is a three (3) minute time limit per speaker. All information completed on this Speaker's Card is optional and subject to release under the California Public Information Act.

### PLEASE PRINT ALL INFORMATION LEGIBLY

Meeting Date: 6/18/2024

Please check boxes as appropriate:

- ☐ I have read and understood the Rules and Procedures for addressing the City Council.
- ☐ I would like to speak on Agenda Item #: \_\_\_\_\_
- ☒ I am speaking under Public Comments (subjects NOT on the current agenda)

Name: Randy Johnson

Address: \_\_\_\_\_

City: Lake Forest

Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_

Email: \_\_\_\_\_

Council may direct follow up to your inquiry. Providing contact information allows us to communicate with you and in aiding in the completion of the Minutes.

To: Lake Forest City Council, City Manager Rose

From: Randy Johnson, Lake Forest Resident

Date: June 18, 2024

Subj: Hot Food Street Vendor

Since mid-May, I've sent over a dozen emails to City Manager Rose, Code Enforcement Director Darrell Hill, Mayor Tettemer and all council members about a hot food street vendor operating in a public area on or near the parking lot of the Bank of America on El Toro Rd, just west of Rockfield Bl. One or two photos of the street vendor were attached to each email.

A picture is worth a thousand words. 3 of the attached photos accompany this report. Smoke billowing from a fire grill w/flames shooting 8 inches high, propane tanks on the ground.

Not a single response from any council member or City Manager Rose.

On May 16 Director Hill replied to my emailed inquiry whether the hot food vendor was in compliance with our laws. This, in part, is what he wrote (see attached copy):

***"To answer your questions about their legal status. No, they are not in possession of a health permit or a city vending permit. For that matter, there are no sidewalk food vendors, such as the one you spotted, that are legal. They cannot become legal to their conduct in food prep or sanitation practices".***

Furthermore, The Lake Forest Municipal Code states that even for street food vendors that would qualify for a city permit, that MC 5.17.045 (A)(20) declares the following:

***"The sidewalk vendor shall not contain or use propane, natural gas, batteries, or other explosive or hazardous materials. The vendor shall not use an open flame for the sidewalk vending operation."***

The photographs submitted document that this hot food vendor has both propane tanks and a fire grill used in their cooking activity.

Still, Council and City Manager Rose do nothing to shut down this vendor for using hazardous flammable and potentially explosive materials that pose a great risk to the public.

On June 03, City employee Jonathon Volzke replied to an email regarding the street food vendors and wrote, in part: ***"To date, the City's code enforcement division has shut down and confiscated the equipment of about a dozen vendors. About 50 other operations have been shut down."*** Mr. Volzke also wrote: ***"I do not believe that any other has been as aggressive as Lake Forest in addressing this issue."***

I inquired why this hot food vendor has not been shut down if the city so aggressive. No one from the city responded with an answer.

The council has not even had an open discussion on the food vendors, like Laguna Hills, Ranch Santa Margarita and Mission Viejo have had. In fact, Laguna Hills and Rancho Santa Margarita have actually amended or adopted new ordinances to address the problem, which have had great success. When driving through their cities I don't see a single food vendor. In Lake Forest, food vendors are commonly in operation. The one on El Toro Rd has been active now for **OVER A MONTH** and our city government does nothing! As a result of Lake Forest city government refusing to take enforcement action against this vendor, it poses incredible risk to both the public and our licenses brick and mortar restaurants. The risks are threefold:

- The food vendor is operating without a health certificate. This places the public at greater risk for infections and foodborne illnesses, which can be severe.
- Flammable and explosive devices used in the cooking process could cause grave injury to bystanders and patrons of the hot food vendor. This is the reason the city has an ordinance that prohibits it, while city government turns a blind eye.
- Our partnered and licensed restaurants in the area where the hot food vendor operates lose potential sales to this said illegal vendor operation. Our restaurants that made Lake Forest their home provide significant sales and property tax revenue to our city and deserve protection from unfair competition.

This is reminiscent of the City being disproportionally saturated with illegal marijuana dispensaries. For several years, the City did nothing to effectively eradicate the problem until I started complaining about it at council meetings. Finally, the City Attorney amended the Nuisance Ordinance, which stopped the illegal dispensaries. Prior to that, the revolving litigation made the law firm BBK (city attorney's firm) hundreds of thousands of dollars in revenue, compliments of the Lake Forest taxpayers.

Are we back as square one again with the illegal food vendors?



## Vendor on El Toro Rd.

Randy Johnson [REDACTED]

Wed 5/15/2024 5:06 PM

To: Hill, Darrell <drhill@lakeforestca.gov>



Mr. Hill.

I've attached a photo of a hot food vendor I spotted on El Toro Road next to the 99 Cent Store parking lot. They had steam coming from their cooking pots and an outdoor grill that was fired up.

Is this vendor authorized and in possession of a health permit? Large canopy overhead. Looks more sophisticated than your average run-of-the-mill street vendor.

Photo taken today (May 15) at about 4:45pm.

Please get back to me and let me know.

Thank you.

Randy Johnson

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**From:** Hill, Darrell <drhill@lakeforestca.gov>  
**Sent:** Thursday, May 16, 2024 7:03 AM  
**To:** Randy Johnson <rxrandy@hotmail.com>  
**Subject:** RE: Vendor on El Toro Rd.

Mr. Johnson,

Thank you for the heads up. I was alerted to their presence at approximately 4:30 pm and arrived just after your photo was taken. At my order, they shut down the operation and left the area.

To answer your question about their legal status. No, they are not in possession of a health permit or a City vending permit. For that matter, there are no sidewalk food vendors, such as this one you spotted, that are legal. They cannot become legal due to their conduct in food prep or sanitation practices.

Thank you



Darrell Hill  
Code Enforcement Supervisor

✉ [drhill@lakeforestca.gov](mailto:drhill@lakeforestca.gov)  
☎ (949) 461-3465

6/18/2024, 11:47 AM

Re: Hot Food Street Vendor

Subject: RE: Hot Food Street Vendor

Mr. Johnson,

Thank you for your reports. To date, the City's code enforcement division has shut down and confiscated the equipment of about a dozen vendors. About 50 other operations have been shut down. Much of the work has been done in coordination with the County of Orange health department. I do not believe any other city has been as aggressive as Lake Forest in addressing the issue.

In an attempt to stem the popularity of the vendors among customers, we published numerous social media posts alerting residents that the food vendors are unpermitted and illegal. We also included an article in The Leaflet, which is mailed to all Lake Forest residents. You may have noticed in our social media posts about the vendors that many residents believe the City is overbearing and choose to support the vendors.

The City recognizes the importance of the issue and is working – along with several South County cities – on a lasting solution.

I'd also like to encourage you to use the Ask Lake Forest system, [www.asklakeforest.com](http://www.asklakeforest.com), which was set up specifically to allow residents to submit concerns. Doing ensures the concerns are properly routed and logged and ensures all concerns about any given topic are easily tracked. The system also accepts photographs.

Thank you,

Jonathan Volzke  
Communications and Marketing Manager

