

CITY OF LOS ANGELES

INTER-DEPARTMENTAL CORRESPONDENCE

DATE: March 14, 2016

TO: The Honorable Nury Martinez, Chair
Entertainment and Facilities Reduction Committee

FROM: Nazario Saucedo, Director
Bureau of Street Services

SUBJECT: CF 15-1511 REQUIRING ALL FARMERS MARKETS TO ACCEPT ELECTRONIC BENEFITS TRANSFER (EBT) CARDS

SUMMARY

This report is responsive to a Councilmember Huizar, Council District 14, motion (CF 15-1511) recommending Farmers Markets held within the City of Los Angeles (City) be required to accept EBT cards.

The Bureau of Street Services (BSS) permits Farmers Markets held within the City's public rights-of-way (ROW) through special event permits. The BSS does not regulate Farmers Markets held on private property. There are twenty-three public ROW permitted Farmers Markets in the City. The City has the authority to add conditions to special event permits, including requiring public ROW Farmers Markets accept EBT cards.

RECITAL

In 2009, the City enacted Los Angeles Municipal Code (LAMC) Section 41.20 creating a new special events ordinance. The LAMC includes a specific category of special event permits for Farmers Markets.

BSS permitted Farmers Markets only comprise a portion of the City's Farmers Markets. Farmers Markets occurring entirely on private property are not required to obtain a BSS permit. The permitting requirements for special event Farmers Markets applies to markets held on City streets and the BSS currently permits twenty-three of these events.

A condition for requiring EBT card acceptance can be instituted. The institution of this condition can begin with the next renewal period of each respective Farmers Market permit application. The EBT card acceptance process is under the jurisdiction of the Office of the City Attorney and has been referred to their office for review.

The Bureau will enforce this permit condition by requiring applicants to provide a Food and Nutrition Service (FNS) number issued by the United States Department of Agriculture (USDA) when applying for a special events permit to operate a farmers' market on City property. The Bureau will use a complaint driven enforcement model, MyLA311, for any reported violations of this requirement. Failure to comply may subject the market operator to a hearing with the Board of Public Works (BPW) and potential revocation of the permit.

FISCAL IMPACT

No fiscal impacts at this time.

RECOMMENDATIONS

1. Direct the BSS to include the acceptance of EBT cards as a permit condition for all public ROW Farmers Markets.
2. Direct BSS to require Farmers Markets to obtain a FNS number from the USDA.
3. Direct the BSS to utilize the MyLA311 system as the complaint depository for those Farmers Markets who fail to allow EBT card transactions. Failure to allow EBT card usage will be investigated and a BPW hearing held with permit revocation possible.

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MOTION

In the City of Los Angeles, many neighborhoods are "food deserts" where it is difficult to find fresh and healthy food. Local Farmers' Markets are a great way of bringing fresh produce into these communities. Neighborhoods facing "food desert" conditions are predominantly low-income communities, and studies have shown that these same communities suffer a disproportionate burden of chronic diseases related to obesity and poor diet. Increased access to fresh fruits and vegetables through Farmers' Markets, can help alleviate diet-related chronic conditions.

The CalFresh Program (California implementation of Federal Supplemental Nutrition Assistance Program) improves the health and well-being of its recipients by providing them with a monthly allocation for food purchases. These benefits can only be used to purchase food in locations that accept Electronic Benefit Transfer (EBT) cards. Only 47% of the 65 active Farmers' Markets within the City of Los Angeles accept EBT cards as a form of payment. Farmers' Markets that accept EBT payments report increase in sales that are of benefit to both vendors and Farmers' Markets.

The City Council should take action to ensure that all Certified Farmers' Markets within the City of Los Angeles accept EBT cards as a form of payment.

I THEREFORE MOVE that the Department of Public Works, with the assistance of City Attorney, be instructed to take the following actions:

1. Report on the City's current authority to require EBT access at all Farmer's Markets;
2. Develop a policy for monitoring and enforcing EBT access requirements at farmers' markets, including disciplinary actions for markets that fail to comply and accept CalFresh benefits; and,
3. Require proof of EBT card acceptance by providing a Food and Nutrition Service (FNS) number issued by the United States Department of Agriculture when applying for a special events permit to operate a farmers' market on City property.

PRESENTED BY: 

JOSE HUIZAR

Councilmember, 14th DistrictSECONDED BY: 

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