

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SMALL BUSINESS

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June 8, 2015
Start: 01:20 p.m.
Recess: 01:45 p.m.

HELD AT: 250 Broadway- Committee Rm, 16th Fl.

B E F O R E:
ROBERT E. CORNEGY, JR.
Chairperson

COUNCIL MEMBERS:

CARLOS MENCHACA
ERIC A. ULRICH
INEZ E. DICKENS
KAREN KOSLOWITZ
MATHIEU EUGENE
PAUL A. VALLONE
PETER A. KOO
RUBEN WILLS

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

[gavel]

CHAIRPERSON CORNEGY: Good afternoon.

I'm Council Member Robert Cornegy and this is a hearing on the Committee of Small Business. Today we'll consider two bills that would improve interactions between small business owners and the city increasing opportunities for business owners to avoid fines while protecting consumers and enhancing the customer service provided by agencies to business owners, particularly by business, by agency inspectors. The bills we're considering today are part of that package. The first of these bills proposed introduction 723A by Speaker Melissa Mark Viverito and myself is designed to address the impact that language barriers have on fines levied against small businesses. According to the New York Times immigrant business owners with limited English proficiency are 40 percent more likely to receive violations during inspections than their English speaking counterparts. Part of the reason given is that inspectors who can communicate with business owners during inspections are more likely to allow a business to correct minor violations during an inspection rather than issuing a

1 citation. Executive order 120 provides that city
2 agencies must devise a plan for facilitating
3 language access. The, the business owners bill of
4 rights which is currently distributed to business
5 owners during inspection states that business
6 owners have the right to request language
7 translation services in connection with agency
8 inspections. However not every agency that deals
9 with small businesses has established protocols for
10 determining whether a business owner needs
11 translation services or for providing those
12 services during inspections. Currently the
13 Department of Buildings specifies use of language
14 line but does not specify protocols and inspectors
15 should follow to determine language access needs.
16 The Department of Consumer Affairs and the
17 Department of Health and Mental Hygiene have
18 recently instituted protocols for language access.
19 It is unclear whether DEP has a protocol, the
20 Department of Sanitation and the Bureau of Fire
21 Prevention have no business inspections specific
22 protocols. Proposed introduction 723A would require
23 that the Mayor's Office of Operations provide the
24 business owner's bill of rights in at least the top
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2 six languages spoken by limited English proficient
3 individuals as those languages are determined by
4 the Department of City Planning. Currently those
5 languages are Spanish, Chinese, Russian, Korean,
6 French Creole, and Italian. The bill would also
7 require that the standardized customer service
8 training curriculum developed by the Mayor's Office
9 of Operations include specific protocols for
10 inspectors to follow when interacting with non-
11 English speakers and immigrants to ensure that such
12 inspectors provide language translation services
13 during inspections. As a result of this bill more
14 business owners with limited English proficiency
15 would know they have the right to request
16 translation services and they will know what to
17 expect in their interactions with agency
18 inspectors. Inspectors will have the training they
19 need to provide fair treatment to small businesses
20 so that business owners won't receive violations
21 and fines simply because they speak a language
22 other than English. The second bill we will
23 consider as proposed introduction 724A by Council
24 Member Margaret Chin, Speaker Melissa Mark Viverito
25 and myself. Though the city provides an array of

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2 services to assist small businesses many small
3 business and trade associations report that they do
4 not know where to turn when they need help dealing
5 with government. In fact many businesses aren't
6 aware of the services the city provides. This bill
7 will establish small business advocates within a
8 department of small business services to serve as
9 the first point of contact for businesses seeking
10 assistance and will be dedicated to helping small
11 businesses obtain appropriate services from the
12 department and other city, state, and federal
13 agencies. I want to thank Council Member Chin and
14 the speaker for their leadership on this particular
15 piece of legislation. I'd also like to thank the
16 staff that has worked on this legislation.

17 Committee Council Jeff Campania, Finance Analyst,
18 Alia Ali as well as our policy analyst Jane
19 Suboodee [phonetic] and my legislative director
20 Diana Shelgross [phonetic]. I would also like to
21 acknowledge the other members of the committee that
22 are here; Council Member Vallone, Council Member
23 Menchaca, Council Member Koslowitz, and Council
24 Member Chin, and Council Member Koo. Council Member
25 Chin.

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2 COUNCIL MEMBER CHIN: Thank you Chair
3 Cornegy. Good afternoon. Intro 724A to create small
4 business advocates within small business services
5 to provide a central point of contact for
6 businesses looking for assistance no matter what
7 their issue is. Small business services provide a
8 diverse menu of services. But when it comes to
9 getting help dealing with a violation or compliance
10 with a new law it can sometimes be confusing for
11 small businesses to get advice about navigating
12 city bureaucracy. We see this in our district a
13 lot. Small businesses usually call our office and
14 we work with them to try to figure out what the
15 issue is. But it would be better if there was a
16 direct person that they could reach out to for
17 advocacy within the agency. This bill will also
18 be able to enable the advocates to examine how city
19 policy might unintentionally impact small
20 businesses and give recommendations accordingly. I
21 want to thank Jeff Campania in the central staff
22 for all his work on this legislation and also
23 Council Member Chair Cornegy and Speaker Mark
24 Viverito for their support. I believe this bill
25 will make our city more business friendly. And I

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COMMITTEE ON SMALL BUSINESS

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hope my colleague will vote in favor of it. Thank you.

CHAIRPERSON CORNEGY: Can we call the roll please?

COMMITTEE CLERK MARTIN: William Martin Committee Clerk. Roll call vote Committee on Small Business, Chair Cornegy.

CHAIRPERSON CORNEGY: I vote aye.

COMMITTEE CLERK MARTIN: Koo.

COUNCIL MEMBER KOO: I vote aye and I'd like to add my name to both the bills to be sponsors.

COMMITTEE CLERK MARTIN: Koslowitz.

COUNCIL MEMBER KOSLOWITZ: Aye. An I'd like to also add my name to the bills.

COMMITTEE CLERK MARTIN: Menchaca.

COUNCIL MEMBER MENCHACA: I just want to quick, briefly explain my vote. What I want to say is the chair of the immigration committee and as someone who continues to build a large I think base for our immigrant community members especially our business community in standing with Chair Cornegy and all the members of this, of this committee. One of the thing, one thing that kind of binds both of

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2 these pieces of legislation is we're making it
3 easier for our small businesses to do their work
4 and anytime we can do that we should, we should
5 really celebrate that opportunity and so I vote aye
6 on both bills and I want to add mine, my name to
7 724A as well.

8 COMMITTEE CLERK MARTIN: Vallone.

9 COUNCIL MEMBER VALLONE: [off mic] I
10 believe both of these bills who have an... [on mic]
11 immediate and direct impact for a small business in
12 a positive way that I can graduate the sponsors, my
13 fellow council members for bringing this forward
14 and quickly and for everyone voting aye on this.
15 These are the type of bills that make an impact for
16 our small business. So I proudly vote aye on both
17 and if you could add my name to 724A. Thank you.

18 COMMITTEE CLERK MARTIN: Council Member
19 Ulrich.

20 COUNCIL MEMBER ULRICH: Mr. Chairman I
21 vote aye on all. I congratulate the sponsors of the
22 bill and I ask that my name be added as a co-
23 sponsor to both pieces of legislation. Thank you.
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2 COMMITTEE CLERK MARTIN: By a vote of ix
3 in the affirmative, zero in the negative, and no
4 abstentions both items have been adopted.

5 CHAIRPERSON CORNEGY: So we are
6 adjourned. We are holding the roll open for a half
7 an hour for those members who haven't been able to
8 get here yet. Thank you.

9 COMMITTEE CLERK MARTIN: Council Member
10 Dickens.

11 COUNCIL MEMBER DICKENS: I vote aye.

12 COMMITTEE CLERK MARTIN: The vote now
13 currently stands at seven in the affirmative.
14 Committee on Small Business Council Member Eugene.

15 COUNCIL MEMBER EUGENE: I vote, I vote
16 aye. And thank you very much.

17 COMMITTEE CLERK MARTIN: Vote now stands
18 at eight in the affirmative. Council Member Wills.

19 COUNCIL MEMBER WILLS: Yes I would like
20 to be added to all bills and yeah aye on all.

21 COMMITTEE CLERK MARTIN: Final vote
22 Committee on Small Business is now nine in the
23 affirmative, nine in the affirmative, zero in the
24 negative, and no abstentions.

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CHAIRPERSON CORNEGY: We are officially
adjourned now.

[gavel]

