

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND
WORKER PROTECTION

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JANUARY 31, 2024
Start: 1:09 P.M.
Recess: 4:51 P.M.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Julie Menin,
Chairperson

COUNCIL MEMBERS:

Shaun Abreu
Gale A. Brewer
Amanda Farias
Oswald Feliz
Shekar Krishnan
Lincoln Restler
Carmen De La Rosa
Chi A. Ossè
Julie Won

A P P E A R A N C E S

Margaret Forgione
First Deputy Commissioner at New York City DOT

Will Carry
Assistant Commissioner for Policy

Ric Rodriguez
Assistant Commissioner for Intergovernmental and
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Kevin Cain
Deputy Inspector

Juliane Farruggia
Managing Attorney from the New York City Police
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Ahmed Hussam
Street Vendor

Carina Kaufman-Gutierrez
Deputy Director of the Street Vendor Project

Mohamed Awad
Street Vendor

Rob Byrnes
New York City BID Association

Daniel Scorse

A P P E A R A N C E S (CONTINUED)

Lisa Sorin
President of the Bronx Chamber of Commerce

Elvia Pilla
Street Vendor

Christian Caitzbanda
Member of the Vendors Salesmen's

Luis Lopez

Jose Masaqueza (SP?)
Street Vendor Association

Marito Sosa (SP?)

Brian McGinn
34th Street Partnership and the Bryant Park
Corporation

Ed Westley
Jackson Heights Beautification Group

Alexandria Sica
DUMBO Improvement District

Regina Myer
President of the Downtown Brooklyn Partnership

Jane Rossman
Garment District Alliance

Ligia Guallpa
Executive Director of the Workers Justice Project

A P P E A R A N C E S (CONTINUED)

Antonio Solis

Alejandro Grajales
Worker Justice Project

Hayley Prim
Uber and Uber Eats

Joshua Bocian
Senior Manager of Government Affairs for Grubhub

Kassandra Perez-Desir
Head of Government Relations for DoorDash

Bryan Lozano
Tech NYC

Dawn Eldridge
Owner/Operator of a small business restaurant in
Greenpoint

Jesus Gonzalez

Luis David-Mendoza

Francisco Calderon
Member of Street Vendor Project

William Cadena Rojas
Street Vendor

Hugo Gonzalez
Sales Vendor

A P P E A R A N C E S (CONTINUED)

Zhang Wu Zhou
New immigrant from China

Eric Nava-Perez

Mozeik Perkins

Wajid Shah
Disabled Veteran

Elsa Anancolla
Immigrant from Ecuador

Mamadou Niong
Street Vendor

Carla de Jesus Rodriguez
Street Vendor

Flamberto Diaz
Street Vendor

Alejandro Marin
Street Vendor

Vicente Veintimilla
Street Vendor

Ana Leon
Street Vendor

Manuel Castro
Brooklyn Bridge Street Vender Group

A P P E A R A N C E S (CONTINUED)

Soledad Monroy
Street Vendors Project

Maria Chango

Maria Jimenez

MD Rahman
Immigrant from Bangladesh

Christopher Leon Johnson

Raul Rivera
TLC Driver Advocate

Thomas Ferrugia
Director of Governmental Affairs with the
Broadway League

Selasie Lopez
General Merchandise Vendor

Sonia Perez
Member of the Street Vendor Project

Salvio Romero
Vietnam Disabled Veteran

2 SERGEANT AT ARMS: Good afternoon. This is a
3 microphone check on the Committee of Consumer and
4 Worker Protection located in the City Chambers on
5 January 31, 2024, recorded by Patrick Kurzyna.

6 SERGEANT AT ARMS: Good afternoon and welcome to
7 the New York City Council Hearing of the Committee on
8 Consumer and Worker Protection. At this time, can
9 everybody please silence your cellphones. If you
10 wish to testify, please go up to the Sergeant at Arms
11 desk to fill out a testimony slip. Written testimony
12 can be emailed to testimony@council.nyc.gov. That is
13 testimony@council.nyc.gov.

14 At this time and going forward, no one is to
15 approach the dais. I repeat, no one is to approach
16 the dais. Chair, we are ready to begin.

17 CHAIRPERSON MENIN: [GAVEL] Good afternoon. I'm
18 Julie Menin and I am thrilled to welcome you to my
19 first hearing as Chair of the Committee on Consumer
20 and Worker Protection. Before we begin, I want to
21 recognize my fellow Council Members, members of the
22 Committee who are here. Council Member Abreu. Thank
23 you for being here. And I don't see anyone else but
24 I will recognize other members as soon as they join.

2 So, today's hearing is on 11 bills related to two
3 issues that impact our city's streetscape. Street
4 vending and lithium-ion battery empowered mobility
5 device safety. The legislation that is a subject of
6 the hearing today was heard last session in this
7 Committee and all testimony from that hearing will be
8 incorporated into the record for today's hearing.

9 This includes the following bills that were heard at
10 October 23, 2023 hearing on lithium-ion battery
11 powered bicycle and powered mobility device safety.

12 A Preconsidered Introduction sponsored by Council
13 Member Brewer would require all businesses that sell
14 e-bikes, e-scooters and other personal mobility
15 devices powered by batteries to pose lithium-ion
16 battery safety informational materials and guides.

17 A Preconsidered Introduction sponsored by Council
18 Member Nurse would create record keeping and
19 reporting requirements for entities that purchase or
20 accept second use rechargeable lithium-ion batteries
21 that power devices such as e-bikes and electric
22 scooters. This would include reporting on the number
23 and type of batteries purchased or accepted and the
24 manner of disposal of such batteries.

2 A Preconsidered Introduction sponsored by Council
3 Member Brewer would require the delivery worker
4 bicycle safety course developed by the Department of
5 Transportation to cover the safe and lawful
6 operations of powered bicycles as well as lithium-ion
7 battery and charging safety. In addition, it would
8 require third party delivery companies, ensure that
9 their delivery workers complete the bicycle safety
10 course and provide their delivery workers with
11 bicycle safety equipment including protective
12 headgear, a lamp, a bell or other signaling device,
13 brakes and reflective material.

14 A Preconsidered Introduction sponsored by Council
15 Member Feliz would require that any powered mobility
16 device operated by food delivery worker on behalf of
17 a third-party delivery service or third-party courier
18 service meet fire safety standards. Third party
19 delivery services or third-party courier services
20 would be responsible for providing food delivery
21 workers with such devices at no expense to the
22 worker.

23 Finally, responsibility for compliance with these
24 provisions would fall on the third-party delivery
25 service or third-party courier service, which would

2 be subject to civil penalties for any violations. A
3 Preconsidered Introduction sponsored by Council
4 Member Brewer would require electric bicycle or
5 scooter businesses to obtain a license in order to do
6 business in the city. In order to receive a license,
7 businesses would need to have liability insurance and
8 certify that they are in compliance with certain
9 safety requirements. This would also enable the
10 Department of Consumer and Worker Protection in
11 coordination with the Fire Department to conduct
12 inspections of these businesses to ensure that they
13 are operating in a safe manner.

14 It also includes the following bills heard at our
15 December 13, 2023 hearing on street vending in New
16 York City. A Preconsidered Introduction sponsored by
17 myself would prohibit general vendors, mobile food
18 vendors and vendor related activity from occupying
19 bicycle lanes. A Preconsidered Introduction
20 sponsored by myself would allow mobile food vendors
21 to display or store goods on top of their carts and
22 it would simplify the display requirements for
23 general vendors.

24 This bill would also remove bookkeeping
25 requirements for general vendors and mobile food

2 vendors. A Preconsidered Introduction also sponsored
3 by myself would eliminate the requirement that
4 individual employees of mobile food vending carts or
5 trucks each have a New York State certificate of
6 sales tax authority. A Preconsidered Introduction
7 sponsored by Council Member De La Rosa would allow
8 vendors to place or push carts two feet from the curb
9 or as close as possible to an obstruction that is in
10 or on the sidewalk. Currently, the law requires
11 vendors push carts to abut the curb endangering the
12 safety of vendors who must exit their carts onto the
13 street and potentially into oncoming traffic.

14 A Preconsidered Introduction sponsored by Council
15 Member Krishnan would remove all misdemeanor criminal
16 penalties for general vendors and mobile food
17 vendors. Individuals who violate vending
18 requirements would instead be subject to an offense
19 and civil penalties.

20 A Preconsidered Introduction sponsored by Council
21 Members Brewer and Farias, would prohibit general
22 vending and mobile food vending on a bridge approach,
23 restrict all vending on bridges to elevated
24 pedestrian walkways that have at least a 16-foot
25

2 clear pedestrian path and prohibit vending within 20
3 feet of another vendor operating on a bridge.

4 We received extensive feedback on each of these
5 bills at our previous hearings and continue to work
6 with stakeholders in assessing any suggested
7 amendment. So, I will now turn it over to our
8 Committee Counsel.

9 COMMITTEE COUNSEL: Thank you Chair Menin. Good
10 morning and welcome. Before we begin, I'd like to
11 remind everyone who is joining us via Zoom, you will
12 be on mute until you are called on to testify, at
13 which point you'll be asked to accept to be unmuted
14 by the host. I will be calling on public witnesses
15 to testify after the conclusion of the
16 Administration's testimony and Council Member
17 questions, so please listen carefully for your name
18 to be called.

19 Please note that Council Members will have two
20 minutes for questions and we will be allowing a
21 second round of questions if needed. We'll now call
22 on representatives of the Administration to testify.
23 Administration panelists, please raise your right
24 hands. Do you affirm to tell the truth, the whole
25

2 truth and nothing but the truth before this Committee
3 and respond honestly to Council Member questions?

4 PANEL: Yes.

5 COMMITTEE COUNSEL: You may begin.

6 CHAIRPERSON MENIN: And just before you begin,
7 let me also say we've been joined by Majority Leader
8 Farias.

9 MARGARET FORGIONE: Good afternoon Chair Menin
10 and members of the Committee on Consumer and Worker
11 Protection. I am Margaret Forgione, First Deputy
12 Commissioner at New York City DOT. With me today is
13 Will Carry, Assistant Commissioner for Policy and
14 Rick Rodriguez, Assistant Commissioner for
15 Intergovernmental and Community Affairs.

16 We are also joined by Deputy Inspector Kevin Cain
17 and Managing Attorney Juliane Farruggia from the New
18 York City Police Department. Thank you for the
19 opportunity to testify on behalf of Mayor Adams and
20 Commissioner Rodriguez on this package of vending and
21 powered mobility device legislation.

22 First, on the preconsidered bills sponsored by
23 Council Member Brewer, related to vending on bridges.
24 The Administration opposes this bill as drafted, as
25 it would allow vending back on the pedestrian

2 walkways of bridges. We want to be clear, we made
3 this change for public safety and allowing vendors
4 back would make our city less safe.

5 In order to enhance pedestrian safety, ease
6 overcrowding and promote the safety and security of
7 our bridges, last month the Department of
8 Transportation promulgated a rule to prohibit vending
9 on pedestrian walkways and bicycle lanes on bridges
10 and bridge approaches. This rule has already been
11 instrumental in the city's efforts to ensure the
12 safety and security of our bridges and this
13 legislation would reverse this important step.

14 The city moved forward with this rule in response
15 to growing conflicts along the bridge promenade due
16 to an influx of vendors coupled with a rebound in
17 pedestrian activity following the pandemic. While we
18 will speak specifically about conditions on the
19 Brooklyn Bridge, the City would have similar concerns
20 about vending on the pedestrian walkways of all
21 bridges, which is why the rule prohibited vending on
22 all of the city's bridges.

23 Turning to the Brooklyn Bridge, more people are
24 walking across this bridge than ever before. About
25 34,000 pedestrians cross the Brooklyn Bridge on a

2 typical fall weekend day in 2022. Compared with
3 about 17,000 pedestrians in 2021. Given these high
4 pedestrian counts, vending along the walkway created
5 unsafe conditions including cases where people
6 unsafely climbed over the fencing to walk on the
7 separated bike path, bike lane to escape the
8 overcrowded walkway.

9 Vendors displaying and storing wears, carts,
10 tables, tents, tarps, canopies, coolers, and illegal
11 gas-powered generators along the walkway impede
12 pedestrian flow jeopardizing the ability of people to
13 exit the bridge safely and access for emergency
14 responders.

15 Further, the Brooklyn Bridge is a critical link
16 in and out of Manhattan and at times has extremely
17 high numbers of pedestrians such as during
18 emergencies and protests where the safe egress of
19 pedestrians is crucial.

20 DOT also has concerns about carts, tables,
21 wagons, generators and other items on the Brooklyn
22 Bridge, as the presence of these items increases the
23 risk for structural damage. We are also concerned
24 about the possibility of materials falling onto the
25 roadway below.

2 While we believe that vending is an important
3 part of New York City's ecosystem, our role is
4 targeted to apply to locations where we see a clear
5 and present public safety threat. We know that the
6 Council shares our concern for public safety and we
7 are happy to work together on nearby locations where
8 we could potentially support vending.

9 Next, turning to the Preconsidered Bill sponsored
10 by Council Member De La Rosa, this bill would allow
11 street vendors to vend on the sidewalk, as long as
12 vendors are within two feet from the curb or if there
13 is an obstruction that prevents such placement as
14 close to the obstruction as possible.

15 DOT has significant concerns with this bill and
16 the affects it would have on pedestrian access and
17 mobility throughout the city. The city sidewalks
18 accommodate a variety of uses and amenities,
19 including landscaping, outdoor dining, street
20 furniture such benches and bus shelters and street
21 vending. These amenities improve the quality of life
22 for New Yorkers but it is essential the sidewalks
23 continue to have sufficient space for the safe and
24 comfortable movement of pedestrians.

2 This bill would decrease the amount of space for
3 pedestrians on the sidewalk and negatively affect the
4 pedestrian experience throughout the city, especially
5 on our most crowded sidewalks.

6 In addition, allowing vending next to an
7 obstruction could lead street furniture to become
8 unavailable for its intended use. People must be
9 able to access benches, bus stops, parking meters and
10 more. DOT would be happy to work with the Council to
11 allow vendors to vend within two feet of the curb as
12 long as a twelve-foot pedestrian clear path is
13 maintained.

14 Next, turning to the preconsidered bill sponsored
15 by Council Member Brewer. This bill would require
16 DOT to update the Commercial Cyclist Safety Course to
17 include information on a wider variety of devices as
18 well as to require that the apps ensure delivery
19 workers take such courses and are equipped with
20 safety equipment.

21 The Administration supports and shares the
22 Council's interest in delivery worker safety. As you
23 know in his State of the City Address, Mayor Adams
24 shared that our Administration is in discussions with
25 the City Council to create the Department of

2 sustainable delivery which would create a
3 comprehensive approach to safety and accountability
4 and our city's growing delivery industry.

5 The Administration supports Council Member
6 Brewer's legislation and would like to work with the
7 Council on this bill to move us closer to this goal.
8 This would include broadening the scope of
9 Administrative Code 10157, the commercial cyclist
10 law, to cover commercial operators of all types of
11 legal two-wheel devices, not just bikes. And
12 requiring that businesses ensure delivery workers
13 operating on their behalf use legal and certified
14 devices and are licensed in accordance with
15 applicable law.

16 We would also support linking compliance to
17 DCWP's third party delivery service license and
18 requiring data reporting to hold the apps
19 accountable. Finally, on the Preconsidered Bill
20 sponsored by Council Member Feliz, which would
21 require delivery workers to use certified devices.
22 It is also our understanding that this bill intends
23 for app companies to provide workers with these
24 devices at no expense to the worker. The
25 Administration supports this legislation and would

2 like to work with the Council on the bill that would
3 go further in requiring third party food delivery
4 services and third-party courier services to
5 establish and pay for a trade and program for
6 illegal, uncertified and gas-powered devices. This
7 would help delivery workers transition to legal and
8 safe devices and help address both street and fire
9 safety concerns.

10 In conclusion, I would like to thank the Council
11 for the opportunity to testify before you today and
12 now welcome your questions.

13 CHAIRPERSON MENIN: Thank you very much. I'm
14 first going to turn it over to Council Member Brewer
15 to make a statement about her bill or bills.

16 COUNCIL MEMBER BREWER: Thank you very much.
17 It's a very informal statement because I think people
18 are aware. I want to congratulate the Administration
19 because I was there with my nephew who is Norwegian,
20 about 6'5 trying to get up the Brooklyn Bridge. He
21 was visiting and we could not and he is somebody who
22 can handle almost anything. So, it was too crowded.
23 It was dangerous and thank you for clearing it.

24 The issue now though is, what do we together
25 working with DOT, working with the Administration,

2 working with the stakeholders, Street Vendor Project
3 Administration and certainly the City Council to come
4 up with a much more limited and again, not clear what
5 kind of vendors but I am, just like you supportive,
6 no vendors at the entrances and no vendors where
7 there isn't space. 5 foot is not enough room. It
8 has to be 16 foot. How far they should be apart
9 etc., all to be discussed.

10 I do think that as an experience, walking across
11 the bridge, I haven't done it as many times as some
12 of you in the room but I have done it quite a few
13 times and you could add perhaps for safety as well as
14 support for the vendors and support for the
15 pedestrian, something that was appropriate for the
16 space, time and place.

17 So, thank you Madam Chair. I know there's much
18 more discussion on this bill. This is just the
19 beginning of the hearing. Thank you so much.

20 CHAIRPERSON MENIN: Thank you very much and NYPD,
21 are you going to be testifying? Wonderful, great so
22 we'll turn it over to you. Thank you.

23 KEVIN CAIN: Thank you. Good afternoon Chairman
24 and members of the Council. I'm Deputy Inspector
25 Kevin Cain, the Operations Commander of the Patrol

2 Services Bureau of the New York City Police
3 Department. I am joined today by Juliane Farruggia,
4 the Managing Attorney of the Departments Legislative
5 Affairs unit as well as our partners from the
6 Department of Transportation. On behalf of Police
7 Commissioner Edward Caban, I would like to thank you
8 for this opportunity to discuss the bill relating to
9 vending on city bridges.

10 Preconsidered Intro 71 would permit vending on
11 certain portions of the city's bridges while
12 prohibiting vending on the bridges approach. The
13 city bridges, especially the Brooklyn Bridge, are
14 some of the most popular tourist attractions in the
15 city while also serving as important commuter options
16 for pedestrians and cyclists alike. As a result,
17 these bridges are some of the most heavily foot
18 trafficked and cycled areas of the city at peak
19 times. We have all experienced how congested the
20 Brooklyn Bridge can get and its popularity is a major
21 factor in it being designed as a high threat counter
22 terrorism target since the 2003 Brooklyn Bridge plot
23 was uncovered, where an individual was tasked by
24 Osama Bin Laden to sever the bridges suspension
25 cables.

2 The large carts, tables, tents, tarps, gas
3 containers and other equipment that vendors would
4 inevitably bring onto bridges presents opportunities
5 for nefarious actors to conceal and deploy weapons
6 and explosives or to tamper with when left overnight.
7 Beyond it being a high-profile terrorism target, the
8 level of pedestrian and cycle traffic on the Brooklyn
9 Bridge presents other unique public safety and
10 quality of life concerns.

11 The threat of panic creating a pedestrian crush
12 situation is an ever-present danger. Further
13 congesting the walkways with large obstacles and
14 creating additional choke points is dangerous and
15 will increase the likelihood that these hazardous
16 situations may occur.

17 These obstacles also create unnecessary
18 additional challenges for law enforcement and first
19 responders when responding to an emergency. From
20 2019 to 2023, there were at least 6,349 911 calls for
21 service on the Brooklyn Bridge pedestrian and bike
22 path. 1,301 were for an ambulance response,
23 including 130 for jumpers. 230 were for crimes in
24 progress, 9 for a suspected explosive device or
25

2 threat, 68 for hazardous materials including
3 suspicious packages and 89 were for fires.

4 When we respond to an individual who is
5 threatening to jump, our officers must use a
6 specialized rope system to attempt to prevent the
7 tragedy. When vendors lock their equipment to the
8 barriers overnight to prevent theft, it becomes more
9 difficult and more dangerous to use this vital
10 equipment. Vending on the walkways also creates
11 unsanitary conditions which sometimes can create
12 hazardous conditions on the roadway below when trash
13 and debris inevitably fall through.

14 Finally, the bridges in lower Manhattan have been
15 specifically favorite targets where demonstrations
16 and marches of all types, when the crowd is too large
17 for the walkway to accommodate, groups will take to
18 the roadway.

19 Further congesting the walkways only makes it
20 more likely they will use the roadway which creates
21 obvious physical hazards while also causing
22 significant negative impacts on vehicular traffic in
23 all of lower Manhattan. For these reasons, the
24 Department respectfully opposes this bill.

2 Thank you for the opportunity to speak with you
3 today and I am pleased to answer your questions.

4 CHAIRPERSON MENIN: Great, thank you very much
5 and just to remind everyone, so these 11 bills have
6 been heard previously. All of the Council Member
7 questions that were asked at the original hearings on
8 the bills are incorporated into the record as well as
9 comments and feedback from the public. So, I just
10 want to remind everyone, that is all in the record.
11 We have many members of the public who are here to
12 testify today, so I'm actually going to limit my
13 questions and then I'll turn it over to my colleagues
14 for their questions.

15 I do have a question. We're going to be joined
16 by Council Member Feliz. He texted me. He'll be
17 here shortly. I know he's going to speak on his
18 bill. You had mentioned at the end of your testimony
19 that you want to build upon that bill and insert a
20 trade in program. Can you talk a little bit more
21 about how that would work? 1948

22 KEVIN CAIN: Thank you Chair for the question.
23 Uhm, yes, the Administration supports Council Member
24 Feliz's proposed legislation, as part of a
25 comprehensive package of actions to improve the

2 safety of delivery workers and this would include
3 updating the Commercial Cyclist Law to better reflect
4 the reality that we're seeing on our streets today.

5 To ensure that users are riding legal and
6 certified devices and a broad-based app funded
7 buyback program, could be part of that solution. To
8 enable delivery workers who have already invested in
9 devices that may not be well certified, which may not
10 be street legal. A way to transition to a legal
11 device and to be able to continue to work. This
12 would be part of an effort to hold the third-party
13 apps accountable and to enable a transition to safe
14 dispatch where only workers who are riding legal and
15 certified e-bikes and other mobility devices are on
16 our streets.

17 CHAIRPERSON MENIN: Thank you and one other
18 question before I turn it over to my colleagues. You
19 mentioned in your testimony in terms of Council
20 Member De La Rosa's bill, uhm, that you have
21 significant concerns. Could you be more specific
22 about the concerns?

23 MARGARET FORGIONE: Yeah, so first and foremost
24 of course our sidewalks are necessary for pedestrian
25 movement. If we increase the footprint basically of

2 vendors by allowing them to set up in front of other
3 objects on the sidewalk, whether it be a meter, a
4 planter, a bollard, we are thereby further
5 constraining the useable sidewalk width. So, that is
6 the basis of our concern with the Council Members
7 proposed bill. So, we'd like to talk with her more
8 about how to address that issue.

9 CHAIRPERSON MENIN: Great, thank you. Okay,
10 Majority Leader, do you have some questions?

11 COUNCIL MEMBER FARIAS: Thank you so much Chair.
12 Just really quickly in your testimony, I just want a
13 clarification point. Where in the bill around the
14 sidewalk vending does it state or dictate that it
15 contradicts our current policy on the allowance of
16 12-foot pedestrian clear path? Is there a section of
17 the bill that states that? Because our impression is
18 that it is still allowable with a 12-foot pedestrian
19 pathway.

20 MARGARET FORGIONE: Okay, my understanding is
21 that the bill would allow a vendor to set up in front
22 of, even if that were to – and that would thereby
23 reduce the 12-foot clear path.

24 COUNCIL MEMBER FARIAS: Okay, we should
25 definitely talk to the prime sponsor on that because

2 our impression from our bill drafter side to the rest
3 of the membership is that this is not supersede the
4 policy that we have in place of an allowance of 12
5 feet for the pedestrian pathway. So, we should
6 definitely clarify on that.

7 Uhm, and then just some questions on the vending
8 of the Brooklyn Bridge. Recently the city finalized
9 a rule to prohibit vending on all city bridges. Can
10 you explain the rationale for this rule outside of
11 what was already in your testimony?

12 MARGARET FORGIONE: Yes, so as we have seen on
13 the Brooklyn Bridge as an example, uhm when we do
14 have vending and we have people congregating and
15 we're inhibiting movement on a place that is already
16 a constraint atmosphere. We're introducing a safety
17 concern. We've had many days on the Brooklyn Bridge
18 where well, there were several days where NYPD in the
19 past had to actually limit people entering the
20 bridge. But we've had many, many days of
21 overcrowding where uhm, as we mentioned, we have seen
22 people jumping over a fence to get into the bike lane
23 in order to exit the bridge.

24 I was out there a day in December, where tourists
25 and others were approaching the bridge and literally

2 turning around and saying, "I'm not going to deal
3 with that." Where people could not work. So, the
4 conditions that we were seeing were not safe. If
5 there had been even in the absence of an emergency
6 but if there had been an emergency, and all of a
7 sudden people were quickly exiting the bridge for
8 some reason, as was testified by NYPD, we would
9 anticipate some stampeding or trampling conditions to
10 be out there.

11 COUNCIL MEMBER FARIAS: Sure, so what plans is
12 DOT and NYPD putting together now to ensure there is
13 a regulatory enforcement or there's some sort of
14 plans in place in terms of managing the overcrowding?
15 Are you communicating?

16 MARGARET FORGIONE: Since January 3rd, when the
17 vendors were removed from the bridge, we've been
18 monitoring the bridge daily. There has been good
19 compliance in terms of people not returning to set up
20 vending. We intend to continue to watch the bridge
21 very carefully to make sure that that is the case and
22 we've seen much better conditions with better flow of
23 pedestrians.

24 KEVIN CAIN: I just wanted to elaborate on the
25 overcrowding situation. I know there was a few

2 newspaper articles about it on December 29th. Police
3 were called to the bridge for overcrowding on both
4 sides. The 84 Precinct responded from the Brooklyn
5 side; the 5th Precinct responded from the Manhattan
6 side. The calls started coming in around one o'clock
7 in the afternoon, painting a pretty bad picture of
8 overcrowding, people arguing. I can't get out.
9 There was multiple callers through 911. There was
10 multiple texters through 911. Police officers stayed
11 on the scene on both sides until about 6:45 p.m. when
12 they were comfortable enough to release the
13 restriction on pedestrian traffic on both sides. But
14 just to highlight two of the 911 callers, one of them
15 that comes in at 3:15 states that vendors are
16 blocking the entrance and then two hours later
17 there's a separate caller that states that vendors
18 are blocking the road.

19 COUNCIL MEMBER FARIAS: So, outside of the
20 callers, in terms of our response, what did the
21 officers that responded see and how was it managed?

22 KEVIN CAIN: I can't speak to what the specific
23 officers on scene saw but what they did was they had
24 one person - uh, two people on each side at least on
25 the Manhattan side on the Brooklyn side and they were

2 regulating the entry of the bridge to prevent more
3 overcrowding and they were trying to monitor the
4 free-flowing traffic of people that were already on
5 the bridge.

6 COUNCIL MEMBER FARIAS: Okay, so we do not know
7 if there were actual vendors that were non-compliant
8 or that were blocking the pathway?

9 KEVIN CAIN: We do not.

10 COUNCIL MEMBER FARIAS: Okay, thank you. Just a
11 couple quick questions for – oh wait, one second.
12 Okay, we have an agency that's not here. Uhm, and
13 then just quickly, what percentage of those vending
14 on the Brooklyn Bridge in the past were vending
15 without licenses? Do we have that data?

16 MARGARET FORGIONE: We do not have information on
17 that.

18 COUNCIL MEMBER FARIAS: Okay, uhm, and so we
19 don't have that data. I'm assuming we also don't
20 have the data on how many of those were in violation
21 of another siting requirement on the Brooklyn Bridge?

22 MARGARET FORGIONE: We don't have that
23 information.

24 COUNCIL MEMBER FARIAS: Okay, I'll follow up and
25 send some of these questions. Thank you Chair.

2 CHAIRPERSON MENIN: Thank you and now Council
3 Member Abreu.

4 COUNCIL MEMBER ABREU: Thank you Chairman and
5 congratulations on your first hearing as the Chair of
6 this Committee.

7 CHAIRPERSON MENIN: Thank you.

8 COUNCIL MEMBER ABREU: You are going to do a
9 great job. I have a question with respect to Council
10 Member Feliz's bill. This bill is intended for app
11 companies to provide workers with these apps - with
12 these devices and no expense to the worker. My
13 question is, this is something that would be enforced
14 by DOT now correct?

15 I guess my question is for DOT. What is - what
16 steps if any, do you have any concrete plans on how
17 this bill would be enforced?

18 MARGARET FORGIONE: Okay, I'll pass it to
19 Assistant Commissioner Will Carry to give you his
20 thoughts on that.

21 COUNCIL MEMBER ABREU: For compliance purposes.

22 WILL CARRY: Thank you. Thank you Council
23 Member. I can point to a couple previous examples
24 that we've done in somewhat similar circumstances.
25 Back in 2021, then Chair Rodriguez shepherd it

2 through legislation regulating the e-bike, excuse me,
3 the shared e-scooter industry. Revel Lime was here
4 for a while and the form that that took is that after
5 a state of fatalities involving Revel, we required
6 Revel and other companies in that space to submit
7 safety plans, actions they were going to take to
8 improve the safety of their operations. And then we
9 required them to provide robust data by which we
10 could hold them accountable and we also created a
11 permit. So, their ability to operate in New York
12 City was contingent on them meeting the commitments
13 that they made, which was verified by the data.

14 In addition, the City Council has passed
15 legislation directing DOT to create an e-scooter
16 share program. It's now up and running quite
17 successful in the East Bronx. We hope to be
18 expanding that to Queens. It's a slightly different
19 system. It's not a permit. We did it through a
20 procurement but we have a lot of the same measures in
21 place. The companies have to agree to commit to
22 doing a certain list of actions in order to make sure
23 that their systems are safe and that the sidewalk is
24 well maintained. There's robust data sharing and
25

2 that's how DOT keeps them accountable. I hope that
3 answered your question Council Member.

4 COUNCIL MEMBER ABREU: So you feel confident that
5 you'll be able to comply with this bill, is that
6 right?

7 WILL CARRY: Yes.

8 COUNCIL MEMBER ABREU: Great, thank you.

9 CHAIRPERSON MENIN: Thank you. We've also been
10 joined by Council Member Restler who would like to
11 make a statement.

12 COUNCIL MEMBER RESTLER: Thank you so much Chair
13 Menin. Congratulations and look forward to working
14 with you in this new capacity. I wanted to you know
15 acknowledge, our system of ending is broken and I
16 don't think it's really the responsibility of the
17 agencies that we have before us here today but it is
18 a truly sad state of affairs and it's not working for
19 vendors. It's not working for New Yorkers. I think
20 the Department of Sanitation has done a reasonable
21 job on enforcement. It's a much better approach to
22 do civil enforcement than criminal enforcement but we
23 need to expand licenses for vending. We need better
24 regulations of vending and some of the bills that are

2 under consideration today I think would advance those
3 goals.

4 But I wanted to comment on one particular bill
5 that has had a significant impact, that would have a
6 significant impact on our district. I'm privileged
7 to represent the other side of the Brooklyn Bridge
8 and I want to thank and commend the Adam's
9 Administration and particularly the Department of
10 Transportation for their leadership in addressing the
11 vending situation on the Brooklyn Bridge.

12 When the bike lane was moved to the roadway just
13 a couple years ago, we saw a proliferation of vending
14 on the bridge that really made the conditions unsafe
15 for tourists, for New Yorkers who are commuting to
16 work, who are jogging or going for a run, for people
17 who are trying to enjoy the majestic Brooklyn Bridge,
18 it was no longer safe.

19 The NYPD mentioned situations where there were
20 rushes to get off the bridge and it was enormously
21 scary. I believe that we should have more designated
22 spaces for vendors and I would support creating a
23 vendor plaza modeled after what's existed in Corona
24 on the Brooklyn side of the bridge to ensure that
25 there are spaces for vendors. But what I would not

2 support is vending on the bridge itself. I recognize
3 that the City Council has long led in regulating
4 vending in the City of New York and I think that we
5 should regulate vending on the bridges. But I
6 believe that those regulations should entail, the
7 local law should entail that there is no vending on
8 the bridge.

9 The one important change that I would recommend
10 and I hope my friend and colleague who I admire very
11 much Council Member Brewer will consider is that the
12 Department of Sanitation should be responsible for
13 enforcement on the bridge. The rules that the
14 Department of Transportation adopted uh make it the
15 responsibility of the NYPD to regulate vending on the
16 bridge. That is the wrong approach and I realize
17 that you had limited options at your disposal in the
18 rule making process leveraging the BTL to pursue this
19 policy. While I support the policy goal, I would
20 encourage my colleagues in the Council to change the
21 agency responsible for enforcement to the Department
22 of Sanitation, and I hope that we can move forward
23 with that approach.

24 I'll just say in conclusion, there is no other
25 bridge in the City of New York that has the

2 concentration of pedestrian traffic that we
3 experience on the Brooklyn Bridge. There are one set
4 of policies that may make sense. For every other
5 bridge in the city and Council Member Brewer's bill,
6 very well may be a good approach for every one of the
7 other hundreds of bridges in New York City. But I,
8 as somebody who has heard from hundreds of
9 constituents on this issue, only one out of the over
10 300 people that have reached out to my office on this
11 topic have told me that they want to see vendors
12 maintained on the Brooklyn Bridge. Every other
13 constituent that we have heard from who runs the
14 bridge every morning, who walks the bridge to get to
15 work, who loves the Brooklyn Bridge has told us that
16 vending got out of control on the Brooklyn Bridge and
17 we needed to intervene. Then in the narrow walkway
18 of the Brooklyn Bridge, vending is not appropriate.
19 We should have been vendor plaza's. We should have
20 designated spaces for vendors but the Brooklyn Bridge
21 is not among them and I hope that my colleagues in
22 the Council will work together to find a solution
23 that makes sense for the Brooklyn Bridge. Thank you
24 very much.

2 CHAIRPERSON MENIN: Great, thank you. I'm now
3 going to turn it over to my colleague, Council Member
4 De La Rosa for a statement on her legislation.

5 COUNCIL MEMBER DE LA ROSA: Thank you so much
6 Chair Menin. I don't have too much of a statement,
7 more an acknowledgement and an appreciation for us to
8 be able to hear this legislation. The bill that I
9 carry is a bill that talks about siting and I know
10 there has been a lot of communication around the
11 siting rules. I want to express that our interest
12 here is to clarify siting rules, so that people
13 understand where they are allowed to vend.

14 I know there has been questions; I was reading
15 over the testimony of Deputy Commissioner and I know
16 that there is questions surrounding the 12-foot
17 pedestrian lane. It is my intent and I think the
18 intent of this bill to allow that pedestrian lane to
19 continue. I think that we have to obviously discuss
20 the bill. We're open to this conversation with DOT.
21 It is not our intent to make pedestrian use of the
22 streets harder, more difficult, less accessible but
23 it is our intent to ensure that vendors clearly
24 understand where they can vend and how they can vend.

2 It is my opinion as well that the rules that
3 exist for vendors, under the current structure
4 continue on this legislation and I'm looking forward
5 to engaging the Administration on this conversation
6 and am proud to be a legislator that is working with
7 a coalition of impacted people. I represent a
8 community in Washington Heights where vending has
9 been part of the fabric of our cultural diversity as
10 well as our small businesses and I understand that it
11 is important for us to share those spaces and really
12 have the conversations about how we do that in the
13 best interest of all.

14 So, thank you for being here today and I'm
15 looking forward to continuing this conversation on
16 the merits of the legislation offline. Thank you.

17 CHAIRPERSON MENIN: Thank you and I'm now going
18 to turn it over to my colleague Council Member Feliz
19 for a statement on his legislation.

20 COUNCIL MEMBER FELIZ: Uh thank you. Good
21 afternoon everyone. Good to see you all. I want to
22 thank you Chair for this hearing and congratulations.
23 I think you're going to do a good job leading this
24 Committee. And I also want to thank two very
25 important groups to our city. Our delivery workers

2 and our street vendors who are joining us today.

3 [SPEAKING IN SPANISH [00:36:44]-[00:36:56]].

4 Now, my bill, my bill will require that delivery
5 app companies provide a safe and UL certified e-bike
6 to delivery workers who don't have one. Let me start
7 by saying that we are in a crisis. Last year, we had
8 at least 250 fires caused by e-bikes, by uncertified
9 e-bikes. Since 2001, we've had at least 27 members
10 of our community that have lost their lives due to
11 these e-bike fires. We are in a crisis and this
12 needs to be it. We cannot continue to allow these
13 numbers and these fires to escalate. The numbers to
14 escalate or one of these fires to escalate to the
15 fire that we saw in Twin Parks. We cannot allow
16 that. This really needs to be it.

17 So, I'm proud of all my colleagues that are
18 supporting the bill and thankful for the
19 Administration for supporting this bill, making sure
20 that everyone is helping resolve the fire safety
21 crisis that we are in. We've done a lot. We, the
22 city have done a lot to help resolve it. We created
23 a battery swap program to make sure that workers can
24 trade in their unsafe battery for a safe one. I know
25 the small businesses are also doing their part by

2 ensuring that by only selling UL certified batteries
3 as required by law.

4 But of course, we want the third-party apps to do
5 a little bit more and I'm very proud of all the work
6 that we've done on this bill to make it possible and
7 hopefully make it a reality and safe New York.

8 A few questions now. Uhm, and thank you Chair
9 for the questions that you asked earlier and also to
10 my colleague Shaun Abreu about the Administrations
11 position and also, implementation on the bill.

12 So, my understanding is that the Administration
13 wants to create an additional part to the bill.
14 Where there's an exchange program funded by the apps.
15 How would funding work? What ideas have all of you
16 talked about? We're obviously creating the program
17 but what are the ideas that all of you have thought
18 about funding? Would it be a surcharge or would it
19 be a yearly uhm putting funds into a specific pot to
20 fund the program? What ideas have you all thought
21 about?

22 WILL CARRY: Thank you Council Member. The
23 Administration very much shares your concerns over
24 the public safety risks posed by the growing use of
25 uncertified e-bikes and batteries. Uhm, in terms of

2 how best to get legal and certified devices into the
3 hands of delivery workers so that they can continue
4 to work and do so safely, you know one approach that
5 we would like to engage you and your colleagues on
6 the Council on, uhm is some sort of trade in program.
7 This would be funded by the major delivery companies
8 and would have the added benefit of taking
9 uncertified bikes and batteries off of the street so
10 they could be scrapped and making sure that delivery
11 workers are getting really truly a safe bike and a
12 safe battery. So, I look forward to further
13 discussions on that approach.

14 COUNCIL MEMBER FELIZ: And do you have any ideas
15 about how funding would work? Would it be for
16 example, charging – creating a surcharge per
17 delivery? Let's say a quarter or \$0.50 per delivery
18 or is it the apps chip in x-amount per year to fund
19 the program? Any ideas, and again, I know all of us
20 are still creating the program, we're just
21 brainstorming still but just wondering what ideas
22 have been floated around.

23 WILL CARRY: Council Member, I think both of
24 which you mentioned are approaches that are worthy of
25 further discussion.

2 COUNCIL MEMBER FELIZ: Cool, thank you.

3 CHAIRPERSON MENIN: Wonderful, thank you. So,
4 seeing no other questions, I want to thank the
5 Administration for testifying. We're eager to hear
6 from the public, so we are going to thank you and
7 move on to the public testimony.

8 Let me stop that. I just see we've been joined
9 by Council Member Krishnan. I'm so sorry. I did not
10 see you there. He is going to speak about his bill.
11 So, please stay so he can make a statement. Thank
12 you.

13 COUNCIL MEMBER KRISHNAN: Well, thank you so much
14 Chairman and thank you to our Commissioners and
15 agencies. Deputy Commissioner, it's nice to see all
16 of you and to who and from our organizations who are
17 here. [SPEAKING IN SPANISH 00:41:28]- [00:41:30].

18 Uhm, I think today we are hearing a number of
19 really important bills around vending in our city.
20 As we know, we need to ensure that we create a system
21 of vending that is regulated, that is controlled and
22 ensures that resources are accessible to street
23 vendors across our city.

24 In particular, I want to call attention to my
25 bill in the package that decriminalizes street

2 vending. That ensures that street vending is no
3 longer an offense for which for simply for a mother
4 of [SPEAKING IN SPANISH [00:42:00], in the streets,
5 could face potential jail time, could face a criminal
6 conviction and a spiral and host of other
7 consequences that are connected to our criminal
8 system. Especially for individuals who are seeking
9 to sell and vend foods to care for their families, to
10 pay their rent, the smallest businesses in our city.
11 And for far too long, with a lack of a regulated
12 system for vending, that this package of bills
13 ensures. For far too long, with a lack of resources
14 available to vendors in our city, to ensure they have
15 the means and support and services they need to be
16 able to live their livelihoods. With a lack of those
17 things, the answer has been to criminalize those who
18 are simply doing the work to support their families.

19 But that comes to an end with this legislation,
20 ensuring that street vendors in our city are not
21 punished through the criminal system, through the
22 penal system. And I want to thank my colleagues,
23 Chair Menin, for holding this hearing today, for
24 ensuring these bills move forward, which I think are
25

2 really important to create the well regulated system
3 of vending that we need in our city. Thank you.

4 CHAIRPERSON MENIN: Thank you. Uhm and then
5 we've got another question from Council Member Feliz.

6 COUNCIL MEMBER FELIZ: Thank you Chair. So, two
7 questions. One, regarding the e-bike bill and also
8 another one on the vendor bill, e-bike bill. So, DOT
9 obviously has many things under its jurisdiction.

10 Managing plaza's, doing RFP's, maintaining sidewalks,
11 bike lanes and etc.. So, I'm just curious, we've
12 heard - I've spoken a lot with colleagues about the
13 way that DOT has managed all the different things
14 under its jurisdiction and I always hear one thing,
15 lack of responsiveness and also lack of results on
16 the issue. Whether it's sidewalks, whether it's
17 underpasses, whether it's plaza's and etc..

18 I actually have a plaza in my district. The city
19 invested \$34 million about seven years ago and to
20 date, seven years later after a \$34 million
21 renovation and complete transformation, that plaza is
22 still empty due to the lack of attention that DOT has
23 provided to this plaza. So, I'm just wondering, does
24 DOT have capacity to add additional things under its
25 umbrella? When at least New Yorkers, most New

2 Yorkers would agree that it seems like they're not
3 able to manage what they currently have.

4 MARGARET FORGIONE: Council Member, I would love
5 to get into more of the details. Like, you made a
6 very kind of general statement. I'd like to get into
7 any details of any issues that you or your
8 constituents have encountered, so we can dig into
9 that and if there's something we need to do better,
10 we're happy to admit that. If there's a good reason
11 for something else, we want to talk that through too.

12 You know, I think you're referring to Fordham
13 Plaza. As we've spent a lot of time talking about
14 some of the concessions that we had planned for that
15 very important public space did not prove to be
16 viable. After COVID, they dropped out and the city's
17 process is taking some time but we hope to have
18 people in very shortly in those concessions.

19 So, I want you to know that we have a commitment
20 to make those public spaces work and we also have a
21 commitment to go through any other issues in your
22 district or in the city that you've identified.

23 COUNCIL MEMBER FELIZ: Public plaza's but that
24 was only one example. We have the Kings Bridge
25 underpass that we've been talking about. That

2 underpass is so unwalkable that people are literally
3 walking on the streets because that sidewalk or
4 crosswalk area, sidewalk area is unwalkable and we've
5 been working for over three years and three years
6 later, we're told that we need a three-year
7 feasibility study. So, I'm just wondering if DOT has
8 the capacity to add new things to the umbrella when
9 it's pretty clear based on our conversations that
10 I've had with a lot of colleagues but they're not
11 able to produce results on their current things on
12 their umbrella.

13 But second question or more common, I want to
14 thank my colleague Shekar for the bill. Our vendors
15 only want to do one thing. They only want to work.
16 [SPEAKING IN SPANISH 00:46:11]- [00:46:19]. So, I
17 want to thank you for the work that you're doing on
18 that issue. Thank you.

19 CHAIRPERSON MENIN: Okay, we have one other
20 Council Member, Council Member Sanchez is literally
21 walking up the stairs and she has some questions, so
22 we're just - there she is right on queue. So, if you
23 could hold for one minute so she can get settled.
24 Thank you.

2 Okay, we've been joined by Council Member
3 Sanchez, who is going to ask a number of questions.
4 Thank you.

5 COUNCIL MEMBER SANCHEZ: Thank you so much Madam
6 Chair. I have not caught my breath but thank you so
7 much Madam Chair. Excuse me, I'm going to take 30
8 seconds to breath. I just ran all through those
9 stairs.

10 Okay, thank you uhm so no worries, I don't
11 actually have questions for you. I just wanted to
12 join the hearing and make a valley statement about
13 the system of vending in the City of New York which I
14 know many of my colleagues have shared and
15 particularly Council Member Menin and Restler
16 mentioned in their remarks. Oh man, I thought I was
17 already, hold on.

18 CHAIRPERSON MENIN: No, no, take a minute. Take
19 a minute. Take a minute.

20 COUNCIL MEMBER SANCHEZ: When I was a black belt,
21 I was in much better shape and that would have not
22 phased me at all.

23 CHAIRPERSON MENIN: It's a fitness test of the
24 Council stairs. It puts us all to the test.

2 COUNCIL MEMBER SANCHEZ: Uhm, so my statement is
3 really just about hoping to as has been mentioned,
4 it's not your responsibility to fix it, it's ours and
5 the Mayor's office and the Mayor but we know it's
6 broken. We know our vendors are operating in the
7 shadows anywhere between 50 to maybe even 70 percent
8 of our street vendors out there today, are not
9 licensed in the way that would make it legal for them
10 to be doing their work and that's an unjust way to
11 govern vending in the City of New York.

12 So, truly you know just look forward to and I'm
13 very thankful and congratulations to all of my
14 colleagues for the bills that are you know getting
15 the rubber stamp today and will be negotiated over
16 the coming months but really also hoping that we can
17 bring the vending regime in the City of New York up
18 to something that is fair and something that is going
19 to treat our street vendors with dignity across the
20 city.

21 So, I have a particular bill of course that I
22 think would be very helpful in this debate and
23 discussion and I look forward to having those
24 conversations. Thank you Administration. Thank you
25 so much Madam Chair.

2 CHAIRPERSON MENIN: Thank you. Okay, any more
3 questions from colleagues before we move on? Okay,
4 seeing no questions, thank you to the Administration.
5 We are now going to move. We've got a lot of members
6 from the public, who we always love to see. So, we
7 are going to move now to public testimony.

8 COMMITTEE COUNSEL: Thank you. We'll give the
9 Administration an opportunity to collect their things
10 and then we'll turn to public testimony. If you are
11 here in person, please come up and take a seat at the
12 table when you hear your name and you may begin once
13 the Sergeant has notified you the time has started.
14 You can push the red button on the microphone when
15 your time starts. You will have two minutes to
16 testify. Your testimony must be on topic and
17 pertaining to one of the eleven bills we're hearing
18 today.

19 Council Members who have questions for a
20 particular panelist should let me know and I will
21 call on you after the panelist has completed their
22 testimony.

23 The first panel will be in person. It will be
24 Carina Kaufman-Gutierrez, Mohamed Awad, Mohamed
25 Attia, and Ahmed Hussam.

2 CHAIRPERSON MENIN: Yeah, in order to make this
3 as orderly and expeditious as possible, we're going
4 to have each member of the public speak for their two
5 minutes and I'm going to ask members to hold their
6 questions until the end of the panel. Thank you.

7 MOHAMED ATTIA: Good afternoon. Thank you all
8 for having us here. My name is Mohamed Attia. I'm
9 the Managing Director of the Street Vendor Project at
10 the Urban Justice Center. I would like to thank
11 Chair Menin and the Committee for the opportunity to
12 testify today. The Street Vendor Project is a member
13 led organization with 3,000 street vendor members.
14 We organize with the vendors. We advocate. We are
15 hoping to have a just and fair system in our city and
16 of course, we provide essential services that the
17 street vendors community needs.

18 The bills before you today are essential to move
19 us forward towards a fair vending system. Although
20 the bills being discussed today are important and
21 helpful for all the street vendors, the most
22 essential part is left out of this conversation,
23 which is the lack of fairness of licenses. So, we
24 are encouraging the City Council and this Committee
25 to have a hearing on the most essential part of the

2 vending system very, very soon so we can talk about
3 what a fair system should look like.

4 I want to express my support to all the street
5 vending bills that are being discussed today and I
6 want to extend more on the intent of T22471 to allow
7 vendors to set up on bridge pathways.

8 So, when we look at how the city regulates street
9 vending on bridges right now with just the whole ban.
10 Vendors are not allowed. Although they have been
11 there and operating for decades. Do you know the DOT
12 recently wrote this ban and many, many vendors lost
13 their livelihoods completely. A lot of those are
14 military veterans, immigrants, newly arrived asylum
15 seekers and we want to acknowledge that more rules
16 and enforcement may be needed to ensure that
17 pedestrians have safe passage and vendors can
18 continue to co-exist on the bridge pathways.

19 However, we have some concerns with how the bill
20 is written right now. The current bill prohibits
21 vending on the bridges period. But also it allows
22 vending where there are 16-foot clear pedestrian
23 path. We want to make sure that there is language
24 that is amended to clarify that vendors are
25

2 affirmatively allowed to vend on paths that meet this
3 width requirement.

4 A few more seconds just to wrap up the points?

5 CHAIRPERSON MENIN: Yup, please.

6 MOHAMED ATTIA: Yeah and also the proposal
7 required 20-feet between each vendor is pretty
8 problematic because in a way there is no real way to
9 enforce it. Back in the 70's there was a similar
10 rule that required the specific distance between each
11 two vendors that was chucked down by the court for
12 being unconstitutionally vague and it is really
13 difficult to in a way comply with this rule or even
14 enforce it.

15 You can imagine an example when a police
16 enforcement officer would show up and say, like there
17 is less than 20-feet between two vendors. Who was
18 here first? Who is liable for this violation? It
19 could get really messy.

20 So, we hope that the bill would be amended to
21 reflect that. Thank you so much.

22 CHAIRPERSON MENIN: Thank you.

23 AHMED HUSSAM: My name is Ahmed Hussam. I am a
24 vendor. Thank you for allowing me to speak here.
25 Every place in the world has a special area for

2 vendors who sell their souvenirs to the tourists and
3 downtown Manhattan shouldn't be an exception.

4 In the last day of vending, I kept asking in the
5 Brooklyn Bridge, I kept asking or telling the
6 customers about this decision and they were really
7 disappointed about it. Like, you can if you want,
8 you can mark what areas of the bridge as of vending
9 areas and mark the narrow areas as prohibited areas
10 for vending, instead of making vendors and licensed
11 veterans suffering from loss their source of income.
12 Because it affected all of us very badly. That's why
13 I support the bill to reopen the bridge for vending.
14 Again, by the way, I'm from Egypt so the tourist
15 areas always have vendors to sell the souvenirs for
16 the tourists. It's all over the world, not just
17 here.

18 So, thank you so much and thank you for allowing
19 me to speak.

20 CHAIRPERSON MENIN: Thank you.

21 CARINA KAUFMAN-GUTIERREZ: Good afternoon Chair
22 Menin and Council Member. My name is Carina Kaufman-
23 Gutierrez and I am the Deputy Director of the Street
24 Vendor Project. Many of the bills being discussed
25 today will start to correct the double standard that

2 has long existed in regards to the regulation of
3 street vendors compared with other small businesses.
4 With the passage of preconsidered legislation on
5 curbside requirements and reducing criminal liability
6 for both food and merchandise vendors with urgency,
7 as part of the Street Vendor Reform legislative
8 package. We also very much support the passage of
9 preconceived legislation by Chair Menin. Thank you
10 for moving those bills forward.

11 The siting rules and regulations for licenses and
12 permitted vendors are highly regulated. Nothing the
13 time, place, and manner in which vendors must
14 operate. T75 introduced by Council Member De La Rosa
15 continues this tradition while addressing both
16 critical safety issues that put the wellbeing of
17 hardworking vendors at risk while ensuring our city's
18 smallest businesses have less risk of displacement.

19 It's been the case for decades that street
20 vendors may only operate on a sidewalk that is 12
21 feet or wider in order to maintain a clear pedestrian
22 pathway. It may surprise folks to learn that less
23 than 20 percent of public sidewalks are 12 feet or
24 wider, which makes 80 percent of sidewalks in New
25 York City off limits for vending. Food carts must be

2 no larger than 10 feet by 5 feet and merchandise
3 vendors have tables of 8 feet by 3 feet. This will
4 not change with this legislation.

5 Right now, vendors set up with less than one and
6 a half feet from the curb, placing them very close to
7 speeding cars. My foot is about one foot and if I
8 take one wrong step in these six inches that are
9 here, I could fall into a bike, I could fall into a
10 car.

11 What this bill would do was allow vendors carts
12 or tables to be set up no more than two feet. So, a
13 difference of six inches away from the curb. It's a
14 very small amount but this can truly be lifesaving.
15 Additionally, this bill addresses the rights of our
16 small businesses while preserving pedestrian
17 accessibility. On many sidewalks that are actually
18 larger than 12 feet, mind you that is a very small
19 amount, less 20 percent, there are obstructions like
20 bollards, planters, or bike racks that are set up
21 along the curb. Just a short bit, thank you. That
22 render a legal vending spot, a legal, because the
23 vendor is not able to remain less than one foot and a
24 half from the curb.

2 With this legislation, as long a 12-foot sidewalk
3 between the obstruction and the building faces
4 maintained, vendors will be able to set up in front
5 of the obstruction and continue to serve the area
6 maintaining standard vending rules. Just a brief
7 example of this, in Time Square where obstructions
8 like bollards are rightfully placed for public
9 safety, the vendors who are part of the fabric of the
10 neighborhood and the tourist experience, often set up
11 in front of them, maintaining a clear, there's the
12 12-foot between the obstruction and the building
13 phase, but they receive fines because they are more
14 than a one foot and a half from the curb, in front of
15 the bollard.

16 The vendors want to be in compliance but are
17 physically prevented from doing so by the bollard.
18 And so, should this bill pass, vendors in this
19 situation, as long as a 12-foot sidewalk distance
20 between the obstruction and the building face is
21 maintained, would be able to set up, continue to
22 serve the area and maintain vending practices. What
23 will remain in violation is if there is less than a
24 12-foot sidewalk between the obstruction and a
25 building face. Vending will not be allowed, no

2 matter if there's a tiny set up or not. So, thank
3 you so much.

4 CHAIRPERSON MENIN: Okay, thank you. I also want
5 to mention we've been joined on Zoom by Council
6 Member Ossè.

7 MOHAMED AWAD: Sorry, my name is Mohamed Awad, I
8 am a street vendor and leadership board member of the
9 Street Vendor Project. Thank you Madam Chair and
10 Council Members for hearing my testimony today.

11 I have worked as a vendor since 2010 as
12 immigrated from Egypt. Since I started working as a
13 vendor, a newly dad, the vending system is so
14 difficult. So, often the little guys like me are
15 pushed out. I want to thank Council Member De La
16 Rosa for introducing the bill to clarify that curb
17 rule and allow vendors to set up 2 feet from the
18 edge.

19 Since 2014, more than 15 street vendors I work
20 with, veterans and Egyptian Immigrants working
21 together have over eight, several mobile food vendors
22 business by the Hudson Yard. Yet, since day one,
23 when I opened, security guards hired by the Hudson
24 Yard management has harassed us, even thought we are
25 in illegal location.

2 A street vendor is a small business owner at
3 many rules came up from the City Council impacted
4 the street vendors. Now we need some help. We need
5 justice. Thank you Ma'am.

6 CHAIRPERSON MENIN: Thank you very much. the end
7 of the day. What we're asking here, we need some
8 privacy. Street vendors need some privacy. We need
9 some room around our car. We're not asking for
10 something extra. We're not asking for something
11 special. We just need a little space to vend in New
12 York City.

13 During the last 15 years, how Are there any
14 questions from the colleagues for this panel? Yes,
15 Council Member Brewer.

16 COUNCIL MEMBER BREWER: Thank you very much. For
17 the Street Vendor Project, when the - I think it was
18 crowded; I think you would agree with that. What
19 kind of mix would you suggest would be food and
20 goods? Would it be licensed probably? What kind of
21 mix do you think would work on a bridge such as
22 Brooklyn Bridge?

23 MOHAMED ATTIA: Thanks for the question Council
24 Member. We believe that for so many years now, a lot
25 of merchandise vendors and art work vendors have been

1 operating on the bridge. Especially those who have
2 like nonfood vendor setups. Their set up is 3 foot
3 wide. We cannot have any wider setup regardless of
4 them having a license or not.
5

6 COUNCIL MEMBER BREWER: Okay.

7 MOHAMED ATTIA: And having those vendors on the
8 bridge we believe is very reasonable and that's what
9 had been existing before January 3rd when the DOT
10 imposed their plan but also food vendors, who run a
11 very small food cart like auto cart. Like one of our
12 members would be just fine today, has been there
13 since 2009 and he was never a safety concern. He was
14 never a safety issue.

15 I think the main problem that DOT fails to
16 acknowledge is the lack of enforcement on certain
17 areas on the bridge pathway where some vendors are
18 taking so much space. Pretty much few vendors, we
19 can count a handful of vendors, who have created that
20 situation that we are seeing right here. But the
21 vast majority of vendors have been in compliance.
22 They are military veterans who are licensed by DCWP.
23 They are following all the rules but now everyone is
24 being punished and everyone is being kicked out of
25 the bridge.

2 COUNCIL MEMBER BREWER: And where did they go in
3 this interim? All over? The ones that could go
4 somewhere?

5 MOHAMED ATTIA: A few of them have relocated to
6 spaces in downtown Brooklyn, downtown Manhattan,
7 while others are out of business completely.

8 COUNCIL MEMBER BREWER: Okay, thank you Madam
9 Chair.

10 CHAIRPERSON MENIN: Thank you and now Council
11 Member De La Rosa.

12 COUNCIL MEMBER DE LA ROSA: Thank you. I want to
13 walk us through a few questions because I'd like to
14 clarify the record. There's a lot of missed
15 understanding on what my bill does and what it
16 doesn't do and thank you for bringing the tape
17 measure.

18 Uhm, and I just want to ask in your opinion, what
19 is your understanding of how the legislation reads at
20 this moment. So, in your opinion, as of this moment,
21 when a vendor is close to the curb by one foot, it
22 abuts the curb, what are the perils to that vendor at
23 this time and what are the shared spaces at this time
24 that the vendor has to contend with?

2 CARINA KAUFMAN-GUTIERREZ: Thank you for this
3 question. So, being one foot and a half or less from
4 the curb means that you basically have enough space
5 for your foot and then whatever space you have to try
6 to navigate around, right? So, this really, if
7 you're standing behind the cart. So, really what
8 this does is it forces vendors who are standing
9 behind the cart or who are entering, loading food
10 items into their cart, coming out from this - pushing
11 them into potential peril of falling into the bike
12 lane. Of falling into the roadway. Really what this
13 bill does is extend by a mere six inches, the ability
14 that they'll be able to set up from the curbside so
15 that they can have just a little bit more space for
16 safety.

17 COUNCIL MEMBER DE LA ROSA: So, the DOT testified
18 that this bill would decrease the amount of space for
19 pedestrians on the sidewalk and negatively affect the
20 pedestrian experience throughout the city, especially
21 in crowded sidewalks. I'm familiar with crowded
22 sidewalks. If you've been to 180 1st Street in my
23 district, you've seen a crowded sidewalk. Can you
24 explain to me in your experience, would this bill
25 decrease pedestrian space?

2 CARINA KAUFMAN-GUTIERREZ: It's a great question.
3 In my experience and I'm a resident of Council Member
4 Krishnan's district in Jackson Heights where we have
5 an equally vibrant street vending community that's
6 part of the culture, right.

7 And so, what this bill really will do is it will
8 continue the tradition of strict time, place and
9 manner for street vending rules and regulations that
10 when coupled with the enforcement from Department of
11 Sanitation continues to be able to maintain those
12 rules. This does not impact more than the six inches
13 of separation from the curb, any change in that
14 manner.

15 COUNCIL MEMBER DE LA ROSA: And in your
16 experience, one last question. In your experience,
17 what is the enforcement rates at this time around the
18 foot and a half rule as it exists today?

19 CARINA KAUFMAN-GUTIERREZ: Especially I can speak
20 from the experiences of our members in Time Square
21 and of Hudson Yards from Mohamid Awad here. There is
22 constant enforcement you know; this is something that
23 we actually give our members. See the little SVP
24 logo? Because our members really truly go out every
25 day when they're setting up to make sure that they

2 are checking the exact space that they have from the
3 curbside because if not, there is enforcement that
4 happens continuously be it from DOT, be it from DSNY,
5 be it from Parks Department. It's very important for
6 them.

7 MOHAED AMID: If I may add Council Member, just a
8 few seconds. I would love to also use some of these
9 photos and designs that we have. If you want to just
10 pass me the whole thing.

11 So, uh, it is really sad to hear DOT today just
12 talking about the pedestrian access changing. Like,
13 actually nothing will change. As of now, this is how
14 the system looks like. I just want to clarify. This
15 is the biggest vending set up, which is a food cart
16 that is 5 feet wide. And as you can see, no vendor
17 can set up in any sidewalk that is not over than 12
18 feet. The bill states that that's not changing.

19 Now, what's changing is that if you have a
20 situation where you have some bollards and you have
21 so much space in front of the bollard, in front of
22 the obstruction, vendors can still set up, pretty
23 much keeping the same distance, minus six inches.
24 So, this whole thing, this whole fight is about six
25 inches. If that's a lot for DOT to accept, we can

2 meet them where they're at but if you have a sidewalk
3 that is narrower than 12 feet or the obstruction is
4 making the pathway less than 12 feet wide, vending
5 will not be allowed, regardless of the set-up,
6 regardless of the type of vending, regardless of
7 where the vendors will be, whether one foot and a
8 half or not. The other thing about this bill that is
9 very important to highlight is that you have city
10 agencies contradicting one another. You have DOH
11 explaining the rule to be 6 to 12 inches. That's how
12 close they want the food carts to set up. And then
13 you have OATH saying 18 inches. So, the city
14 agencies are not aligned on how this rule should be
15 interpreted and at the end of the day, the vendors
16 are paying the price for that confusion. So, having
17 a set number will help go a long way to make sure
18 that everyone is on the same page.

19 COUNCIL MEMBER DE LA ROSA: Thank you so much
20 Chair.

21 CHAIRPERSON MENIN: Thank you and now Council
22 Member Krishnan.

23 COUNCIL MEMBER KRISHNAN: Thank you so much Chair
24 Menin. Thank you all on the project and the vendors
25 who are here today testifying too. We appreciate

2 your testimony. I just have one question, which is
3 in particular with the bill that I'm the prime
4 sponsor of to decriminalize street vending so it's no
5 longer treated as a misdemeanor with the consequences
6 of jail time and a misdemeanor criminal conviction.
7 You heard my words before about why I believe this
8 bill is important for our city. I'd be curious to
9 hear a bit from you all, Street Vendor Project, how
10 important is it or what are the experiences of street
11 vendors been who have been subjected to criminal
12 enforcement for vending? How important is it to your
13 members to treat vendors overall to not be subject to
14 misdemeanor penalties for street vending?

15 MOHAMED AWAD: My partner, Mrs. Dorsey, she's a
16 disabled veteran. She received 65 summons in two
17 months from the department. All of them guilty
18 misdemeanor. \$250- or two-weeks community service.
19 We're still getting summons, criminal court through
20 New York City Police Department and department till
21 now. Thank you.

22 MOHAMED ATTIA: Another thing Council Member I
23 want to share is that the way the rules, the vending
24 rules are set up right now, it gives the chance and
25 the basically, discretion to the NYPD to write

2 criminal tickets for street vendors for violations
3 that are as minor as being a few inches closer to the
4 crosswalk than you're supposed to be or not having
5 your license and of course that has a lot of impact
6 on a lot of the vendors communities, especially those
7 who are immigrants, who are in the process of getting
8 their paperwork settled and it's very, very
9 problematic.

10 I personally received a lot of criminal tickets
11 for selling hot dogs in Time Square being a little
12 bit closer to the crosswalk than I'm supposed to be
13 and I was going to the criminal court, spending the
14 whole day there and trying to get away with a fine or
15 like community service but of course that's something
16 that impacts my record at the end of the day.

17 COUNCIL MEMBER KRISHNAN: Thank you Mohamed and
18 just one point I wanted to add in finishing and thank
19 you for underscoring the importance or the way in
20 which the criminal system could interact with the
21 immigration system. I think that's a very important
22 point to consider as well and one of the collateral
23 consequences I mentioned before of the way in which
24 interaction with the criminal system could have

2 severe consequences in particular for immigrants.

3 Thank you.

4 CHAIRPERSON MENIN: Thank you. Council Member
5 Sanchez.

6 COUNCIL MEMBER SANCHEZ: Thank you so much Madam
7 Chair. So, my question in particular is about Intro.
8 1253, which I you know view as a positive step
9 clarifying siting regulations and I'm a co-sponsor
10 of.

11 So, the Administration in previous hearings has
12 you know alluded to particular the Department of
13 Sanitation has alluded to an enforcement approach
14 that says - where they say that they focus on siting
15 rules. That they focus on you know compliance with
16 existing siting rules, not as much with who has a
17 permit or a license or you know the rest.

18 And so, I'm curious from your perspective, this
19 clarification which I view is a step in the right
20 direction, how do you think it will change the
21 experience of our street vendors on the ground in our
22 communities?

23 MOHAMED ATTIA: I think it would be very helpful
24 to clarify all the siting rules, which is something
25 we're just starting with with this bill in particular

2 but so many other rules are very difficult and it's
3 something that we keep sharing a lot over and over
4 again that some people including city agencies are
5 under the illusion that it is very easy to find a
6 legal spot, which is not true. As my colleague here
7 shared, 80 percent of our public sidewalks are off
8 limits. If you look at city data, only 20 percent,
9 actually less than 20 percent are 12 feet wide or
10 wider.

11 Now we have so many other rules that you have to
12 comply with. You cannot be on a bus stop. You
13 cannot be on a taxi stand. You cannot be on a no
14 standing zone adjacent to hospital. You have to keep
15 all these distances from different things, like
16 driveways, crosswalk, building entrances, and the
17 more violations that the vendors are "having" in
18 their businesses, the more likely they're going to
19 interact with enforcement agencies.

20 When it gets to Sanitation Department in
21 particular, a lot of my colleagues, you know our
22 members will share their experience with enforcement.
23 They are not going after siting rules only. We have
24 people who have varied need set ups by the book.
25 Keeping all the measurements and yet the Sanitation

2 police still go after them. They give them tickets
3 for license. They seize their properties and it
4 happened as recent as the last few weeks.

5 CARINA KAUFMAN-GUTIERREZ: If I may just add with
6 that, you know one of the experiences you'll hear
7 from our members today, a member who is coming in who
8 sells food in the Northwest Bronx. They came into
9 our office on Monday with a ticket for \$4,000 for
10 selling without permits, right? And yes, siting
11 rules and regulations absolutely need to be followed.
12 They need to be fair and they need to be just. They
13 need to respect our small businesses, which this
14 legislation truly starts to address those safety
15 concerns. But it must be coupled with a larger
16 reform of the street vending system.

17 COUNCIL MEMBER SANCHEZ: Thank you both. Thank
18 you Chair.

19 CHAIRPERSON MENIN: Okay, thank you to this
20 panel. Thank you so much. We are now - so we have a
21 lot of speakers so we're going to call up the next
22 panel and I'm just going to ask if you can also read
23 the names of the panel after, just to expedite things
24 so that people can get ready to come next. Thank
25 you.

2 COMMITTEE COUNSEL: The next panel will be in
3 person, Rob Byrnes followed by Brian McGinn followed
4 by Daniel Scorse followed by Lisa Sorin.

5 The following panel will require a Spanish
6 Interpreter. It will be Jose Masaquesa(SP?), Elvia
7 Pilla, Christian Caitzbanda(SP?), Barito Sosa and
8 Luis Lopez. [01:13:52] -[01:14:26].

9 CHAIRPERSON MENIN: Okay, you may begin. Hello.

10 ROB BYRNES: Here we go. Uh, good afternoon. My
11 name is Rob Byrnes and I am testifying today on
12 behalf of the New York City BID Association, which I
13 serve as Co-Chair of the working group on Street
14 Vending. I'm also the President of East Midtown
15 Partnership, which of course is represented in part
16 by Council Member Menin. We congratulate her on this
17 Chairmanship, as well as other members of the
18 Committee on their new term and we look forward to
19 continue to work together.

20 The BID Association has been at the forefront of
21 conversations around street vending policy for years.
22 We welcome commonsense changes to laws that will make
23 it easier for street vendors to make a living but
24 believe those changes should occur in conjunction
25 with the enforcement of existing rules, responsible

2 sliding criteria and other regulations meant to
3 ensure things like a clear path for pedestrians, the
4 maintenance of a reasonable distance from storefront
5 businesses and accessibility for those mobility
6 challenges.

7 We have significant concerns about T75.

8 Although, without repeating everything you've heard,
9 they are virtually identical to what you heard from
10 DOT. We have looked at the legislation. We have a
11 different interpretation than others. We are glad
12 that Council Member De La Rosa is open to looking at
13 cleaning up the language to make sure that we're all
14 on the same page. We are concerned that as written,
15 it would allow vendors to vend inside obstructions
16 including things like tree beds where if you take a
17 3-foot tree bed and a 5-foot cart, you could end up
18 taking more than half a pedestrian clearance way.

19 So, we uh for those reasons, we object to that.

20 While we do support as you'll see in my written
21 testimony, most of the other legislation that's here.
22 And so, we thank you again for your time and we hope
23 the stakeholders will continue to be – all
24 stakeholders will continue to be part of this
25

2 discussion because we want to fix this system. Thank
3 you.

4 LISA SORIN: Sorry I didn't realize we weren't
5 going in order. Good afternoon Chairman Menin and
6 City Council. My name is Lisa Sorin, I'm President
7 of the Bronx Chamber of Commerce.

8 The proposed legislation and I know it's been
9 addressed but I think it's important that we go on
10 the record for 75, it poses of severe threat to the
11 very essence of our city streetscape and the
12 pedestrian experience by allowing vendors to expand
13 their presence indiscriminately. The bill disregards
14 crucial considerations that walk lanes and the
15 optimal functionality of various street furniture
16 elements including planters, bike racks, hydrants,
17 among others.

18 One of the most concerning aspects is the
19 potential of reduction in pedestrian walk lanes.
20 Such a constraint space not only compromises the
21 safety and comfort of pedestrians but also undermines
22 the overall functionality of urban spaces. The
23 vibrant and accessible environment is vital for the
24 wellbeing of our community and any measures that
25 threatens narrowing these pathways is simply

2 unacceptable. In its current form, the bill lacks
3 the necessary provisions to ensure a thoughtful and
4 balanced approach to vending requirements. It fails
5 to address the potential encroachment on essential
6 walkable areas and the hindrance to practical use of
7 street furniture.

8 The oversight can lead to chaos on our sidewalks
9 negatively impacting both residents and visitors. We
10 speak about carts, but many vendors set up tables,
11 chairs, cardboards on sidewalks, home cooked foods on
12 laundry carts, among other items that can be laid out
13 and sold. I strongly urge opposition to this bill in
14 its current state. It is imperative that we advocate
15 for legislation that takes into account the diverse
16 needs of our urban landscape, balancing the interest
17 of vendors with their crucial requirements for a safe
18 and enjoyable pedestrian experience.

19 Let's briefly address the sanitation concerns.

20 If I may Chair?

21 CHAIRPERSON MENIN: Yes.

22 LISA SORIN: The Department of Sanitation has
23 issued new regulations that affect all businesses
24 pertaining to set out times for garbage and now
25 requires like all businesses put their waste in large

2 bins which are to be placed at the curb. We would
3 like to know what containers will be used by the
4 vendors. 311 calls have more than doubled in the
5 last four years, most about trash and blocking of
6 sidewalks.

7 As the Council moves forward with this package of
8 legislation, we must be thoughtful that rules that
9 balance the needs of these vendors, brick and mortar
10 businesses and residents while ensuring public safety
11 is at the core of regulatory landscape. Thank you
12 for the time.

13 CHAIRPERSON MENIN: Thank you.

14 UNIDENTIFIED: Good afternoon. T75 is a real
15 estate power grab, macerating as an unnecessary
16 safety initiative that puts private, for-profit
17 interests over pedestrians and public amenities. The
18 bill intends to fix a problem that doesn't exist.
19 Department of Health's written guidelines allow
20 street vendors a one-foot buffer from the curb.
21 Instead of simply codifying the existing allowance
22 into law, T75 would radically change how our
23 sidewalks operate.

24 Given the undefining term obstruction, T75 would
25 as written allow vendors to block bike racks, public

2 benches, link NYC kiosks, news racks, newsstands,
3 city bike stations, parking meters, and mailboxes,
4 rendering them all useless. T75 would also allow
5 vendors to set up in front of street trees, putting
6 them in the middle of the sidewalk as you can see the
7 rendering that I distributed.

8 Perhaps most absurd, T75 s written would allow a
9 vendor to physically block another vendor. At best,
10 T75 is sloppy and incomplete. At worst, T75 was
11 purposely written to radically change public
12 sidewalks. Either way, T75 is poorly written and
13 unworkable. The City Council should send the bill
14 back to be reworked with input from applicable
15 agencies such as DOT, DEP, FDNY, and Parks. Thank
16 you.

17 CHAIRPERSON MENIN: Thank you. Before moving on
18 to the next panel, are there any questions from any
19 of the members? Yes, Council Member Sanchez.

20 INAUDIBLE [01:21:31] You are out of order
21 [GAVEL]. You do not have the floor right now. We're
22 going to continue. Council Member Sanchez, thank
23 you.

24 COUNCIL MEMBER SANCHEZ: Thank you Chair Menin.
25 I just wanted to say hi to Lisa, who is an amazing

2 partner and just state on the record and with all of
3 you that I would love to have follow up conversations
4 with you around many street vending issues and in
5 particular, you know just defer to Council Member
6 Rosa, De La Rosa on her bill but you know, I'm
7 supportive. Thank you Chair.

8 LISA SORIN: Thank you Councilwoman and I truly
9 appreciate the opportunity to have this discussion.
10 You represent well. Thank you.

11 CHAIRPERSON MENIN: Okay, thank you very much.
12 We're now going to move on to the next panel.

13 COMMITTEE COUNSEL: I'll recall the next panel.
14 It's Jose Masaquesa, Elvia Pilla, Christian
15 Caitzbanda, Barito Sosa(SP?) and Luis Lopez. Please
16 come up to the table. We will require a Spanish
17 Interpreter.

18 CHAIRPERSON MENIN: And while you all are coming
19 up, if you can read the names of the following panel
20 so people can get ready. Thank you.

21 COMMITTEE COUNSEL: The following panel will be
22 Ed Westley, Regina Myer, Alexandria Sica and Jane
23 Rossman.

24 [01:22:46]- [01:23:13]

2 INTERPRETER: I'm his interpreter. [SPEAKING IN
3 SPANISH] [01:23:16]- [01:23:31].

4 JOSE MASAQUESA: Okay, [SPEAKING IN SPANISH
5 01:23:32]- [01:23:53].

6 INTERPRETER: Okay, uh good afternoon. My name
7 is Jose Masaquesa, a member of the Street Vendor
8 Association who work in the Brooklyn Bridge and I
9 wanted to say thank you to our President Javier
10 Maheen(SP?) and to the Committee to give us the
11 opportunity to give our voice today to all of you.

12 JOSE: [SPEAKING IN SPANISH 01:24:15]-
13 [01:24:35].

14 INTERPRETER: Okay, I support this bill that
15 you're trying to approve and also the sale stand in
16 the Brooklyn Bridge. Since the moment we were thrown
17 away from the Brooklyn Bridge, this has affected me
18 economically to me and my family and we are committed
19 to continue working if you can provide us with rules
20 and the way to help us in order for us to make a
21 living in an innocent way and in a good way.

22 JOSE: [SPEAKING IN SPANISH 01:25:08]-
23 [01:25:25].

24 INTERPRETER: We are committed to work together
25 with all of you and we wanted to respect the rules

2 that you wanted to issue for the street vendors and
3 we are working together not only with the Council
4 Members but also with the national police and the New
5 York City Police. We just wanted to make a living
6 from our work as street vendors but we need your help
7 in order for us to work better with the this.

8 [SPEAKING IN SPANISH 01:25:51]- [01:26:00].

9 INTERPRETER: Okay, I wanted to say thank you to
10 the Council Members and to the Committee and to all
11 of you to help us and to give us the opportunity to
12 hear our voice and to provide this work to all of
13 you. We also wanted to say thank you to the
14 municipal council as well to give us the opportunity
15 to provide our voice of these problems that we're
16 experiencing.

17 CHAIRPERSON MENIN: Okay, thank you very much.
18 Thank you, okay.

19 INTERPRETER: She just wants to change the seat
20 so she can - I will be able hear better.

21 CHAIRPERSON MENIN: Okay.

22 SPEAKING IN SPANISH [01:26:53]- [01:27:10].

23 INTERPRETER: Uhm, good afternoon. My name is
24 Elvia Pila. I'm a Street Vendor and also I was
25 working on the Brooklyn Bridge. I'm originally from

2 Ecuador from northeastern America and I'm selling
3 different things. I'm selling like memory things.
4 I'm selling winter hats. I'm selling keepers and
5 other things. I've been doing this job for almost
6 two years and I wanted to say thank you to the
7 President Julie Menin and to all the Committee about
8 these - what you are doing for us.

9 [SPEAKING IN SPANISH 01:27:51]- [01:28:15].

10 INTERPRETER: So, as I said before, I wanted to
11 say thank you the President, Ms. Julie Menin and to
12 the entire Committee to help us with this situation
13 and to give us the opportunity to provide to all of
14 you with my personal testimony. I also wanted to
15 support this bill that you're supporting as well and
16 that you can let us continue selling in the Brooklyn
17 Bridge.

18 I used to work as a Street Vendor and I was
19 selling the products I mentioned previously to all of
20 you but I got very affected economically because when
21 they didn't let us sell anymore. With this street
22 vendor job, I am supporting my entire family here and
23 also in Ecuador as well. As you can see, it's very
24 hard.

25 SPEAKING IN SPANISH [01:29:03]- [01:29:17].

2 INTERPRETER: Okay, with my street vendor job,
3 when I was working at the Brooklyn Bridge selling
4 these things, I was paying my rent. I was buying my
5 own food and the food for my family, and I was
6 supporting my family. Since they stopped, we cannot
7 sell these things in the Brooklyn Bridge. I have
8 terrible economical problems. I lost my only source
9 of income because of this situation.

10 [01:29:52]- [01:30:07].

11 INTERPRETER: Yes, as I mentioned to you, I lost
12 my only source of income I have and I know that we
13 cause congestion in that Brooklyn Bridge when we were
14 selling these things and there was some pedestrians
15 that were there. We understand that but I know with
16 all your help, we can improve this and we are willing
17 to obey the rules and the loss of the City of New
18 York but we are also helping your New York City
19 tourists and we want to be able to continue working
20 and also to help with the tourism to.

21 [SPEAKING IN SPANISH 01:30:51]- [01:31:00].

22 INTERPRETER: That's why it's very important that
23 the New York City Council, all of you, continue
24 letting to do the sales in the Brooklyn Bridge.
25 That's very important but I also wanted to appreciate

2 to the New York City Municipal Council to listen to
3 me today and to let me express my voice about the
4 situations.

5 [SPEAKING IN SPANISH 01:31:21].

6 INTERPRETER: Thank you very much for everything.

7 CHAIRPERSON MENIN: Thank you very much. Okay,
8 we're going to call the next panel up. Thank you so
9 much.

10 COMMITTEE COUNSEL: The next panel will be Brian
11 McGinn, Jane Rossman, Alexandria Sica, Regina Myer
12 and Ed Westley. You may come up to the table.

13 The following panel will be Ligia Guallpa,
14 Alejandro Grajales and Antonio Solis. That will be
15 the following panel after this panel.

16 BRIAN MCGINN: Good afternoon ladies and
17 gentlemen of the Council. My name is Brian McGinn
18 and I sit here before you on behalf of the 34th
19 Street Partnership and the Bryant Park Corporation.
20 Two business improvement districts in Midtown to
21 express my opposition to T75 and T74.

22 The Council must recognize that this bill package
23 fails to prioritize the safety of pedestrians on the
24 sidewalks and the streets in our city. As to 75,
25 first and foremost, the sidewalk belongs to the

2 pedestrians. In the interest of pedestrian safety,
3 it is not viable to consider giving these street
4 vendors the clear and defined permission as outlined
5 in 75 to obstruct the clear path.

6 By allowing vendors to operate as close to two
7 feet from the curb or up against an obstruction. If
8 passed, this bill will pose a significant safety
9 threat to the regular flow of pedestrian traffic.
10 Codifying these permissions will result in a gross
11 misuse of the sidewalk causing a multitude of safety
12 concerns.

13 In recent months, both in Harold Square and
14 Bryant Park, we saw vendors blocking sidewalks and
15 crosswalks causing significant crowding and even
16 resulting in pedestrian injuries. Furthermore, on
17 numerous occasions, this went to Macy's at Harold
18 Square has come to us for assistance with carts in
19 the clear path obstructing pedestrian flow and even
20 having smoke going into the front door of Macy's on
21 35th Street.

22 While the bill aims to get vendors out of the
23 street by bringing them further onto the sidewalk, we
24 at the 34th Street Partnership in Bryant Park
25

2 Corporation have never seen a vendor standing in the
3 street doing business.

4 The current legislation mandated that vendors
5 above the curb is loosely followed as it is.
6 Allowing street vendors to encroach further on the
7 sidewalk space will significantly negatively have
8 safety consequences for the pedestrians, for our
9 security or sanitation staff and even motor vehicles
10 and cyclists that's pedestrian traffic pushing into
11 street, traffic will be pushed into the street.

12 As to Intro. 0074, it is imperative to refrain
13 from amending - may I continue?

14 CHAIRPERSON MENIN: Yes but very quickly because
15 we have many speakers today. Thank you.

16 BRIAN MCGINN: Yes, thank you. From refraining
17 from amending an administrative code in reference to
18 misdemeanor criminal penalties for vendors, it is
19 only when vendors are given a criminal summons for
20 repeated violations of the law that they were held
21 accountable.

22 Looking at similar legislation passed in Albany,
23 it is evident that when we take away punitive
24 consequences for unlawful behavior from street
25 vendors, the resulting being a significant decline -

2 CHAIRPERSON MENIN: I'm going to just ask you to
3 wrap up and you can submit your written testimony
4 which we will read.

5 BRIAN MCGINN: That's amazing you let everybody
6 else speak but -

7 CHAIRPERSON MENIN: No, no we didn't. We are
8 very fair. We let people wrap up and that's what I'm
9 asking you to do.

10 BRIAN MCGINN: I advocate opposition into Intro.
11 75 and 74 and ask the Council to reconsider these
12 bills. Thank you.

13 CHAIRPERSON MENIN: Thank you. Okay.

14 ED WESTLEY: Good afternoon. My name is Ed
15 Westley. I'm representing the Jackson Heights
16 Beautification Group and I must say it's a pleasure
17 to be invited to come to the outer borough of Queens
18 to address your Committee.

19 We in Jackson Heights are overwhelmed with
20 vendors, street vendors. It's impossible for many of
21 our community neighbors to pass the streets and it's
22 not just street vendors. As you know, we now have e-
23 bikes that are making deliveries. They are now
24 clogging up our streets because they park on our
25 streets. They also don't follow the rules. We have

2 been inundated from our Bangladesh community on 73rd
3 Street. Moving east to 74th Street are our Indian
4 neighbors. Both of those streets have been inundated
5 with street vendors and then if you come up 37th
6 Avenue to the commercial, it's 37th Avenue is a
7 commercial district, to 82nd Street, that's even a
8 BID and they've been overwhelmed for years with
9 street vendors. And if the law was enforced, you'd
10 have plenty of money to help legitimate street
11 vendors that are looking to feed their families. The
12 law has not been enforced in our neighborhood.

13 Then you move to Junction Boulevard and 90th
14 Street, it's the same situation. Now, they have
15 progress in the Corona Plaza area. The unlicensed
16 people were moved out and our neighbors breath a sigh
17 of relief. The same thing happened at Flushing when
18 Mainstreet and Roosevelt Avenue were cleared of
19 street vendors. The same thing happened on the
20 Brooklyn Bridge which was the Mayor's intention to
21 clear the street vendors there.

22 So, this is not a problem in our community. We
23 have enough street vendors and back in 2021, we even
24 tried to locate them in front of our schools.

2 CHAIRPERSON MENIN: I'm just going to ask you to
3 wrap up.

4 ED WESTLEY: Okay. We tried to locate them in
5 front of our school, PS 69. It was a win-win because
6 the school was collecting the rental money but nobody
7 followed the rule and it was abandoned several years
8 later. Thank you very much.

9 CHAIRPERSON MENIN: Okay, thank you.

10 ALEXANDRIA SICA: Hi, my name is Alexandria Sica.
11 I represent the DUMBO Improvement District and thank
12 you very much for this opportunity. I'm just going
13 to echo what you've heard from a number of speakers
14 regarding the concerns. Specifically regarding
15 putting vending, the ability to vend in front of
16 obstructions on the sidewalk. We have you know
17 benches, bike racks, tree pits. The idea that you
18 would be able to set up vending and block these
19 assets, these things that are useful to the
20 community, further pinching our sidewalks is very
21 concerning.

22 Quality of life is incredibly important to our
23 residential and our office worker population. In
24 DUMBO we have a really great tech and creative scene
25 that the city has been trying to cultivate and the

2 idea that you would inundate more vending and squeeze
3 down the pedestrian paths there is deeply concerning.
4 There has to be a balance that does not benefit some
5 at the cost of thousands of others and I totally
6 appreciate wanting to create more opportunities for
7 vendors. That is not a point that I'm trying to take
8 away. We should create opportunities that are
9 rational, opportunities with siting guidelines that
10 balance these opportunities for vendors with the
11 quality of life for everyone else.

12 Let's look at streets where vending is
13 appropriate but not where vending will appropriate
14 the space needed for New Yorkers to park their bikes,
15 walk to work, go about their business. This bill
16 threatens that and we hope you will really take to
17 heart what you're hearing today and modify.

18 CHAIRPERSON MENIN: Thank you.

19 REGINA MYER: Good afternoon everyone. My name
20 is Regina Myer. I'm President of the Downtown
21 Brooklyn Partnership. I'm also uhm had been a member
22 of the Mayor's panel on Street Venders Advisory
23 Panel. I'd like to speak briefly only on Bill T75
24 which would allow vending to be immediately adjacent
25

2 to obstructions, as you've heard previous speakers
3 speak to.

4 Downtown Brooklyn Partnership has since its
5 creation, worked tirelessly to create a neighborhood
6 that's safe, clean and welcoming to all. We
7 initiated a public realm effort right before COVID to
8 engage all of our stakeholders to ensure that we as
9 business improvement districts can do the most we can
10 to enhance the pedestrian experience along our major
11 shopping streets. To that end, I'm proud to report
12 that the partnership has received support from the
13 administration to upgrade streetscape and improve
14 conditions for the thousands who flock to Downtown
15 Brooklyn daily.

16 As a part of the new New York effort to – excuse
17 me I stumbled here. And this support was a part of
18 the new New York effort uhm to uhm work through
19 recovery after the COVID health crisis. Put briefly,
20 this bill would undo a great deal of this work,
21 allowing for unacceptable sidewalk conditions that
22 would create safety hazards for the users on our
23 sidewalk streets.

24 Downtown Brooklyn sidewalks are amongst the
25 busiest in the city accommodating a number of

2 varieties and uses and now we are planning for new
3 amenities to enhance our landscaping, outdoor dining
4 and street furniture experience to enhance our
5 neighborhood and make it safe for all.

6 This all would make a vibrant safe place along
7 with our vending along Fulton Street. This bill
8 would decrease the amount of space for pedestrians on
9 the sidewalk and negatively effect that experience.
10 We'd be happy to work with the Council to find a
11 solution as we've been discussing previously to
12 continue to find a great balance on our sidewalks. I
13 look forward to working with all of you.

14 CHAIRPERSON MENIN: Thank you.

15 JANE ROSSMAN: Good afternoon everyone. My name
16 is Jane Rossman and I am representing the Garment
17 District Alliance. The Garment District Alliance, a
18 business improvement district in Midtown Manhattan
19 with some of the highest pedestrian counts in New
20 York City strongly objects to T75. A bill that would
21 allow vending carts to be placed 2-feet from the
22 curb.

23 In response to the overcrowded sidewalks of our
24 area, DOT has had to co-op the western lane of
25 traffic on both 7th and 8th Avenues and turn limit to

2 pedestrian corridors. With several of the worlds
3 busiest transportation hubs and over 50 tourism
4 hotels, the high volume of pedestrians in the
5 neighborhood and overcrowded sidewalks create unsafe
6 conditions as pedestrian traffic spills out into the
7 lanes of vehicle traffic.

8 This proposal is being put forward in the absence
9 of an inventory and critical look at all the current
10 obstructions on our sidewalks including newsstands,
11 news boxes, mail boxes, fire hydrant links, traffic
12 signs, land posts, bike racks, bus shelters,
13 wayfinding, park regulation signage, parking kiosks,
14 trash receptacles, tree pits, outdoor seating, retail
15 signage and more.

16 No further encroachment should be allowed on NYC
17 sidewalks, a space that was created for and heavily
18 used by pedestrians until a complete inventory of
19 current uses is inventoried with an eye to
20 eliminating where possible. This legislation does
21 not look holistically at users of both our sidewalk
22 space and elements placed in the curblineline, nor does
23 it take into consideration how commercial density and
24 transit hubs create a demand in Midtown that is
25 significantly different than other areas.

2 Finally, the Garment District Alliance strongly
3 urges the Council to allow vending carts to get off
4 the sidewalk and into the curb lane, as they have
5 allowed for open restaurants to relieve the crunch on
6 our sidewalks. The Garment District Alliance
7 respectfully requests that the Council vote against
8 T75 and revisit the regulation of sidewalks in the
9 public realm based upon actual conditions and
10 purpose. Thank you.

11 CHAIRPERSON MENIN: Thank you. Okay, we will
12 call the next panel. Thank you all very much.

13 COMMITTEE COUNSEL: The next panel will be Ligia
14 Guallpa, Alejandro Grajales, and Antonio Solis.

15 After this panel, the following panel will be
16 Hayley Prim, Bryan Lozano, Kassandra Perez-Desir,
17 Joshua Bocian, and Dawn Eldridge and Mozeik Perkins.

18 INTERPRETER: Thank you so much. I'm going to do
19 translation -

20 CHAIRPERSON MENIN: Can you just put your
21 microphone on please? Thank you.

22 LIGIA GUALLPA: Oh, there it is. Thank you.
23 Well, thank you so much Chairwoman and it's a
24 pleasure to be here speaking on behalf of Workers
25 Justice Project.

2 So, my name is Ligia Gualpa. I am the Executive
3 Director of the Workers Justice Project. [SPEAKING
4 IN SPANISH [01:45:26]- [01:45:29]. We are a worker
5 rights organization that has been organizing low wage
6 workers since 2010 and I'm here to testify in support
7 of a package of bills that are being heard today,
8 especially a package of bills that is being led by
9 two important partners, Council Member Gale Brewer
10 and Council Member Oswald Feliz who have been working
11 to make sure that we build - actually make sure that
12 there is more safety in our streets, especially when
13 it comes to lithium batteries and street safety.

14 We strongly support, particularly Bill Intro.
15 065, Intro. 067 and Intro. 066. We strongly believe
16 that this is the right path to create more
17 transparency and accountability on the point of sell.
18 Somethings that we have observed on the ground is
19 that many, especially consumers who happens to be the
20 deliveristas and non deliveristas when they buy many
21 of these devices, very often they are not informed by
22 the retail stores whether they're certified, whether
23 they're safe. No information is provided and we
24 strongly believe this is the right approach to make
25 sure that we hold retail stores and manufacturers

2 more accountable and make them more transparent
3 particularly with consumers who sometimes are misled
4 and misinformed about what devices are safe and
5 unsafe.

6 And also we strongly support the approach of
7 Intro. 073, which mandates safety training and also,
8 we strongly support the concept of 06A which mandates
9 also the app companies to provide safe and certified
10 batteries and devices to do this work.

11 Something we want to work in adjusting is about
12 making sure that when we're thinking about this
13 approach, we protect workers from retaliation and we
14 don't subject - we don't set working conditions for
15 workers to enter and do this work since many of them
16 rely as one of the few jobs that immigrants, Black,
17 Brown people rely to feed their families and pay
18 their rent.

19 So, we look forward to working with Council
20 Member Gale Brewer and also Feliz on making some
21 adjustments to this bill that we strongly support.
22 Thank you and now, I'm going to pass it on to
23 Alejandro. Do you want to try?

24 ALEJANDRO GRAJALES: Thank you Chairwoman Julie
25 Menin for the opportunity to testify on behalf of the

2 Worker Justice Project on the deliverists in New
3 York. My name is Alejandro Grajales. I'm a member
4 of Worker Justice Project on the deliveristas in New
5 York. I have been working as a deliverista for the
6 past eight years. [01:48:16] how the big delivery
7 companies like DoorDash have become more aggressive
8 in pushing us many deliveries as fast as possible.

9 Which in turn has forced us to switch from
10 traditional bikes to e-bikes. E-bikes have become a
11 necessity on a requirement for many of us in this
12 industry. As consumers, deliveristas have to chase
13 whatever has been available to us in the market.
14 Throwing us into victims of unethical retail source
15 and manufacturers who are selling devices that put us
16 and our community at risk.

17 We are deeply concerned about the fires by the
18 lithium batteries. Last year, we were proud to stand
19 with the Council to pass a groundbreaking program for
20 lithium batteries and e-bikes, I fully support. To
21 the following three common sense legislation being
22 heard today. Okay, Intro. 0065, Intro. 0067, and
23 Intro. 0066.

24

25

2 While we understand and support the general
3 concept of safety trainings, we are concerned about
4 two proposals that have the potential to empower -

5 CHAIRPERSON MENIN: I'm just going to ask you to
6 wrap up please but you can submit all of your written
7 testimony.

8 ALEJANDRO GRAJALES: Okay, if street safety,
9 worker safety is operated for delivery workers and we
10 are committed to advancing our work with you all to
11 protect all our neighbors and our families. Thank
12 you for listening and your time.

13 CHAIRPERSON MENIN: Okay, thank you.

14 INTERPRETER: Yeah, so I'm going to translate, so
15 I'm going to let him do it in Spanish and then I'll
16 summarize it in English.

17 CHAIRPERSON MENIN: Perfect, thank you.

18 ANTONIO SOLIS: Thank you. [SPEAKING IN SPANISH
19 [01:50:25] - [01:53:49] -

20 CHAIRPERSON MENIN: I'm sorry, I'm just going to
21 interrupt you just because we -

22 INTERPRETER: Yeah.

23 CHAIRPERSON MENIN: We want to make sure we
24 enforce all the rules the exact same way, so just in
25 the interest of time, I want to make sure you -

2 INTERPRETER: Yeah translate. So, briefly -

3 CHAIRPERSON MENIN: Just briefly then submit it
4 in writing.

5 INTERPRETER: Yeah, yeah, yeah. So, something he
6 was mentioning is that a street safety, if we want to
7 create more street safety, it has to come with worker
8 protections. There is, as we strongly support
9 education, that it's much needed in our communities
10 and also holding apps accountable to provide the
11 devices. We want to make sure that I think the
12 Council Member mentioned it, that that's not
13 condition it to enter into the industry and the big
14 concern is making sure that also these companies
15 don't subject some of the training requirement or the
16 devices requirement in order to do this job since
17 many of them rely on this work. And we're hoping to
18 keep working with Council Member Oswald Feliz and the
19 Council Member Gale Brewer to make adjustments to
20 make sure that we put some protections for workers as
21 we mandate essential tools and training for workers.

22 And that's all. Thank you so much.

23 CHAIRPERSON MENIN: Thank you. Council Member
24 Feliz has a question.

2 COUNCIL MEMBER FELIZ: Yup, well first just want
3 to uh thank you all for all the work you do. Thank
4 you for doing a great job amplifying the voices of
5 our delivery workers. We have a lot of delivery
6 workers and all of you do a great job just bringing
7 their concerns and challenges to the City Council so
8 that we could resolve them. And all of you have been
9 great partners, so just want to thank you for that.

10 So, a few questions about my bill. So, my bill
11 has a few parts and I'm just wondering; including a
12 part that requires that the app companies provide
13 safe and certified e-bike and I'm just wondering what
14 do you think that system should look like? And of
15 course, we're all brainstorming creating the system
16 but who do you think would be best to run that
17 system? What agency and etc.. Just curious, I just
18 want to see what you all say.

19 LIGIA GUALLPA: Yeah, so we strongly believe that
20 the app should pay for it. That apps should be the
21 companies who should be paying for the devices that
22 workers are needed to now transition into, which are
23 devices that can cost anything between \$500 to \$2,000
24 to \$3,000 depending on the type of devices. What we
25 are of concern is that these programs are run by the

2 companies, which our concern is that every time a
3 company runs programs like these, first of all they
4 do it subjecting it to the terms of employment and
5 working conditions and that is the biggest concern.

6 And the other one is we know that more of these
7 companies are becoming aggressive to workers, not
8 only conditioning to the working conditions and
9 employment of work but they're using many of these
10 mechanisms to undermine the protections that we have
11 actually secured. So, we strongly want to see; I
12 think this is a unique opportunity to maybe build a
13 public, private partnership where DOT actually has
14 been building expertise in batteries. I think it
15 would be amazing if DOT can run it and we can impose
16 some fines on the company so we can create additional
17 funding that comes from the companies that a program
18 that could be run by the city. And the same thing
19 with safety trainings. We would love for the
20 community organizations to be building this training
21 and deploying training rather than doing it through
22 the apps. One, because we know the apps are not
23 going to do a great job about educating the workers
24 because they don't really care.

2 And then one of them is about giving the power to
3 condition the employment of work and the working
4 conditions of workers. And I think this is a unique
5 opportunity to make sure workers are trained and it's
6 done with a community approach and with the
7 engagement of the city agencies who want to make sure
8 that this is done right.

9 COUNCIL MEMBER FELIZ: Okay, so you prefer a city
10 run program.

11 LIGIA GUALLPA: Yeah.

12 COUNCIL MEMBER FELIZ: Okay, that's helpful.
13 Alright, well yeah, I look forward to working
14 together to finalize this bill and have the best bill
15 possible.

16 LIGIA GUALLPA: Yeah, thank you. Thank you for
17 your leadership Council Member Oswald Feliz and also
18 Gale Brewer and Julie Menin who we have worked for
19 many years, so look forward to working with you under
20 this new rule. So, thank you.

21 CHAIRPERSON MENIN: Thank you very much. Okay,
22 we're going to call the next panel. Thank you.

23 COMMITTEE COUNSEL: Thank you. Next panel Hayley
24 Prim, Bryan Lozano, Kassandra Perez-Desir, Joshua
25 Bocian, Dawn Eldridge and Mozeik Perkins.

2 The following panel will require a Spanish
3 Interpreter. It will be Jesus Gonzalez, Luis David-
4 Mendoza, Francisco Calderon, William Cadena Rojas and
5 Hugo Gonzalez. That's the following panel.

6 HAYLEY PRIM: Hi, can you hear me?

7 CHAIRPERSON MENIN: Yes, we can.

8 HAYLEY PRIM: Good afternoon Council Members and
9 thank you for the opportunity to comment. I'm Hayley
10 Prim, I'm here from Uber and Uber Eats. I'm focusing
11 my testimony today on preconsidered Introduction 72
12 and 68. Uber last testified before this Committee on
13 these same bills in October and all of the concerns
14 we raised then still stand. However, in the last
15 three months, we've seen major changes for delivery
16 workers, positive progress in our own partnerships
17 and announcements from this Administration that it
18 should all impact how we think about these issues
19 related to expenses and worker safety moving forward.

20 On December 4th, a guaranteed minimum wage, which
21 was established by the DCWP went into effect for all
22 workers who deliver on third party delivery
23 platforms.

24

25

2 While we have significant concerns with the way
3 it chose to structure the wage rule because it
4 reduces flexibility and access –

5 CHAIRPERSON MENIN: We've got testimony. Now,
6 I'm going to ask any conversations be taken outside.
7 Thank you.

8 HAYLEY PRIM: Uhm, it reduces workers flexibility
9 and ability to access the app as they chose. The
10 standard does include an expense allocation for the
11 very items that these bills are designed to cover.
12 This is not inferred but it's explicit in the study
13 released by the DCWP in November 2022, which is the
14 basis of the rule. It's enumerated in the final rule
15 itself, which was published in June 2023. And
16 Commissioner Mayuga even touted this as the opening
17 line of an op-ed she offered in July celebrating new
18 standards saying, "the city's new minimum pay rate
19 for at based restaurant delivery workers will lift
20 thousands of working New Yorkers and their families
21 out of poverty and help them to afford safer
22 equipment and cover medical expenses."

23 Based on data from December 4th to January 2021,
24 which is the first seven weeks the standard was in
25 effect, we've calculated that over 1,500 delivery

2 workers have already earned more than \$500 towards
3 expenses and this is just on the Uber Eats app alone.

4 In January, we've seen more positive progress
5 through the partnerships Uber has launched last year
6 with Zoomo and Equitable Commute Project. Since
7 launching these programs have been successful in
8 getting hundreds of individuals.

9 CHAIRPERSON MENIN: Okay, I'm going to ask you to
10 wrap up and submit your testimony in writing.

11 HAYLEY PRIM: Okay, uhm partnerships are growing
12 to get workers on UL Certified bikes and we hope that
13 you would target resources that way and we also
14 wanted to further discuss the Mayor's announcement to
15 create a new office of sustainable delivery, which
16 would broaden these regulations to all micromobility
17 companies, grocery services, restaurants, which we
18 think is important to level the playing field.

19 CHAIRPERSON MENIN: Okay, thank you.

20 JOSHUA BOCIAN: Good afternoon Chairman and
21 members of the Committee. My name is Joshua Bocian.
22 I'm the Senior Manager of Government Affairs for
23 Grubhub. At the October 2023 hearing, we testified
24 in opposition to these exact same bills. Council
25 Member Brewers Preconsidered 68 and Council Member

2 Feliz's Preconsidered 72 outlining their flaws and
3 making recommendations for improvement.

4 Unfortunately, despite good intentions, these bills
5 as currently written, will kill jobs. A more
6 detailed version of my remarks today have been
7 submitted for the official record but let me
8 highlight a few things. Firstly, the dangers posed
9 by unsafe lithium-ion batteries and chargers are a
10 citywide problem that needs a citywide solution.

11 The risks we must address extend far beyond the
12 restaurant and delivery industry into both commercial
13 and personal uses. We need a comprehensive plan that
14 protects all New Yorkers. By continuing to hammer at
15 in vilifying food delivery services specifically, we
16 are not addressing the root cause of the issue.

17 Unsafe, unregulated lithium-ion batteries and a lack
18 of charging and storage infrastructure. Numerous
19 lithium-ion battery fires have been ignited by
20 illegal, unregulated charging devices, widely
21 available by anyone to purchase online whether for
22 personal or commercial use. This legislation does
23 not address that issue. Delivery workers are
24 ultimately responsible for their own e-bikes. They
25 maintain their own equipment and certify that such

2 equipment meets all industry and regulatory safety
3 standards. \$2.26 of the DCWP's new minimum wage of
4 \$17.96 per hour is paid directly to delivery workers
5 so they can purchase and maintain their own safety
6 equipment including UL certified e-bikes, batteries
7 and all of the safety equipment outlined in Council
8 Member Brewer's bill.

9 To be clear, DCWP's own rule and report requires
10 that this money go towards the purchase of safety
11 equipment. Furthermore, there are not enough UL
12 certified batteries on the market to meet the demand
13 created by these bills. However, we are willing to
14 help. We would like to help and we would like to
15 continue to work with the FDNY foundation and Joe Co.

16 I've submitted testimony, so I'm going to wrap up
17 but you have it in more detail.

18 CHAIRPERSON MENIN: Thank you. Okay, thank you
19 very much.

20 JOSHUA BOCIAN: Yup, don't want to take your
21 time.

22 KASSANDRA PEREZ-DESIR: Hi Chairman and members
23 of the Committee. My name is Kassandra Perez-Desir.
24 I'm the head of Government Relations for DoorDash.
25 Thank you for the opportunity to testify today

2 regarding Intro.'s 0072 and 0068. DoorDash shares
3 the city's concerns regarding the frequency of the
4 fires being caused by lithium-ion batteries and the
5 need to get them off the streets for good.

6 However, we're deeply troubled to see the same
7 problematic policy proposals from last October
8 without any recommendations or changes taken. These
9 bills still double charge the food delivery sector
10 for e-bikes and safety gear, are impractical and
11 undermine the goal of helping workers get safe bikes
12 and conflict with other city initiatives to reduce
13 fires.

14 The Council has made strides by banning the sale
15 of uncertified bikes and batteries, creating a trade
16 in program and focusing on education. We applaud the
17 Council for pushing crucial federal reforms.

18 DoorDash mirrors these efforts by providing dasher
19 access to certified e-bikes, investing in education,
20 and pushing federal authorities to set national
21 standards. But since these bills were last heard,
22 the minimum pay standard took effect, substantially
23 increasing wages for food delivery workers. This pay
24 specifically calculated by DCWP includes \$2.26 per
25 hour in compensation for worker equipment,

2 specifically e-bike battery and safety gear. This
3 means workers are already being paid for the very
4 same items covered by these bills.

5 Based on this data, platforms are estimated to
6 pay around \$50 million annually and growing to
7 workers just to cover e-bike expenses. What this
8 actually means for workers? Based on DCWP's report, a
9 worker delivering for 21.3 hours of work per week
10 will earn enough to buy a new certified bike every
11 year.

12 Currently food delivery is the only industry
13 contributing financially toward this problem by
14 paying workers directly tens of millions of dollars a
15 year. These bills clearly target one specific
16 industry and no one else. Uncertified batteries are
17 in no way unique to food delivery workers and the
18 Council should not discriminate against these workers
19 while allowing others including other industries to
20 use dangerous, uncertified devices.

21 Another clear oversight is that they provide
22 significant practical changes to implementation.

23 CHAIRPERSON MENIN: Okay, I'm going to ask you to
24 wrap up please.

2 KASSANDRA PEREZ-DESIR: I will wrap up. We
3 remain committed to helping the Council solve this
4 problem and need real solutions to get at the root of
5 it. The Council should develop new proposals to
6 built existing policies to fix this problem and we're
7 prepared to work together.

8 CHAIRPERSON MENIN: Thank you.

9 BRYAN LOZANO: Good afternoon Chair Menin and
10 Council Members. I'm Bryan Lozano testifying on
11 behalf of Tech NYC, a nonprofit member-based
12 organization representing over 800 tech companies in
13 New York. As the Delivery workforce has rapidly
14 grown and New Yorkers look to e-bikes for commuting
15 and personal use, the number of e-bikes has also
16 increased. Unfortunately the e-bikes and batteries
17 that vary in quality have been sold, resulting in
18 some devastating circumstances.

19 Tech NYC applauds the City Council's quick and
20 thoughtful response for establishing an e-bike and
21 battery trade in program, requiring safety
22 certification and education about battery safety. For
23 the proposals being discussed today, Tech NYC
24 supports Pre-Introduction 0065 and 0067, which will
25 help increase education requirements for e-bike

2 related businesses. However, 0068 and 0072 are
3 redundant to its existing laws and lack clarity.

4 These bills require delivery platforms to provide
5 safety equipment, certified e-bikes and batteries to
6 delivery workers. Tech NYC agrees with the goal to
7 increase access to safety equipment and certified
8 batteries but these proposals would place the cost on
9 delivery platforms without determining which platform
10 should be held responsible. This is inconsistent
11 with the realities of delivery workers. 56 percent
12 of whom use more than one delivery platform, also
13 known as multi-apping.

14 Additionally, the recently implemented delivery
15 worker minimum payroll includes over \$2.00 per hour
16 for expenses which is calculated to include the
17 purchase of new e-bikes and at least one battery per
18 year. This bills would add significant costs that
19 would be passed on to customers and impact the volume
20 and orders to restaurants. Given that the recently
21 passed e-bike and battery trade in laws, it was only
22 implemented in October, we believe it is important to
23 understand the effectiveness of the new law in
24 combination with the funds set aside for delivery
25

2 workers out of the new minimum wage when considering
3 this measure. Thank you for your consideration.

4 CHAIRPERSON MENIN: Thank you.

5 MOZAIK PERKINS: Good evening. My name is Mozeik
6 Perkins. Thank you for this opportunity to hear my
7 perspective on these bills regarding e-bike safety.
8 As a person living with disabilities, it can often be
9 difficult for someone like me to find work because of
10 my limited mobility. During deliveries with DoorDash
11 has become incredibly important giving me an
12 opportunity to support my daughter in a way that
13 works for me using my e-bike.

14 Many places won't hire me because of or hire
15 people like me because of disabilities, they see us
16 as a liability. But as a dasher, I can set my own
17 hours whenever I can. I know how valuable it is to
18 be a dasher and share the Council's goals of making
19 sure that we're keeping delivery workers like me who
20 choose to use e-bikes in New York City safe. However,
21 these bills aren't the right answer and would make it
22 harder for someone like me who depend on my e-bike.
23 It seems like a very few delivery workers certify e-
24 bikes, so I'm worried that this bill will feel more
25

2 like a ban all together rather than a pathway for us
3 to get a safer one.

4 CHAIRPERSON MENIN: Thank you.

5 DAWN ELDRIDGE: Good afternoon Council, my name
6 is Dawn Eldridge. I am the owner, operator of a
7 small business restaurant in Greenpoint. Thank you
8 for offering us a chance to share our perspective on
9 the safe use of e-bikes by delivery workers in the
10 city.

11 The bills that the Council is considering, while
12 well intentioned could have serious consequences for
13 our business at a time of already great uncertainty
14 for our entire industry. Since we opened the doors
15 at Citroën, a French Bistro and cocktail bar in
16 Greenpoint five years ago, we have worked hard to
17 make it a place that is welcoming for our community.
18 As lifelong New Yorkers, we take great pride in
19 knowing our friends, neighbors and fellow small
20 business owners. While we cherish the regular
21 customers who come to eat and drink at our
22 restaurant, delivery is what really kept our
23 restaurant going in recent years. We partner with
24 platforms like DoorDash and Grubhub to help reach new
25 customers beyond just our Greenpoint neighborhood and

2 grow our business. Without these options, I don't
3 think our restaurant would exist today. That's why
4 I'm opposed to these T72 and T68 which could upend
5 the way these delivery platforms operate in New York
6 City. The vast majority of the deliveries that go
7 out our doors are done by workers on e-bikes.

8 We welcome them into our restaurant and certainly
9 want to make sure that they are kept safe, however,
10 businesses that do food delivery are now helping
11 workers pay for safe e-bikes through the minimum wage
12 payrolls that went into effect late last year. We're
13 already facing new challenges from these rules.
14 Customers are already unhappy because they now have
15 higher fees and we're starting to feel it in reduced
16 delivery orders.

17 If these bills pass, it will impose even more
18 cost for things that are already being paid for. It
19 could further drive down orders and put us in an even
20 more challenging situation. We're still just
21 figuring out how to deal with these increased costs.
22 So, now is not the time to be adding new rules on top
23 of the ones that will set us back further.

24 Meanwhile, if these platforms have to limit e-bike
25 delivery service because of new rules, it would make

2 it even harder for us to continue providing the same
3 level of service for our own customers and that's
4 simply not sustainable.

5 CHAIRPERSON MENIN: Okay thank you. I want to
6 thank the panel for their testimony today.

7 PANEL: Thank you.

8 COMMITTEE COUNSEL: Okay, the next panel will
9 require a Spanish Interpreter. It's Jesus Gonzalez,
10 Luis David-Mendoza, Francisco Calderon, William
11 Cadena Rojas, and Hugo Gonzalez.

12 The following panel after that will require a
13 Mandarin Interpreter, Zhang Wu Zhou and Selasie
14 Lopez, Eric Nava-Perez, Moris Sewell (SP?) and Wajid
15 Shah.

16 I'm going to call this panel one more time,
17 there should be five people. Jesus Gonzalez, Luis
18 David-Mendoza, Francisco Calderon, William Cadena
19 Rojas, and Hugo Gonzalez.

20 INTERPRETER: Can you hear me? Okay, so do you
21 want to listen to the Spanish speaking thing or do
22 you just want me hear it and translate it?

23 COMMITTEE COUNSEL: You have four minutes total
24 to testify, so two for testimony and two for
25 translation, so you can decide whatever is easier.

2 JESUS GONZALEZ: SPEAKING IN SPANISH [02:14:46]-
3 [02:16:06].

4 INTERPRETER: So, good afternoon. First of all,
5 thank the President Ms. Julie Menin. Thanks to the
6 Committee for letting me leave this testimony. I'm a
7 member and I do photographs and videos and I have 360
8 machine to do videos. I don't sell them. All the
9 products that I have are digital products. I've been
10 in the bridge for two years and I receive an income
11 to help to maintain my three children, my wife and my
12 parents. I'm aware that there were some crowding's
13 in the bridge and I think that it's important to
14 improve that issue but I approve the motion to let
15 people sell in the bridge. Thank you.

16 FRANCISCO CALDERON: SPEAKING IN SPANISH
17 [02:16:59]- [02:19:03].

18 INTERPRETER: So, good afternoon Ms. President
19 and everybody in the panel. My name is Francisco
20 Calderon. I am a member of the organization that
21 manages the sellers in the street. I've been working
22 in the Brooklyn Bridge for a year and a half. I
23 recognize and I am aware that there were some
24 crowding's in the place and I would like to find a
25 solution, a wise solution for it. For all of us, not

2 only the sellers but everybody there because this job
3 is benefitting not only us but our families because
4 we are getting our income and you know that the
5 expenses here in the states are really high. And
6 this situation that we had to stop working all of a
7 sudden has made us suffer the consequences and all of
8 our situations. So, we would like to have a short-
9 term solution.

10 I would like to propose like a commercial hallway
11 because the space is enough to do it or if not, in
12 front of where we were before.

13 WILLIAM CADENA ROJAS: SPEAKING IN SPANISH

14 [02:20:22]- [02:20:58].

15 INTERPRETER: So, good afternoon members of the
16 Council, Ms. Julie Menin. My name is William Cadena
17 Rojas. I've been working in the bridge for a year
18 and a half. I have a 360 machine and the closeness
19 of the bridge, the fact that the bridge is close now
20 has affected my income and has affected my family,
21 and I would ask you for a solution. Thank you.

22 CHAIRPERSON MENIN: Thank you very much. Okay,
23 we're going to call the next panel.

24

25

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2 COMMITTEE COUNSEL: The next panel will require a
3 Mandarin Interpreter Zhang Wu Zhou, Selasi Lopez,
4 Eric Nava-Perez, Moris Sewell, Wajid Shah.

5 COMMITTEE COUNSEL: You may begin. You'll have
6 four minutes total, two to testify and two for
7 interpretation.

8 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:23:25]-
9 [02:23:29].

10 INTERPRETER: My name is Zhang Wu Zhou, I'm a new
11 immigrant from China.

12 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:23:34]-
13 [02:23:43].

14 INTERPRETER: I'm happy and excited to join this
15 hearing.

16 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:23:46]-
17 [02:24:01].

18 INTERPRETER: I feel a bit excited emotionally
19 today because I would never have this opportunity to
20 speak up to have my voice heard in my home country.

21 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:24:15]-
22 [02:24:44].

23 INTERPRETER: In China due to the persecution and
24 death of my brother that I speak up online and I was
25 prosecuted and I was tortured. I was harmed and they

2 harmed my body. I suffer. I have a grave medical
3 condition and I'm very sick.

4 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:25:23]-
5 [02:25:28].

6 INTERPRETER: We are kind and law-abiding
7 citizens.

8 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:25:41]-
9 [02:25:52].

10 INTERPRETER: We left the country penniless and
11 we dare to hope for the future in the United States
12 but after we ride here, we find to survive here is
13 very hard.

14 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:26:08]-
15 [02:26:41].

16 INTERPRETER: We first arrived here without - we
17 don't have a work authorization. We're out of status
18 and so, and due to the sickness, I am an employee and
19 with a friend help, I become a street vendor trying
20 to sell clothes and on the first day before I could
21 make any sales, my staff was confiscated.

22 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:27:16]-
23 [02:27:30].

24

25

2 INTERPRETER: I told the police that was my very
3 first time. If I cannot have staff there, I will
4 leave -

5 CHAIRPERSON MENIN: Okay, excuse me. I'm going
6 to have to ask you though to wrap up but we'll take
7 the full written testimony. Thank you.

8 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:27:48]-
9 [02:28:16].

10 INTERPRETER: I just wanted to know that people
11 like me who are senior with sickness and who couldn't
12 find appropriate job, couldn't find work, is there
13 any opportunity for us to let us continue living and
14 surviving? Because it's a lot of pressure to
15 continue the burden to survive.

16 CHAIRPERSON MENIN: Thank you very much. We
17 appreciate you coming down here and for your
18 testimony. Thank you.

19 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:28:43]-
20 [02:28:51].

21 INTERPRETER: I was healthy before. Due to the
22 persecution of the government, that's how I become
23 ill.

24 ZHANG WU ZHOU: SPEAKING IN MANDARIN [02:28:59]-
25 [02:29:04]-

2 CHAIRPERSON MENIN: Thank you very much.

3 ERIC NAVA-PEREZ: Good afternoon Chair Julie
4 Menin, members of the Committee. SPEAKING IN
5 MANDARIN [02:29:21]- [02:29:26].

6 INTERPRETER: My name is Eric Nava-Perez and I'm
7 the Senior Organizer at the Street Vendor Project
8 where I organize with Spanish speaking vendors across
9 the city. I'm here today to express my unequivocal
10 support for the proposed bills that would
11 decriminalize street vending, the siting rules bill
12 and the bill that would allow vending on bridges.

13 I am also here to express my support for the
14 reintroduction of the access to business licensing
15 and the services for vendors bill as soon as
16 possible.

17 As an organizer, I meet with and the Street
18 Vendor aggrievances in all five boroughs. Everywhere
19 I hear vendors express that they feel criminalized,
20 that their work and their businesses are
21 discriminated against and that their immigration
22 status is one reason why they fear interactions with
23 various agencies including the New York Police
24 Department and Sanitation Police. Because they think
25 that they will obtain a criminal record and it will

2 affect their immigration status. In Manhattan, many
3 street vendors have permits but too often building
4 managers, property owners and their BID allies use
5 public infrastructure to displace vendors from their
6 workplaces.

7 One of the most recent and prominent cases took
8 place in Hudson Yards against related companies in
9 the local BID, the Hudson Yards House Kitchen
10 Alliance. This public/private partnership has led to
11 the displacement of over a dozen workers from their
12 jobs and the constant harassment of the remaining
13 street vendors.

14 All of the vendors I have spoken to expressed the
15 need for a functioning regulatory system that allow
16 access to business licensing, a function regulatory
17 system that treats street vending as a civil issue,
18 not a criminal issue and a functioning system that
19 protects street vendor entrepreneurs and their
20 employees from displacement. This is why the City
21 Council should pass the three bills you are hearing
22 today. The siting rules bill, the bill to
23 decriminalize street vending and the bill to allow
24 vending on bridges.

2 Your Committee has an opportunity to provide –
3 give me five seconds. You Committee has an
4 opportunity to provide invaluable protection to
5 thousands of New Yorkers, whether it is from traffic
6 or criminal liability to unemployment and much, much
7 more. More urgently I strongly encourage you to
8 speak with your colleagues, so that they reintroduce
9 the access to business licenses –

10 CHAIRPERSON MENIN: I'm just going to ask you to
11 wrap up please.

12 INTERPRETER: And the services for vendors bill
13 and a hearing on those bills is scheduled as soon as
14 possible. Thank you all for your time.

15 CHAIRPERSON MENIN: Thank you.

16 WAJID SHAH: Good afternoon Members of the
17 Committee and uhm Chairwoman Julie Menin. My name is
18 Wajid Shah, I'm a disabled veteran. I was
19 specifically vending at the Brooklyn Bridge and
20 basically the city passed this law to ban all vendors
21 from the Brooklyn Bridge without providing an
22 environmental statement of impact. Basically what
23 that means is anytime there's a risk to humans
24 safety, the city must produce an environmental
25 statement of impact. That's one.

2 Number two, is that uhm, the city claims
3 congestion, risk of fire safety hazards and also
4 national security issues due to vendors. Partially,
5 that is true. There were over 110 vendors vending at
6 the Brooklyn Bridge and partially also true because
7 the city allows thousands of pedestrians to go
8 through the Brooklyn Bridge without going through any
9 security checks. So, any one of those people can
10 carry hazard items that can create fire safety and
11 other hazards.

12 Number three, there were only 15 veterans who
13 were vending at the Brooklyn Bridge and we have a
14 state right under general business law 32, general
15 business law 35 and 35A to vend in restricted
16 streets. So, I am asking this Council uhm, this
17 Committee to restrict the Bridge instead of
18 prohibiting the bridge. So, restricted to disabled
19 veterans and also, prohibit it for vendors that did
20 not have license or -

21 CHAIRPERSON MENIN: I'm just going to ask you to
22 wrap up please.

23 WAJID SHAH: Okay. So, uhm so I basically want
24 uhm the bridge to be open for vending exclusively to
25 disabled veterans. That's all.

2 SELASIE LOPEZ: CHAIRPERSON MENIN: Okay, thank
3 you.

4 Thank you Chair and the Committee for the
5 opportunity to testify today. My name is Selasie
6 Lopez. I'm a General Merchandise Vendor a member of
7 the Street Vendor Project. Currently, I work on the
8 well, formerly working on the Brooklyn Bridge,
9 selling souvenirs, hats and key chains. Today I'd
10 like to support two bills that will regulate the
11 general vending system which are introduced which is
12 1264 and 1253, part of the street vending reform
13 legislative package.

14 I also want to express support for the City
15 Council member Ms. Gale Brewer idea to vend on the
16 bridge. After getting out of the military, I became
17 a general merchandise vendor. It made me realize not
18 everybody has the privilege and the opportunity to
19 make a living in a suit. I realize that life had a
20 different path and as a general merchandise vendor,
21 it's a path that I also took along with others and I
22 believe everybody deserve a change to live in the
23 American dream for the mere fact that they are not
24 robbing, begging, stealing. The only crime being
25 committed is making a life as a vendor.

2 And while not on today's agenda, we look forward
3 to the City Council addressing the most critical
4 reform to the street vendor industry as outlined in
5 the Intro. 1270. Today, many would be entrepreneurs
6 forced to rely on the green markets with work without
7 a license due to state of the city's street vendor
8 system, taking advantages of workers and fellow small
9 business. Thank you for the opportunity.

10 CHAIRPERSON MENIN: Thank you.

11 COMMITTEE COUNSEL: Thank you all. Our next
12 panel will require a Spanish Interpreter, Maria
13 Chencho(SP?), Garcia Chango, Via Mara Gomez(SP?),
14 Elsa Anancolla, Sonia Perez.

15 SONIA PEREZ: SPEAKING IN SPANISH [02:36:48]-
16 [02:36:56].

17 CHAIRPERSON MENIN: Okay, please proceed.

18 SONIA PEREZ: SPEAKING IN SPANISH [02:37:13]-
19 [02:39:19]-

20 CHAIRPERSON MENIN: Okay, could you please wrap
21 up? Thank you.

22 SONIA PEREZ: SPEAKING IN SPANISH [02:39:22]-
23 [02:39:46]-

24 CHAIRPERSON MENIN: Okay, I'm sorry, we're going
25 to need to wrap up.

2 SONIA PEREZ: [02:39:48].

3 CHAIRPERSON MENIN: Thank you. Yeah, okay, maybe
4 we should okay, you're going to do the translation?
5 Thank you so much.

6 INTERPRETER: Good afternoon Council Member Menin
7 and Members of the Committee. My name is Sonia
8 Perez, member of the Street Vendor Project and member
9 of the Street Vendor Advisory Board. I'm here to
10 urge your support towards the introduction of the
11 bill sponsored by Council Member Krishnan that would
12 decriminalize street vending. Such a bill would make
13 all of my vendor comrades including myself work with
14 less fear and a stress of confrontation with city
15 enforcement officers.

16 We live with the fear of receiving a criminal
17 summons simply for trying to work. We're given a
18 civil citation, the fear of going to court would be
19 less, which is why it is necessary to decriminalize
20 the street vending. Our work is honest and we don't
21 steal from anyone. We just want to work to try to
22 have a normal life like any other human being so that
23 we can provide for our children and support for our
24 families.

2 I ask you not to deny us our deem of hope for a
3 successful life. I am also asking for the prompt
4 reintroduction and for this Committee to hold a
5 public hearing for the proposed legislation that will
6 remove cap on the number of permits and licenses per
7 street vendors and the bill that would create
8 services for the street vendors within the Department
9 of the Small Business Services.

10 To this day, I have been waiting for a permit for
11 over 25 years, as I'm sure you're aware the big
12 businesses we see today is set out as small
13 businesses. Starting small is always the first step
14 done step. Don't crush our dreams. We are here to
15 work with you. I thank you for your attention and
16 time of listening to me and the needs of the street
17 vendor community.

18 CHAIRPERSON MENIN: Thank you very much. Yes,
19 thank you. Please proceed, thank you.

20 ELSA ANANCOLLA: SPEAKING IN SPANISH [02:41:48]-
21 [02:43:44].

22 INTERPRETER: Good afternoon. My name is Elsa
23 Anancolla. I am Ecuadorian. I'm an immigrant. I
24 was working in the Brooklyn Bridge and now I'm
25 suffering because I don't have - I am undocumented

2 and I'm here with my daughter and I was working
3 selling bracelets and I have videos and I have
4 pictures of me doing that, me working but they took
5 my product away from me and they gave me a \$250 fine.
6 But there was a map that said that I could sell there
7 but the officer said that I had abandoned my spot. I
8 didn't abandon it; I was just taking a coffee because
9 it was too cold. I went to the police officer. I
10 went to my spot really quickly and I tried to explain
11 but English is not - I don't speak English. I only
12 speak Spanish and I speak Quechua so much better.
13 So, could you please help me? I'm here with my
14 daughter. I came here from my country. I came to
15 New York State and as you know, my country right now
16 is in a really complicated situation, a safety
17 situation. So, please help me because I would like
18 to keep working.

19 CHAIRPERSON MENIN: Thank you very much for your
20 testimony today, we appreciate it. I also want to
21 mention we've been joined by Council Member Won.

22 Okay, we are going to call on the next panel.
23 Thank you.

2 COMMITTEE COUNSEL: The next panel will require a
3 French and Arabic interpreter, Mamadou Niong, Nazi
4 Attia, Romero Salvio, and Nesa Wagner.

5 CHAIRPERSON MENIN: Can you repeat who you
6 called? Okay. Does he want to proceed? This
7 gentleman? Does he need translation? Sir, would you
8 like to proceed and we'll figure this out? Yeah,
9 please proceed. Yes, please, thank you. Just press
10 the button till the red light goes on. Thank you.

11 SALVIO ROMERO: Okay, my name is Salvio Romero.
12 I'm a Vietnam Disabled Veteran. I've been a vendor
13 for many years and I wanted to know why they closed
14 the bridge on us, especially the ones that protect
15 the United States. The ones that go war, die and get
16 crippled for in the United States. Why they got to
17 do that to us?

18 That is why I came here for to ask you that
19 question. Why?

20 CHAIRPERSON MENIN: Okay sir, it's not a question
21 that - the Administration was here testifying earlier
22 today. They are the one who enforced that so that's
23 not something that I can answer. We're happy to put
24 you in touch with someone in the Administration so

2 you can ask your question directly to them but we
3 very much appreciate you being here.

4 SALVIO ROMERO: Thank you Miss and God bless you
5 all.

6 CHAIRPERSON MENIN: Thank you so much. Thank
7 you. Thank you.

8 SALVIO ROMERO: I will get up and go.

9 CHAIRPERSON MENIN: Yes please, you're welcome to
10 but we're also happy to put you in touch with someone
11 from the Administration. Johnathan, can you help
12 this gentleman? Thank you.

13 SALVIO ROMERO: Thank you lady.

14 CHAIRPERSON MENIN: Sir, please go ahead.

15 MAMADOU NIONG: Good afternoon. My name is
16 Mamadou. I'm a street vendors for couple years and
17 right now, that's all the job I can do at my age and
18 my health. Last year, I worked in the Brooklyn
19 Bridge, 2023 until January 2, 2024. And now I ask
20 the City Council to help with the reopen of the
21 bridge so the people can make the living.

22 But some problem I see when I work in the bridge
23 and the in-morning time and the evening time, the
24 bridge is so really, really busy because the 60
25 percent of vendors at this time, they don't have no

2 license. Because I see the police is coming to
3 inspect of who have the license and not have the
4 license only in a short time between 12 noon, 12:00
5 p.m. and 2:00 p.m. That's only two hours. The
6 police come after that. Nobody see the police in the
7 bridge, that's why so many people come in the morning
8 time to sell the merchandise. 11:30 they pack up.

9 The police left at 2:00 p.m., they come back when
10 it's busy until the evening time. That's why if you
11 can help vender police assist in the morning time,
12 noon time and in the evening time to make the bridge
13 clean and all the people who don't have their
14 license. Thank you so much. That's all I have to
15 testify.

16 CHAIRPERSON MENIN: Thank you very much. Okay,
17 we will now call the next panel thank you.

18 COMMITTEE COUNSEL: The next panel will require a
19 Spanish Interpreter, Carla De Jesus Rodriguez,
20 Flamberto Diaz, Jesus Alkihid(SP?), Alejandra Marin,
21 Vicente Veintimilla.

22 FLAMBERTO DIAZ: SPEAKING IN SPANISH [02:50:15]-
23 [02:52:21].

24 INTERPRETER: So, good afternoon and thank you to
25 the members for giving me this opportunity to talk.

2 My name is Flamberto Diaz. I sell tamales in Fordham
3 Road at the Bronx and I have four children. I've
4 been in this country for 26 years and after the
5 pandemic, I not only lost my job but I got sick due
6 to the COVID and I am still dealing with the
7 consequences of that illness currently.

8 The other day we were at the street because my
9 wife and I, we both work with the carts selling
10 tamales and Sanitation took both of our carts and
11 gave us a \$2,000 fine and recently about two days
12 ago, they gave us another fine for – two other fines
13 for \$1,000 each and those are the tickets that I have
14 and I don't have the money to pay because my carts
15 are our only source of income.

16 I am here because I've been a street vendor and
17 it's my only source to support my family and feeling
18 sick due to the COVID. I'm dealing with anxiety,
19 with depression, and when my children ask about my
20 cart and ask about what is happening and why I'm
21 depressed is really difficult for me because I cannot
22 hide from them the fact that I don't have my cart
23 anymore and that I don't have a source of income to
24 support them.

2 Thank you and thank you to comrades for taking me
3 here and the total amount that I am owing in fines
4 right now is \$6,000. Thank you.

5 VICENTE VEINTIMILLA: SPEAKING IN SPANISH:
6 [02:54:22]- [02:56:38].

7 INTERPRETER: Good afternoon. My name is Vicente
8 Veintimilla. I've been a street vendor in Fordham
9 Road at the Bronx. I'm 56 years old and I've been in
10 the street for 46 years and I know that I have less
11 years to live than the years that I had already
12 lived. I'm not here to question any loss or any
13 dispositions that have been made in the past but I'm
14 here in the name of - on behalf of the street vendors
15 because when you can see that the country is spending
16 a lot of money on wars that are only suffering and
17 hunger. When here the group of vendors who are
18 struggling to survive with the people, with some
19 authorities that don't treat as well. Especially
20 sanitation that doesn't inspire any respect,
21 inspiring as with a lot of fear. We're having that
22 now this immigrant crisis and we, all the groups that
23 are suffering that we are vulnerable. We are
24 suffering because of that.

2 We think that it is crucial that this bill gets
3 approved because it's going to protect thousands of
4 jobs of vulnerable populations and now, we have this
5 great group that is the SVP, the Street Vendors
6 Project and we know that this organization is going
7 to create a new generation of street vendors that are
8 going to respect the law and are going to make a
9 difference. So, on behalf of my family and on behalf
10 of all the family of street vendors, thank you for
11 your time and I would hope you make a fair decision
12 for all of us.

13 CHAIRPERSON MENIN: Thank you. Please proceed.

14 CARLA DE JESUS RODRIGUEZ: SPEAKING IN SPANISH
15 [02:58:36]- [02:59:57].

16 CHAIRPERSON MENIN: Thank you.

17 INTERPRETER: So, good afternoon. My name is
18 Carla De Jesus Rodriguez. Thanks Council Members for
19 listening to me. I'm a Street Vendor in Westchester
20 Avenue in White Plains in the Bronx, 1866 Street. I
21 am the head of my family and with my income I support
22 the education of my two children.

23 I would like you to please approve and help us
24 with licenses and permissions on improving this bill.
25 I think that it is going to be really successful for

2 all of us. After Labor Day September 3, 2023, they
3 didn't let me work because I'm missing one permit.
4 Please help me with my license and my permits and
5 thank you so much to the SVP, the Street Vender
6 Project and thank you for listening.

7 CHAIRPERSON MENIN: Thank you.

8 ALEJANDRO MARIN: SPEAKING IN SPANISH [03:00:58]-
9 [03:03:02].

10 CHAIRPERSON MENIN: Okay, thank you.

11 INTERPRETER: Good afternoon. My name is
12 Alejandro Marin. I'm a vendor of general merchandise
13 at the Bronx. I had a stable job before the COVID
14 but when the COVID hit it was very complicated for me
15 to get my job and it was a very complicated situation
16 for everybody. So, I saw the chance to become a
17 street vendor because that way I could get money for
18 my family and for my parents. My brother was the one
19 that was bringing money home but he died, so I found
20 that it was the only way to help my family because he
21 was the only source of income.

22 So, I started in the street. I thought that it
23 was a great solution but then everything changed and
24 now, the agencies and everything are giving us a hard
25 time. I think that this package and especially the

2 changes that are going to be done through 1270, 1264,
3 1253, and 1268 are going to be great because they are
4 going to help us get educated and to [INADUDIBLE
5 03:04:07] this economy and to help the street vendors
6 not to be some informal people that are selling but
7 to get into formality and not regulated group that
8 helps the economy. That way we are not going to be
9 having fear of being – of our merchandise to be
10 confiscated and we are going to help the economy
11 grow.

12 CHAIRPERSON MENIN: Thank you. Okay, thank you
13 very much. We are going to call our next panel.

14 COMMITTEE COUNSEL: The next panel requires a
15 Spanish Interpreter, Ana Leon, Manuel Castro, Soledad
16 Monroy, Maria Chango, Maria Jimenez, MD Rahman.

17 CHAIRPERSON MENIN: Okay, please go ahead. Hi,
18 please go ahead. Yes, please begin.

19 ANA LEON: SPEAKING IN SPANISH [03:05:04]-
20 [03:06:31].

21 INTERPRETER: So, good afternoon. Thank you for
22 letting me talk in front of you. Thank you to the
23 President Julie Menin and all the members of the
24 Committee. My name is Ana Leon. I work in the
25 Brooklyn Bridge doing videos and photographs. I've

2 been doing that for at 19 months. I would like to
3 encourage you to accept this proposal because I think
4 that I'm not doing anything wrong. We are good
5 people trying to do good things and I think that we
6 are contributing to the tourism, to encourage the
7 tourism of people here in New York City because
8 people like to have videos of New York when they come
9 to visit and this way I can help support my family
10 and I can pay my bills because New York City is a
11 very expensive city to live in.

12 So, I would like to ask you to support this
13 proposal because I think it's not going to be a
14 problem. I think that New York City has worse
15 problems and worse issues than what is happening in
16 the bridge. So, thank you so much for your time.

17 CHAIRPERSON MENIN: Thank you. Okay, next. Yes,
18 yes, thank you.

19 SOLEDAD MONROY: SPEAKING IN SPANISH [03:07:54]-
20 [03:09:09].

21 INTERPRETER: Good afternoon. My name is Soledad
22 Monroy. I work in the Brooklyn Bridge and I'm a
23 member of the Street Vendors Project. Thank you
24 President and members and I would like you to support
25 this bill that helps other people direct selling in

2 the bridge to get an income for their families. I've
3 been doing this selling souvenirs, only souvenirs
4 about New York City and the Brooklyn Bridge. I help
5 support my family with these earnings and I pay my
6 rent and I pay for my expenses.

7 I tried to apply for other jobs but it has been
8 completely impossible for me to get a different one.
9 I'm aware that there have been crowding's and
10 disorder in the bridge because of us but we are more
11 than open to working an organized way and to comply
12 with all the rules and with all the laws so we can go
13 ahead with our jobs and help our families. Thank you
14 so much for listening.

15 MD RAHMAN: Good evening. Thank you Council for
16 allowing me to speak. My name is MD Rahman. I am an
17 immigrant from Bangladesh and come into this country
18 like 2009. I'm a food vendor. I'm selling hot dogs,
19 cold water, soda on the Brooklyn Bridge more than 15
20 years now.

21 Now, I'm still on the hot dog site, I'm selling
22 my stuff. So, I want to share my experience because
23 I'm a long time; I'm the first one vending on the
24 bridge from 2009 till now. I want to share my
25 experience because before the pandemic, bike lane and

2 work lane was together. Now, they make separate,
3 bike lane and work lane separate. We've got more
4 space.

5 Now, they close the bridge and they take my job
6 and our friend. We have got a friend over here
7 working on the Brooklyn Bridge. They take my job
8 away. I don't know what kind of decision because I
9 need to take care of my family. I have my kids, I
10 have my wife, I have my 65-year-old mom with me
11 together. I don't make over here like one million
12 dollar. I try to take care of my bills. I make
13 every day \$100, \$50, I'm happy.

14 So, I'm losing my job now. I don't have any
15 unemployment. I'm staying for this decision because
16 I cannot take care of my family and my life. So,
17 thank you. Thank you for being here and allowing me
18 to speak and I need support for my job, for my family
19 take care.

20 And another thing I want to share with you guys,
21 because if the [INAUDIBLE 03:12:09] and they close
22 the bridge. [INAUDIBLE 03:12:11] you guys go there
23 now; they're working in front of the Brooklyn. The
24 City Hall Park like push car. So, I think all this
25

2 is for the [INAUDIBLE 03:12:22] because this part is
3 almost like -

4 CHAIRPERSON MENIN: Okay.

5 MD RAHMAN: The Brooklyn Bridge, in front of the
6 Brooklyn Bridge. So, I need to -

7 CHAIRPERSON MENIN: I'm going to need you to wrap
8 up please.

9 MD RAHMAN: Yeah, take my job. Again and I need
10 to take care of my family. Thank you.

11 CHAIRPERSON MENIN: Okay, thank you very much.
12 Thank you.

13 MANUEL CASTRO: SPEAKING IN SPANISH [03:12:40]-
14 [03:14:23].

15 INTERPRETER: Good afternoon. My name is Manuel
16 Castro. I belong to the Brooklyn Bridge Street
17 Vender group. I've been working in the Brooklyn
18 Bridge for about one year and a half. Thank you Ms.
19 Julie Menin and other members. I support this
20 proposal, so we can sell in the bridges. I've been
21 working in Brooklyn Bridge selling basically
22 souvenirs, hats, gloves, many, many products and I
23 support my family with this income and I help my
24 parents as well.

2 Many people in my family depend on this job. I'm
3 definitely open to comply with any new laws on the
4 new revelations, so we can work at the bridge. Thank
5 you to the Council members and thank you to the
6 Committee for listening to me.

7 MARIA CHANGO: SPEAKING IN SPANISH [03:15:20]-
8 [03:16:08].

9 INTERPRETER: Good afternoon. My name is Maria
10 Chango. I'm from Ecuador. I belong to the group of
11 the Brooklyn Bridge Street Vendors. I was selling
12 things about New York for about six months. Thank
13 you Ms. Menin for listening to me and I definitely
14 support this proposal so we can sell in the bridge
15 because this eviction that happened had really
16 affected me, my family, and my chance to pay the rent
17 and my bills. So, thank you to the Committee and
18 thank you for listening to me.

19 COMMITTEE COUNSEL: Thank you. Our next panel
20 will be our last in person panel. Christopher Leon
21 Johnson and Raul Rivera. If you did not hear your
22 name, please speak with the Sergeant and fill out an
23 appearance card.

24 CHRISTOPHER LEON JOHNSON: Hey, good afternoon.
25 My name is Christopher Leon Johnson. First off,

2 before I start my speech, I would like to apologize
3 for my action over there with the Worker Justice
4 Project. I know it might get on Twitter. It might
5 get on whatever later on in the run but my actions,
6 what I did was wrong on my side and I apologize for
7 my actions. I apologize to this Committee. I
8 apologize to the City Council. I apologize to
9 everybody that support what I do.

10 So, going forward with this, a lot of these
11 bills, a lot of these bills in the City Council, they
12 look good on paper but the issue is we have the
13 nonprofits that are running the City Council
14 influencing all these, that's really against all
15 these bills, especially with the Brooklyn Bridge
16 situation.

17 Now, I walk the Brooklyn Bridge mostly every
18 month and it's an eye soar. The stuff that the
19 street vendors, all of them are eye soars. It's a
20 straight eye soar. I understand you are trying to
21 make some money but it's just a pure eye soar. Now,
22 the Mayor's Office was correct of getting rid of all
23 of them because it's a big problem. That's a tourist
24 attraction. Why are you going to make a tourist
25 attraction into a freefall like a third world

2 country? It is ridiculous. Now, I know who behind
3 that is the Street Vendor Project, which is under the
4 Urban Justice Center that's influencing to kill that
5 bill because the City Council, they are all scared of
6 the Street Vendor Project because of the political
7 power they have.

8 Now, there's another thing I'm going to talk
9 about, it's about e-bike regulations and e-bike
10 storage. Now, we need to put that in the City
11 Council. We need that to happen but we need the
12 people, all the people, all the sides to get together
13 and have a conversation about that bill. Maybe with
14 the NYCEBSA. I know you work with them Julie, with
15 the 86th Street Administration but we have to get
16 everybody involved with these bills, not just these
17 nonprofits. You can't have these nonprofits run this
18 Committee. So, thank you.

19 CHAIRPERSON MENIN: Okay, thank you very much.
20 Uhm, okay, I'm going to call on you next sir. You
21 have to put the tripod not - according to Council
22 Rose, we can't have that. If you're interested in a
23 recording of the -

24 UNIDENTIFIED: She's speaking next.
25

2 CHAIRPERSON MENIN: No, she's not. You're
3 speaking next sir but if you're interested in a
4 recording, it is on NYC Media. This whole hearing is
5 recorded so you can get a recording.

6 UNIDENTIFIED: We have a right to record. We
7 have that right.

8 CHAIRPERSON MENIN: Actually, according to 7.60,
9 we don't - as you see like, they don't have
10 recordings here but you're more than welcome to NYC
11 Media. You see them in the back, they're recording
12 this whole hearing.

13 UNIDENTIFIED: The reason I want to record is
14 because -

15 CHAIRPERSON MENIN: No, it's - No, I'm sorry that
16 is not permitted but again, there's a recording of
17 this hearing.

18 UNIDENTIFIED: I won't use a tripod. I'll forget
19 the tripod. So, before I get started, we're going to
20 mark, so now it's you and Crystal Hudson that have
21 issues with the tripod and this is how we defend New
22 Yorkers. Well, forget about that for now. We'll put
23 the tripod away. This is our first amendment right
24 to speak and to record. I don't know why you have an
25 issue with recording.

2 With that being said, my name is Raul Rivera.
3 I'm a TLC Driver Advocate. We support the 0075.
4 There's a big issue with real estate here in New
5 York. We have Hudson Yards; I know many of the food
6 vendors there are getting pushed out and if we're
7 talking about six inches, I mean that's a little bit
8 ridiculous. I mean we have plenty of space in the
9 city and to try to push people out for six inches,
10 it's uncalled for you know.

11 Steven Ross, he's the owner of Hudson Yards and
12 they're discriminating against food vendors, people
13 of color. We just passed 586 yesterday right? I
14 mean you vetoed; I mean you override the veto right?
15 That's about safety, about people of color,
16 transparency and all that stuff right? Well, we have
17 Hudson Yards; we just had a clown here that we
18 pointed out that complained. He literally complained
19 about nonprofits but he has a nonprofit called Hell's
20 Kitchen Alliance that's working with the NYC Parks
21 Department and they're pushing out the vendors there.
22 This is ridiculous. We called the Mayor. You know
23 we know the Mayor personally. We reached out to the
24 Mayor. We reached out to Eric Bottcher who is the
25 Council Member to the district and our cries, their

2 cries fall on deaf ears. This is absolutely
3 ridiculous and we know that these not-for-profits,
4 they're not doing the right thing and it's shameful
5 that you guys don't recognize this. You need to
6 recognize this.

7 I don't know if you recognize the small business
8 owners when you had your other Committee. It's
9 ridiculous. They are hijacking our cities and
10 they're abusing the people of color.

11 CHAIRPERSON MENIN: Okay, I'm going to ask you to
12 wrap up.

13 RAUL RIVERA: We'll leave it there. We'll leave
14 it there.

15 CHAIRPERSON MENIN: Okay, thank you.

16 RAUL RIVERA: Ridiculous. By the way, this is
17 not a deadly weapon alright. Just so you know.

18 CHAIRPERSON MENIN: Sir, that is enough, okay.

19 RAUL RIVERA: It's not enough. It's not enough
20 because we're being censored.

21 CHAIRPERSON MENIN: Thank you. I'm just going to
22 say, no one is being censored okay. I really take -
23 [GAVEL] I really take Umbridge with that. All of
24 these meetings are recorded.

2 RAUL RIVERA: I know censorship when I see it, I
3 was born here.

4 COMMITTEE COUNSEL: We will now turn to our Zoom
5 panelists, Thomas Ferrugia, and then we will return
6 to the two additional in person panelists.

7 THOMAS FERRUGIA: Hi, I'm Tom Ferrugia. I'm
8 the Director of Governmental Affairs with the
9 Broadway League. I realize time is short, so I will
10 move through my testimony very quickly. I did submit
11 a full statement on behalf of the Broadway League, so
12 I'll just cut directly to it.

13 Uhm, the Broadway League has no position on
14 Intro. 68 through 72. However, we do oppose Intro.'s
15 0074, repealing the misdemeanor criminal penalties
16 for general and mobile food vendors and 75 permitting
17 street vendors to vend within two feet of the curb.

18 We believe these proposals would add to the
19 congestion in Midtown and heighten the significant
20 enforcement challenges facing the city. Time Square
21 is the hub of the Broadway Theater District and a
22 major cultural venue in Midtown Manhattan. The
23 pedestrian intersection has one of the highest
24 attendance rates of any attraction in the world,
25 estimated at 60 million people annually.

2 The designation of broadways and outdoor plaza
3 has only increased traffic and attracted an
4 overwhelming number of street performers, costume
5 characters, vendors and push cart vendors.
6 Navigating Midtown is a significant burden and the
7 array of sidewalk activity regularly drives
8 pedestrians into the streets, diverting attention
9 from storefronts and making foot and vehicle access
10 to our theaters extremely challenging. This area has
11 also seen a recent proliferation of crime around the
12 recently opened marijuana stores. Allowing vending
13 carts to sit within two feet from the curb reduces
14 available space for vehicles and pedestrians and
15 contributes to the overcrowding and disorder in the
16 neighborhood.

17 Further, city resources are already over taxed.
18 FDNY, NYPD and other agencies work to enforce laws
19 and ensure public safety, eliminating misdemeanor
20 criminal penalties for general and food vendors sends
21 the message of the city to not take these offenses
22 seriously and invites flagrant violation of the law.

23 I would also like to bring to note that while not
24 before you today, the [03:24:52] against any
25 legislation lifting the cap on authorized vending

2 permits unless the expansion was specific to
3 locations outside the overwhelmed theater district.

4 Thank you for this opportunity on behalf of the
5 Broadway community, the Legal Plaza Council's ongoing
6 dedication to addressing these issues in a fair and
7 balanced manner and I do just want to reiterate that
8 we are talking specifically about Time Square, a very
9 unique environment that with other legislation and
10 having to do with vending is introduced, that how it
11 is going to affect that particular area needs to be
12 considered.

13 CHAIRPERSON MENIN: Okay.

14 SERGEANT AT ARMS: Time is expired.

15 THOMAS FERRUGIA: The less -

16 CHAIRPERSON MENIN: Okay, you need Thomas - thank
17 you. Thank you. Thank you for your testimony.

18 Okay, we're going to recall a number of names,
19 okay.

20 COMMITTEE COUNSEL: This panel will require a
21 Spanish Interpreter Luis Mendoza, Hugo Gonzales,
22 Christian Caitzbanda, Maria Jimenez. Jesus
23 Alkihid(SP?) Garcia Chango, Anesa Wagner, Nazi Attia,
24 Yumara Gomez, Maria Chench, Moris Sewell, Luis

2 David-Mendoza, Luis Lopez, Jose Masaqueza, Marito
3 Sosa.

4 CHRISTIAN CAITZBANDA: SPEAKING IN SPANISH
5 [03:26:41]- [03:27:07].

6 INTERPRETER: Good afternoon. My name is
7 Christian Caitzbanda. I'm a member of the Vendors
8 Salesmen's who were working in the Brooklyn Bridge.
9 I was selling several products. Some of them were
10 mostly artistic products. Like for example, like
11 small statutes, small things related to New York and
12 things that will make you remember New York when you
13 come as a tourist. And I was working there for a
14 very long time.

15 Okay, continue, continue.

16 CHRISTIAN CAITZBANDA: SPEAKING IN SPANISH
17 [03:27:47]- [03:28:12].

18 INTERPRETER: Yes, I was helping the tourists who
19 were there in the Brooklyn Bridge and the people and
20 the pedestrians. The people who were walking around
21 the bridge when I was working there. I wanted to say
22 thank you to the President, Ms. Julie Menin for the
23 opportunity that you have given me to raise my voice
24 in this Council. And today, as a vendor, a street
25 vendor, I feel very bad. I was affected very bad

2 economically because unfortunately this was my only
3 job I have right and I didn't have other future jobs
4 and my children were affected because of this.

5 CHRISTIAN CAITZBANDA: SPEAKING IN SPANISH

6 [03:29:01]- [03:29:32].

7 INTERPRETER: Okay, as I mentioned before, I was
8 affected economically because this was my only job I
9 have and I found, I felt there was no future for my
10 children because I cannot even pay my own bills that
11 I have on my home because I'm not able to work. And
12 where I live, I live with a family, so this was my
13 only economical support and I was buying my daily
14 bread you know that I was bringing to my table. And
15 what it means with daily bread, like this was the
16 only way to support his family. It's a Spanish
17 metaphor that made more sense in Spanish than in
18 English, daily bread.

19 Okay, and just a hard-working parent and an
20 immigrant whose trying to help his family and to try
21 to help his children.

22 CHRISTIAN CAITZBANDA: SPEAKING IN SPANISH

23 [03:30:38]- [03:30:45].

24 CHAIRPERSON MENIN: I need to ask you to wrap up
25 please. Thank you.

2 INTERPRETER: Sorry. He is really slow in
3 Spanish, that's why. They speak all the languages in
4 Ecuador as well, that's why.

5 CHFRISTIAN CAITZBANDA: SPEAKING IN SPANISH
6 [03:31:05]- [03:31:12].

7 CHAIRPERSON MENIN: Okay and if you want to
8 submit, you can submit in writing.

9 INTERPRETER: It's almost over Ms. Menin. It's
10 just a few words.

11 CHAIRPERSON MENIN: Okay.

12 INTERPRETER: So, as I mentioned before, I was an
13 immigrant father trying to help my children to
14 survive and to help my entire family and the problem,
15 yeah, I'm not able to sell anything in the Brooklyn
16 Bridge like when I was working there before. But I
17 respect the laws of the City of New York and I
18 promise to respect the rules that you can impose if
19 necessary but if you can let me sell my things in the
20 Brooklyn Bridge again, but I'm really to respect the
21 laws that you can impose.

22 CHAIRPERSON MENIN: Okay, thank you. Thank you
23 very much for your testimony. Thank you.

24

25

2 INTERPRETER: Sorry, his first language is
3 Quechua, it's one of the languages in Ecuador. So, I
4 apologize.

5 CHAIRPERSON MENIN: Yeah, thank you. Thank you
6 so much for your testimony. Okay, yes.

7 LUIS DAVID-MENDOZA: SPEAKING IN SPANISH
8 [03:32:17]- [03:32:31].

9 INTERPRETER: Good afternoon. My name is Luis
10 David-Mendoza. I'm a member of the SVP. First of
11 all, I wanted to say thanks to God for everything and
12 also to you Ms. President Julie Menin to give me the
13 opportunity to raise my voice in this Committees
14 meeting and to give me the opportunity to present my
15 testimony today.

16 LUIS DAVID-MENDOZA: SPEAKING IN SPANISH
17 [03:33:03]- [03:33:20].

18 INTERPRETER: I support the project and the bill
19 and because this bill will allow for us to work and
20 to sell in the bridges, especially the Brooklyn
21 Bridge. My main job was to build or to design videos
22 right that were recent in New York. These videos are
23 360 video and as you know, this video.

24

25

2 So, I was making these videos in the Brooklyn
3 Bridge so that people can have a good memory when
4 they were visiting New York.

5 LUIS DAVID-MENDOZA: SPEAKING IN SPANISH
6 [03:34:06]- [03:34:21].

7 INTERPRETER: So, the people were getting like a
8 very good memory of New York as to the videos I was
9 making and I was able to help my family, to support
10 my family financially and thanks to these videos I
11 was making there when I was working at the Brooklyn
12 Bridge, I was able to eat my own food, to pay for my
13 own food and to also pay my bills.

14 As you know, I'm an immigrant of the Republic of
15 Venezuela and I'm very grateful to this great nation
16 as the United States of America to help me because I
17 know you help me and your trying to make my life a
18 little better for me and my family.

19 LUIS DAVID-MENDOZA: SPEAKING IN SPANISH
20 [03:35:07]- [03:35:15].

21 INTERPRETER: Okay and once again, I give thank
22 you to you Ms. President, Ms. Menin and also to all
23 the Committee Members here in the New York City
24 Council to give me the opportunity to present my
25 testimony and I want you to listen to everything I

2 say to all of you and in what way you can help me.

3 And I wanted to give this testimony to all of you and

4 God bless you all.

5 CHAIRPERSON MENIN: Thank you. Thank you very
6 much. Thank you. Okay.

7 INTERPRETER: SPEAKING IN SPANISH [03:35:51]-
8 [03:36:02].

9 HUGO GONZALES: Good afternoon. My name is Hugo
10 Gonzales. I would like to thank the President Julie
11 Menin and the members of the Council for allowing me
12 the opportunity to express myself. I work in
13 Brooklyn Bridge with a 360 degree [INAUDIBLE
14 03:36:21] and I am here to support the bill that will
15 allow us to continue working on Brooklyn Bridge.

16 This project is very important to me because as
17 an immigrant, it is very difficult to get a job in a
18 company because we know that New York City is over
19 populated. We know perfectly well that there was a
20 lot of disorder and disorganization with the vendors
21 on the Brooklyn Bridge.

22 But I am sure that I speak for all the vendors
23 when I say that we are willing to follow and respect
24 the rules and laws that the city impose on us, to
25 allow us to work on Brooklyn Bridge. This is the

2 only way that we have to be able to support our
3 families and be able to pay our expenses.

4 In addition to the fact that we contribute to the
5 economy and tourism in the City of New York because
6 many of the tourists who see the Bridge want to take
7 some physical souvenirs of their visit, and we help
8 them take that memory with them with the product we
9 sell. Thank you so much.

10 CHAIRPERSON MENIN: Thank you so much and our
11 last speaker before we close the hearing.

12 FRANCISCO JIMENEZ: SPEAKING IN SPANISH
13 [03:38:14]- [03:38:36].

14 INTERPRETER: Good afternoon. My name is
15 Francisco Jimenez. I'm one of the members of the
16 Vendor Salesmen's, you know a street salesman and I
17 was working also in the Brooklyn Bridge and I have
18 been selling products for some time. Okay, continue
19 on.

20 FRANCISCO JIMENEZ: SPEAKING IN SPANISH
21 [03:39:07]- [03:39:25].

22 INTERPRETER: Okay, yes. I'm an immigrant woman
23 and a mother of two children and originally from
24 Ecuador, from South America and please understand
25 that for me it's very difficult to work. I'm not

2 able to find a job. This is the only job I have as
3 working as a saleswoman and also, I'm bringing the
4 daily bread to my home also to help my children and
5 to help my family. I'm a single mother. I don't
6 have support from my husband. Okay, continue on.

7 FRANCISCO JIMENEZ: SPEAKING IN SPANISH

8 [03:39:58]- [03:40:31].

9 INTERPRETER: Okay, I'm struggling financially
10 Ms. Menin and members of the Committee. I use to and
11 please understand. I'm a very hard-working woman but
12 I'm not able to sell anything because they don't
13 allow me to sell anything in the bridge anymore. I
14 was bringing the daily bread right to our family
15 there and sometimes they were waiting for me with a
16 babysitter and they were asking me, "mother, what do
17 you bring for us today?" And the money I was making
18 was not even enough to pay the rent on my apartment.
19 And this is why I am so sad and my feelings about,
20 right?

21 FRANCISCO JIMENEZ: SPEAKING IN SPANISH

22 [03:41:12]- [03:41:17].

23 INTERPRETER: Sorry, some mistakes, my apologies.
24 Okay, I'm very sad about this because I was helping
25 my family financially. I'm not able to do it

2 anymore. I'm not even able to pay my own rent and
3 I'm also a single mother, so this is even more
4 difficult for me.

5 FRANCISCO JIMENEZ: SPEAKING IN SPANISH

6 [03:41:36]- [03:41:42].

7 INTERPRETER: Thank you for allowing us to speak
8 with all of you and to let us raise our voice about
9 the serious matter that's happening.

10 CHAIRPERSON MENIN: Thank you so much for coming
11 to the Council today. We appreciate it. We're just
12 going to quickly read a couple more names and make
13 sure they're not here.

14 COMMITTEE COUNSEL: If we have inadvertently
15 missed anyone on Zoom, please use the raise hand
16 function, including Tiena Prado, Alex Haiden,
17 Elizabeth Adams, and Yo Siff(SP?). Not seeing any
18 hands, I'm going to turn it over to Chair Menin to
19 close out.

20 CHAIRPERSON MENIN: Okay, I really want to thank
21 everyone who came out to this incredibly important
22 hearing. I know it's a little bit long so we
23 appreciate your patience and staying with us and
24 giving your very important testimony.

2 And with that, I'm going to close the hearing.

3 [GAVEL] Thank you.

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date February 8, 2024