

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AFFAIRS AND  
BUSINESS LICENSING

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June 4, 2020  
Start: 10:34 a.m.  
Recess: 1:39 p.m.

HELD AT: Remote Hearing

B E F O R E: Andrew Cohen  
CHAIRPERSON

COUNCIL MEMBERS:  
Margaret S. Chin  
Peter Koo  
Karen Koslowitz  
Brad Lander  
Justin Brannan  
Kalman Yeger

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

Polly Trottenberg, Commissioner  
NYC Department of Transportation

Jonnel Doris, Commissioner  
NYC Department of Small Business Services

Emily Weidenhof, Director of Public Space  
NYC Department of Transportation

Rebecca Zack, Assistant Commissioner for  
Intergovernmental and Community Affairs  
NYC Department of Transportation

Steven Picker, Executive Director of Food  
and Beverage Industry Partnership  
NYC Department of Small Business Services

Stephen Ettannani, Executive Director for  
External Affairs  
NYC Department of Consumer and Worker  
Protection

Corinne Schiff, Deputy Commissioner  
NYC Department of Health and Mental  
Hygiene

Alejandra Gordosito, Translator

Gale Brew, President  
Manhattan Borough

Maddison Thomas, on behalf of Assembly  
member Rebecca Seawright

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Christine Burthet  
Manhattan CB

Robert Bookman

Andrew Ridgey

Kathleen Riley  
New York State Restaurant Association

Jennifer Tausig, Executive Director  
Jerome-Gun Hill BID

Regina Fojas, Director External Affairs  
Times Square Alliance

Thomas Grech, President and CEO  
Queens Chamber of Commerce

Arelia Taveras, Executive Director  
New York Stake Latino Restaurant, Bar, and  
Lounge Association

Jeffery LeFrancoise, Executive Director  
Meatpack District

Alexandria Sica  
Dumbo Improvement District

Mohammed Attia, Executive Director  
Street Vendor Project

Matthew Shapiro, Legal Director  
Street Vendor Project

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Carina Kaufman-Gutierrez  
New York Resident

Julie Torres Moskovitz  
Small Business Owner

Bobby Digi  
North Shore Business Alliance

Gabriel Stulman  
Business Owner

Mark Wouters, Director  
Mark Wouters Studios

Sari Kisilevsky  
Queens College CUNY

Justin Pollack  
New York Resident

Heleodora A Vivar Flores, Street Vendor

Sonia Perez, Street Vendor

Alejandra Gordosito, Translator

Charlotta Janssen, Owner  
Shea Oscar

Sophia Laskaris, Street Vendor

Samantha DiStefano, Owner  
Mama Fox

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Nate Adler

Relief Opportunities for All Restaurants  
(ROAR)

Kris Chan, Owner

Fancy Nancy

Caicedo Jesus, Owner

Skal

Ellen Baer, President

Hudson Square Improvement District

SERGEANT-AT-ARMS: Time would all panelists, all panelists, please turn on their video? Thank you. To minimize disruption, please place electronic devices on vibrate or silent. If you wish to submit testimony, you may do so at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that is [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Thank you for your cooperation. We are ready to begin.

CHAIRPERSON COHEN: Are we good?

SERGEANT-AT-ARMS: We are good to go, sir.

[gavel]

CHAIRPERSON COHEN: [inaudible

00:00:53] Good morning. My name is Andrew Cohen and I'm the Chair of the Committee on Consumer Affairs and Business Licensing. Thank you for joining us in this remote hearing today. Before I begin, I would like to acknowledge that we have been joined by her colleagues, Council member Peter Koo, Margaret Chin, Brad Lander, Antonio Reynoso, and Keith Powers. The COVID pandemic has been lethal to the thousands of New Yorkers and we are mourning our losses. However, we must mourn while we are trying to revive our economy from the devastating impact the disease has had. Our cities restaurants and small business are

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struggling, facing unprecedented challenges in the City Council wants to help. As we know, since the Governor issued the executive order which, effectively, put the city on lockdown, most of our restaurants and food establishments have found it almost impossible to make a living, keep their staffs employed, and pay their bills. According to the Mayor's Office, restaurant revenue is down nearly 90 percent since the start of the COVID lockdown. The industry is also seeing widespread job losses with those many years 80 percent of restaurant workers losing their jobs. We have heard about half of all restaurants have been able to move their operations online provide takeout services, however, third-party delivery apps often take a large chunk of the already slim profit margins. That's why last month the City Council enacted a cap on the fees and commissions that marketing and delivery at services can charge and we placed new regulations on how they may charge for calls made through their platform. Last month, the Council also redacted my bill, Intro 1916 which requires the Department of consumer Affairs to waive and refund consultant fees related to sidewalk café licenses for the duration of the COVID-19 emergency.

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Sidewalk café cost restaurant owners thousands of dollars in city fees annually and it simply does not make sense for the city to collect these fees ON restaurants are one of the hardest industries. Building on these various measures to help restaurants and food industry during this trying time, today we are holding a hearing on Introduction number 1957, sponsored by Council member Reynoso which seeks to create new outdoor spaces for dining so that restaurants can serve customers while continuing to follow proper social distancing protocol. The bill also requires the Department of Transportation to identify additional open spaces for food vendors. The warmer weather, coupled with last month's joint announcement between the New York City Council and the Mayor to open more streets for pedestrians, represents an opportunity to establish measures for outdoor dining. The alfresco experiences common in most parts of Europe and it simply makes sense now. During the pandemic to ensure that people can dine while maintaining adequate space between other patrons. Simple measures have been adopted here-- Similar measures, I'm sorry, have been adopted here in the United

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States with Cincinnati, for example, closing streets to create outdoor dining space for restaurants. Tampa, Florida, parts of California, and Atlanta have also adopted similar approaches. Indeed, yesterday, the governor announced that regions that have met the metrics for phase two of New York's reopening may begin to allow business to provide services outdoor in compliance with social distancing guidelines. Phase two for New York City is about two weeks away and we must ensure we are prepared for a well-managed and safe reopening. Take-out and delivery service profits simply cannot sustain a restaurant. So, it is incumbent upon us to find other ways to help restaurants stay afloat. This bill would require the DOT to identify locations where it makes sense to list prohibitions on food vendors, providing them additional locations. Food vendors have been especially hard-hit since many of them are not able to access federal, state, or local grants and loans. Given the substantially reduced vehicular traffic and foot traffic in the city, it makes sense to look for new areas for vending. Community buy-in will be key to the success and these measures would be taking in consultation with community boards, industry

representatives, BIDs, and BIDs to identify open spaces such as sidewalks, streets, and plazas where outdoor dining in food vending would be appropriate. The Department of health to establish as that of guidelines to ensure proper social distancing and cleaning protocols are maintained. This process would give restaurants and food vendors of much-needed economic lifeline during the COVID Christ says. It may not be enough to save every restaurant, but this spell, along with other legislation we have passed and others we are considering in the Council will help support the industry. We look forward to hearing your feedback today so that we can ensure that we enact these measures and the most of efficient and effective way striking the right balance between industry and community needs. Before I turn it over to Council member Reynoso to speak more about the bill, I would like to thank Council staff who helped make this a virtual hearing possible. There are a lot of people in the background running these hearings and I would especially like to thank Balhees Murr [sp?], Senior counsel to the committee, Leah Survzek [sp?], Policy analyst, Sebastian Baci [sp?], Senior finance

animals, as well as my ledger director Kahdian Trader [sp?] and Chief of Staff, Ariana Clou [sp?], for their hard work in making this hearing happened. I will now turn it over to Councilman Reynoso for an opening statement.

COUNCIL MEMBER REYNOSO: Thank you, Chair Cohen. I appreciate you taking the time to have this meeting and I appreciate all your support, now and always. The past 30 months have been the most difficult. Our city has faced any of our lifetimes. We continue to battle a major pandemic, our economy is in a free fall, and our communities continue to be impacted by racist policing practices. All three of these crises have fallen heaviest on communities of color, revealing inequities that many of us have been ringing the alarm about four years. There are numerous actions our city must take ensure order to deliver justice, stabilize the health of our residents, and rebuild our economy. Helping our small businesses must be one of those steps. New York is home to thousands of restaurants that reflect the diversity that makes our city special. They enliven our streets, share our unique cultures, serve as community gathering spaces, and provide economic

opportunity to workers and owners. But our restaurants have suffered deeply under this lockdown. And even when it is safe to begin reopening our city, many restaurants will not be able to comply with social distancing guidelines into our often small spaces. So, today we are looking to reimagine our streets, providing relief to businesses and a safe way for workers to return to their jobs. This bill is meant to start a conversation. My goal is to cut red tape so that our restaurants can reopen safely and thrive. Our citizens are showing this right now that they know what they need and that communities can work together at a local level to realize solutions without cookie-cutter regulations from the city. We have to trust our small businesses to do the right thing. We have to let our residents lead the way towards recovery. I am open to all ideas and am excited to see you and New Yorkers, poised. I just want to end by saying a lot of people talk a good game about helping the small businesses. The time to show up is now. Again, thank you, Chair Cohen. And I want to just also acknowledge my staff. Specifically Asher Freeman for the work that he's been doing to push this forward. Thank you.

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CHAIRPERSON COHEN: Okay. Thank you, Antonio. I also want to acknowledge we have been joined by Council member Koslowitz. I guess I will now ask the committee counsel to swear in the first panel.

COMMITTEE COUNSEL: Thank you, Chair. Good morning everyone. I'm Stephanie Jones, counsel to the small business committee of the New York City Council. Before we begin testimony, I want to remind everyone that you will be on mute until you are called on to testify when you will be on muted by the host. I will be calling on panelists to testify. Please listen for your name to be called. I will be periodically announcing who the next panelists will be. The first panel is to give testimony will be Commissioner Trottenberg from the Department of Transportation followed by Commissioner Doris from the Department of Small Business services. I will call you when it is your turn to speak. During the hearing, if Council members would like to question that the administration or a specific panelist, please use the Zoom raise hand function and I will call on you in order. We will be limiting Council member questions to five minutes, which includes the

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time it takes to answer your questions. Please note, that for ease of this virtual hearing, we will not be allowing a second round of questions for each panelist outside of the Committee Chair. All hearing participants should submit written testimony to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). We will now call on representatives of the administration to testify.

First, Commissioner Trottenberg followed by Commissioner Doris. For questions, we will be joined by Emily Weidenhof, Director of Public Space at the Department of Transportation, Rebecca Zack, Assistant Commissioner for Intergovernmental and Community Affairs at the Department of Transportation, Steven Picker, Executive Director of Food and Beverage Industry Partnership at the Department of Small Business Services, Stephen Ettannani, Executive Director for External Affairs for the Department of Consumer and Worker Protection, and, finally, Corinne Schiff, Deputy Commissioner of the Department of Health and Mental Hygiene. Before we begin, I will now administer the oath. I will call on each of you individually for a response. Please raise your right hands. Panelists, do you affirm to tell the truth, the whole truth, and nothing but the truth before

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this committee and to respond honestly to the Council member questions? Commissioner Trottenberg?

COMMISSIONER TROTTEBERG: I do.

COMMITTEE COUNSEL: Thank you.

Commissioner Doris?

COMMISSIONER DORIS: I do.

COMMITTEE COUNSEL: Thank you.

Director Weidenhof?

DIRECTOR WEIDENHOF: I do.

COMMITTEE COUNSEL: Thank you.

Assistant Commissioner Zack?

ASSISTANT COMMISSIONER ZACK: I do.

COMMITTEE COUNSEL: Thank you.

Executive Director Picker?

EXECUTIVE DIRECTOR PICKER: I do.

COMMITTEE COUNSEL: Thank you.

Executive Director Ettannani?

EXECUTIVE DIRECTOR ETTANNANI: I do.

COMMITTEE COUNSEL: Thank you. Deputy

Commissioner Schiff?

DEPUTY COMMISSION SCHIFF: Yes.

COMMITTEE COUNSEL: Great. Thank you.

Commissioner Trottenberg, you may begin when ready.

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COMMISSIONER TROTTEMBERG: Thank you.

Good morning, Chairman Cohen, Council member Reynoso, and members of the Committee on Consumer Affairs. I am Polly Trottenberg, Commissioner of the New York City Department of Transportation and I am joined by the colleagues you just heard from this morning from DOT, SBS, Department of Health, and DCWP. We are glad to be here. On behalf of Mayor Bill de Blasio on the administration's proposed open restaurants plan. Our plan seeks to help our city's hard-hit restaurants by providing open space for temporary socially distanced outdoor dining as a way to recover from the COVID-19 pandemic. First, I do want to acknowledge what a wrenching time our city, state, and our country have faced in recent days, especially in communities of color, which have been disproportionately devastated by the COVID-19 crisis and are now experiencing the sorrow and anger we all share over the murder of George Floyd. There is much we can all do to gather personally and professionally to confront structural racism and all of us in city government will work hard to prioritize communities of color as we design and implement a program to help our city recover physically, economically,

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spiritually from COVID-19. The Mayor has been visiting small business owners in recent days, many with the same great and determination of the restaurant owners we hope to help in the coming weeks and is confidently concluded that, even in these difficult times, our beloved city well emerged from this crisis fairer, stronger, and better than before. COVID-19 has changed our lives and our city in ways that were unimaginable only a few months ago and, as we continue to follow the health guidelines on social distancing, public space has become more precious than ever. I'm proud that DOT has responded to the call for additional open space and has, in partnership with our sister agencies and many of you here on the Council, opened 45 miles of streets to pedestrians and cyclists. And we will soon announce our next round of open streets getting closer to our goal of 100 miles. And now, I am proud that, as we look to the city's reopening, DOT is ready to open our streets and sidewalks to help our beloved restaurant industry recover from the devastating economic impacts of COVID-19. As the US begins to emerge from the pandemic, we are seeing cities across the country look to their sidewalks and streets to

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support their food and retail sectors. We are discussing best practices with other cities and finding many similar approaches and madness helped shape the open restaurant plan we are presenting here today. Some cities are designating certain spaces as eligible for business is to use while others have more involved permitting process where each business applies for space and the city provides siting criteria and guidance. Cities are also providing varying levels of support. Some are providing a full curbside platform with offers to each business, some are providing barrels and barricades, and others are leaving this type of establishment-- this type of infrastructure to the establishments themselves. Some examples thus far, Tampa has opened a streets for outdoor dining and the city itself has built platforms for curbside Lane dining. Larger cities like San Francisco and Boston, on the other hand, are mostly providing the space and permitting with little else in terms of infrastructure. In Washington DC, restaurants can apply to use expanded sidewalk space, alleys, parking lanes, and travel lanes for seating. As the Mayor has announced today, or is currently announcing, DOT, along with our sister agencies, will

implement a citywide program to expand outdoor seating options for restaurants and other food establishments to promote open space, and hands social distancing, and help restaurants rebound in these difficult economic times, including the neighborhoods most impacted by COVID-19. Taking a page from our open streets approach, which we think the Council for engaging with us to design, we are again thinking outside the box when it comes to restaurants. But I also want to make it clear that, even as we work to help restart our city's economy, the de Blasio administrations top priorities still remains public health and continuing to reduce the spread and impact of coronavirus. As such, we will be working closely with Commissioner Oxiris Barbot and her team as we design, implement, and monitor our open restaurant program and we will be prepared to make adjustments or take a pause if any public health concerns arise. Currently, the Department of Health's motto for restaurants is take out, don't hang out and we want to be sure that, as we transition no way from a takeout and delivery only model, that we proceed deliberately and safely. So, now, let us turn to the size and scale of the

challenge. Here in New York City, approximately 12 percent, or 740 miles, of our 6000 miles of streets have commercial establishments of some kind. And prior to COVID-19, there were over 27,000 restaurants operating throughout the city, not evenly distributed. Approximately 42 percent of those restaurants are located in Manhattan, 24 percent in Brooklyn, 22 percent in Queens, eight percent in the Bronx, and less than four percent in Staten Island. The bill above for the Committee today would require DOT to evaluate a significant number of streets to identify the best options for outdoor dining in each community district and then required DCWP to process permits from a remarkable number of qualified restaurants at a rapid pace. We are concerned that the result would be a resource constraint and cumbersome program that only helps a limited number of businesses. Instead, given New York City's size and scale and the urgency of the moment, we propose an outdoor dining program that is fast and straightforward to implement with a minimum of administrative hurdles in order to allow as many restaurants as possible to access additional outdoor dining space in time for the warmer weather. For

phase two of reopening, when outdoor socially distance dining service is allowed, DOT will work with DCWP and DCP to create a simpler, streamlined process for sidewalk eating to allow more establishments to access the program during this emergency, while requiring them to maintain appropriate clear path for pedestrians and people with disabilities. We hope to dramatically improve the currently complex process for sidewalk cafés and provide more restaurants across the five boroughs the opportunity for sidewalk seating. DOHMH and DOT will monitor the success of this program which we hope will reach a wide variety of neighborhoods and we will be prepared to step in if it creates issues for accessibility or socially distance use of the sidewalk. But we know sidewalk space alone will not be sufficient for restaurants to make it work and space is already very limited at many locations. So, DNT well also envision our successful Streets Eats program to provide additional outdoor dining space. Food service establishments will be allowed to use the curb lane for dine in service for the street [inaudible 00:18:16] wherever parking is allowed, provided they maintain minimum distance from

intersections, bus stops, fire hydrants, and the like. By following simple guidelines and submitting this self-certification, establishments that are interested will be able to set up socially distant ADA compliant tables and chairs for their customers in the road bed separated from travel lanes by planters or vertical delineators. We hope that is equitable, citywide, and scalable approach can provide much-needed, quickly available relief to many of the cities restaurants, including where sidewalk seating will not work. We will also allow restaurants to use expanded seating areas in our complete-- in our new and existing Open Streets program. As part of this initiative, we will identify new open streets on commercial strips with large numbers of restaurants and focus the hours of some open streets on popular dining times, such as evenings and weekends, while minimizing the effect on much-needed bus and truck routes. For these initiatives, the city will work quickly to be ready for restart phase two and, in partnership with the state, to draft emergency executive orders as needed. And, finally, we will continue to consider other public spaces like plazas and parking lots as

potential areas for socially distance dining and look to work with the Council and other partners to further develop these ideas in close coordination with our public health professionals. New York City is one of the great culinary capitals of the world. We boast internationally renowned restaurants, restaurant serving cuisine from every corner of the globe, and so many beloved neighborhood spots. Our restaurants employ hundreds of thousands of our fellow New Yorkers and support farms and industries here in New York State. We look forward to working closely with the Council and the restaurant industry to help this cherished part of our city recover, while continuing to maintain our constant focus on health and public safety. Thank you for the opportunity to testify here today and I will be happy to answer any questions that you have after hearing from Commissioner Doris.

COMMITTEE COUNSEL: Thank you, Commissioner. Before I call on Commissioner Doris, I would like to turn it over to Chair Cohen to acknowledge the Council members who have joined us.

CHAIRPERSON COHEN: Thank you. I think I acknowledged Council member Koslowitz, but just to

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be safe I want to acknowledge her again. We have been joined by Kalman Yeger and Justin Brannan.

COMMITTEE COUNSEL: Thank you, Chair.

Next, we would like to invite Commissioner Doris, please, to testify. Thank you.

COMMISSIONER DORIS: Thank you. Good morning, Chair Cohen, and members of the Committee of Consumer Affairs and Business Licensing. My name is Jonnel Doris and I am the Commissioner of the New York City Department of Small Business Services. I am joined today by Steven Picker, Executive Dir. of SBS Food and Beverage Industry Partnership. And I would also like to acknowledge our partners in government, DOT Commissioner Polly Trottenberg and colleagues from city agencies, including DOHMH and DCWP who have joined us today to discuss the Mayors proposed open restaurant plan. The COVID-19 pandemic has brought unprecedented challenges to our city and small business community. On top of our mission to fight the recovery from the pandemic, this week we have been confronted by further challenges and calls for change in the wake of the tragic and unjust death of George Floyd. And while many calls for change have justifiably focused on the criminal

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justice system, I believe that equity for New Yorkers, especially for black New Yorkers, requires that we all play a part in elevating black voices and connecting people of color to the resources they need to succeed, whether through education, transportation, housing, healthcare, or economic opportunity. This work is integral to SBS mission to unlock economic potential for all New Yorkers by connecting New Yorkers to quality jobs, building stronger businesses, and fostering thriving neighborhoods. I also want to acknowledge the loss faced this week by some of our cities small business owners who are now recovering from not only the financial devastation caused by the pandemic, but also the financial fallout caused by the looting of some bad actors. We have major challenges to work on, but our city is at its best when we are working collaboratively and listening know one another. The open restaurant plan we are discussing today is a great example of effective collaboration. I'm proud to work with the hospitality industry, Council, and our agency partners to provide new outdoor dining opportunities to the restaurants, bars, and other food service establishments that heed New Yorkers and

make our city vibrant. New York City is home to around 27,000 restaurants that employ 270,000 New Yorkers. In addition to providing valuable services to their communities, restaurants and their advocates are also important thought partners for SBS, especially as we begin to reopen our economy. The open restaurant plan announced by the Mayor is the result of tremendous interest from businesses and community partners across the city. As Commissioner Trottenberg laid out in her testimony, the proposal will enliven our commercial corridors and provide businesses with a much-needed opportunity to generate further revenue while social distancing. Our priority is for all interested food service businesses, regardless of where they are located in the five boroughs have access to outdoor dining opportunities. SBS will be conducting extensive outreach and communicating with our community partners to ensure businesses are aware of these new opportunities as they are implemented. As we've launched this brand new initiative, we must keep in mind that every business and commercial corridor around the city has unique challenges. SBS is committed to addressing and elevating these challenges

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by working closely with community partners. We will also be actively working with DOT and our partner agencies to further grow the city's outdoor dining capabilities through new street closures and other open spaces. In addition to ensuring business owners are aware of outdoor dining opportunities, SBS is focused on providing business owners with the guidance they need to participate. In May, our New York City food and beverage industry partnerships surveyed thousands of food service businesses across the five boroughs to understand their challenges and discuss solutions. Through hundreds of responses, SBS found that most businesses are interested in utilizing outdoor space for their businesses, however, they need additional support and understanding the affiliated challenges, opportunities, and regulations. To address this concern, we will connect business owners and community partners with clear information and guidelines developed by DOT and DOHMH so that they can utilize outdoor space while keeping themselves, their staff, and their customers safe. As we prepared to enter phase 1 on Monday, SBS is rolling out new resources to help small business owners

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navigate the recovery and reopening process. These resources include business restart hotline, which is launching tomorrow. I want to thank our partners and the city Council for their work in advocating for outdoor dining. The administration is committed to exploring these types of innovative solutions so that more small businesses recover successfully. The administration and my team will continue to gather insights and discuss ideas through the Mayors Small Business Advisory Council, as well as through the countless conversations with business owners, entrepreneurs, and community-based organizations helped by our staff on a daily basis. I look forward to our continued creative collaboration and your support for our small business owners to reopen in the city. Thank you. Then I would be happy to take your questions.

COMMITTEE COUNSEL: Thank you, Commissioner. I will now turn it over to questions from Chair Cohen. Panelist, all panelists, please stay on muted at this time, if possible, during this question-and-answer period. Thank you. Chair Cohen, please begin.

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CHAIRPERSON COHEN: Thank you very much. First, I do want to say the administration for producing witnesses at the commissioner level. I appreciate your time, Commissioner Trottenberg and Commissioner Doris. I really think it's a testament to the administration's commitment to try and support these restaurants small businesses. I was wondering if Council member Reynoso, the bill's prime sponsor, wanted to go first? Antonio?

COUNCIL MEMBER REYNOSO: Hey, Chair, I would like you to go first and I'll follow up after you.

CHAIRPERSON COHEN: Okay. No problem.

COUNCIL MEMBER REYNOSO: Thank you.  
Thank you for that, though.

CHAIRPERSON COHEN: Okay. I will say, I mean, I was thrilled-- I got lobbied in my own district regarding sidewalk café fees. I had, you know, restaurants they, you know, pay them. You mentioned in your testimony that the Bronx is a very small percentage of the city's restaurants. I think you said eight percent, but I was-- in the process, I learned how many were in my district had the sidewalk cafés. I think the 11th Council District

has the largest percentage of sidewalk cafés in the Bronx. So, I appreciate that commitment and I think this is a smart idea. I am concerned about implementation and, you know, I represent a pretty residential area. My commercial districts are pretty small. And what the oversight there is going to be in terms of keeping the peace and making sure that people aren't-- you know, if I had large crowds outside restaurants at 10-- 11 o'clock at night, I'm going to get calls. And so, I would like to just know how we envision managing that.

COMMISSIONER TROTTENBERG: I'll take a crack at that, Mr. Chairman. And I want to just, I think, stay something that is obvious, here. Obviously, we are wanting to get a lot of those sort of up and going in time for phase two, which is coming in a matter of weeks. So, I think, and we've heard the plea from the Council and from the industry that is not be a cumbersome, complicated, you know, heavy-handed city process. So, part of this is very much going to rely on good partnerships with businesses, with BIDs, and with you, the elected officials. I think we want to work with you to figure out, in different areas, you know, what would

be appropriate in terms of hours and other things. But there is also has to be-- the city is not going to be everywhere enforcing everything all the time. I think that is sort of the goal here. Is not to be heavy-handed. We will, obviously, be responding to complaints as leak at the, but I think we would really like to strive for remodel where enforcement can be a light.

CHAIRPERSON COHEN: I guess, you know-- And, again, I'm supportive of this effort, but I wonder if it's, you know, another situation where we have a one size fits all solution that like this might work better in some parts of the city than others. I mean, in Manhattan, where you have 42 percent of the restaurants, I can see why this would be, you know, meaningful and there's a culture there that would embrace this. I am very concerned about a lot of other neighborhoods where it's not a big part of the way they do business. I mean, you know better than anybody, you know, in the outer boroughs, the tension regarding parking and, you know--

COMMISSIONER TROTTEBERG: So, Council member, I think the good news here-- and, look, there's certainly no one size fits all, but I

actually think the model we designed here-- I'm hoping it will actually be the most useful in the outer boroughs where, perhaps, you have more road bed and sidewalk space per restaurant. We recognize, too, there will be more sort of residential quality of life issues to work through, but this was particularly with a mind to lower the costs and the complexities and the barriers for outer borough restaurants. No neighborhood has to do this. No restaurant has to do this, but we've heard, for example, perhaps, Arthur Avenue and up in the Bronx, they'd rather keep the parking. This isn't a model that interests them. That is fine. This is not a requirement for anybody. It's just an option. Again, not a one-size-fits-all, but, you know, what we heard from the Council members, a bunch of you have written us and the industry groups have said sidewalk space and roadbed space are the things the city could give us quickly. And those are the tools we are offering. Obviously, as you have heard from Commissioner Doris, there are a lot of other things the city is going to be doing working with restaurants, as well. But this is sort of the peace that DOT can bring to the table.

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CHAIRPERSON COHEN: Again, I'm really trying not to come across as being critical because, again, I support the effort. About one of the things I do like about the current sidewalk café process is, ultimately, I have a bad actor, somebody who is abusing their license, I really have a lot of ability to, you know, well, we can just take it away. And so I am just concerned about that. And I am also, again, I'm sorry to be like a downer on this, but I am a little concerned, too, of about, you know, DOT's practice always, you know-- like sometimes it requires some more investment than just a little paint or like a barrier. I am concerned about keeping people safe in the street where, you know, if I have two lanes going in each direction and then the parking lane, like traffic can go pretty fast there sometimes. You know, and there is--

COMMISSIONER TROTTEBERG: Well--

CHAIRPERSON COHEN: Again, there's no capital infrastructure to protect people dining.

COMMISSIONER TROTTEBERG: So, I think we are going to require that restaurants into something to protect patrons and I think, on very busy streets, and it's going to have to be more robust. But I

also, just again, to talk about the scope of the challenge, you know, the bill that is before us would have had DOT surveying over 700 miles of streets. And DCWP trying to sort through applications from some number of potentially, you know, at least tens of thousands of restaurants, you know, we are not going to be able to do that in three weeks. We couldn't come close. So, we are trying to find a sweet spot, but, obviously, this was a table and sort of an idea that we put on the table. Happy with you all to try and refine it as we go along in the coming days.

CHAIRPERSON COHEN: I really appreciate them. I am going to turn it over to my colleagues. We are using the five-minute clock, everybody, but I really-- you know, I know we had a lot of discussions about trying to give the members time to ask questions, so I am asking just people to be considerate of our panelists and their colleagues and tried to keep their questioning as brief as they can. Counsel, thank you.

COMMITTEE COUNSEL: Thank you, Chair. I'll turn it over to Council member Reynoso, first. Council member?

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SERGEANT-AT-ARMS: Time starts now.

COUNCIL MEMBER REYNOSO: Thank you.

Thank you, again. And, first, I just want to say, Commissioner, my faith in you has never wavered in the work that you do and how thoughtful you can be when challenged or asked to step up and do something like this. So I just want to say our legislation kind of is more onerous than even the policy that you go forward, Commissioner Trottenberg and Commissioner Doris. So, you know, in a push back against my liberal democratic and over regulating ways, I'm actually really excited about this. I really am. I think giving businesses the opportunity to figure this out with very little interference from government, I think, is the way to go. I want to kind of make a statement to the businesses out there that you are going to get a lot of leeway here. A lot of flexibility. A lot of opportunity and we hear it all the time. Let businesses thrive. Let businesses do what they want. Businesses know what is best. Well, we're going to do that here. We're going to give you the authority to really try to figure this out and do well by your community. Too well by your business and we are hoping that they

take advantage of that in a positive way. And when we talk about New York City exceptionalism, this is what that is about and we are hoping that the businesses step up in a positive way. I have some technical questions that I would like to ask. And I think we have had some conversations in passing. But sanitation is a big issue for me. I want to make sure that we have a system by which the trash can get picked up and not interfere with the work that the businesses are doing, but also not become a health concern and wanted to know if there is going to be some type of plan to make sure that we address the trash issue here in the city of New York.

COMMISSIONER TROTTEBERG: Yes. I think, one thing we will be doing-- Jonnel and I and the other agencies represented here, we will be clearly setting up sort of an interagency working group that will have all the affected agencies. Sanitation, as well. And PD and FDNY and all the players. And, obviously, we want to make sure that sanitation names right. I know, Jonnel, this is also in your bailiwick.

COMMISSIONER DORIS: Yeah. Absolutely. I think part of our solution here is involving our

bid and the other commercial organizations who we work with. Our chambers of commerce and so forth to make sure that we are facilitating all of the sanitation needs and other needs that our small businesses have. So, certainly, it is a collaborative effort around all these major points, but particularly around sanitation, as you mentioned. So, we definitely be able to work with our BIDs and our chambers of commerce and other business group on this particular issue.

COUNCIL MEMBER REYNOSO: Commissioner Doris, I wanted to ask you, the equity issue-- and I think you made a very powerful opening statement-- the equity issue is one of my biggest concerns. You know, I am concerned about, you know, the NYPD is not going to show up when Peter Luger puts their chairs out in front of their business is, but, you know the local chimichurri spot, maybe so. And I'm just want to make sure that the support being given to these businesses is reflective of equity. The bigger businesses, and even if they are mom-and-pop or they have been here for a long time and they know how to move through the city's regulations and so forth, might not need as much support as the smaller local

mom-and-pop shops. And I hope that there is a real effort to be in black and brown communities to really helping these folks to figure this out. This is completely foreign to them. They don't have 5000 dollar architect, lobbyist, to move through a sidewalk café for them because their profits are very limited. So, other places like Midtown Manhattan has sidewalk cafés all over the place.

COMMISSIONER DORIS: Yeah.

COUNCIL MEMBER REYNOSO: So, there is a process. They understand these processes a little better. I really hope that when we talk about resources, we are focusing them on these communities that this is foreign to them. And I just want to and because I've only got 45 seconds. I want to say I went into this process because I wanted to take space back. I always want to take space back and give it to the residents of the city of New York. And I think this is going to be the beginning of something that is going to start modifying how we look at street space and thinking about what we can do to help small businesses, to help residents, to help young people. And I am really grateful for it. So, thank you, again. And I appreciate the time, Chair.

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And I just want to thank Speaker Corey Johnson who listens to my crazy ideas, always allows me to save them and then actually follows through on them. So, I wanted to thank him for looking at this and actually taking it into consideration. Then I wanted to thank--

SERGEANT-AT-ARMS: Time expired.

COUNCIL MEMBER REYNOSO: Keith Powers who also has been in the front in leading in this open streets idea. Thank you. And, Commissioner Doris, if you could just please--

COMMISSIONER DORIS: Absolutely.

COUNCIL MEMBER REYNOSO: address the equity issue.

COMMISSIONER DORIS: So, thank you so much, Council member. So, you know, our goal is to provide those opportunities for restaurant owners, wherever they may be in whatever borough. It is our focus, right, to make sure that we have the resources where we believe it is needed the most. And so, we are committed to that. We want our smaller businesses, our mom-and-pop businesses, businesses and communities of color, to really understand the rules, the regulations. And that is what SBS does to

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every day and that is what we do best, so, we are creating materials for them. We're going to have the ability to do specific outrage to those groups. So, we are committed, as you are, to making sure that they understand all of the challenges and, about where there is some concern, we are there to address said. So, this is going to be a hands-on approach. A white car service approach for the business is to make sure that they have what they need. So, we are committed to that.

COUNCIL MEMBER REYNOSO: Thank you, Commissioner. Thank you, Chair.

COMMITTEE COUNSEL: Thank you. I will now call on Council members in the order they have used the Zoom raise hand function. If you would like to ask a question and you have not yet used the zoom raise hand function, please raise it now. Council members, you will be limited to five minutes for your question and its answer in total. The Sergeant-at-arms will keep a timer and I will let you know when your time is up. You should begin once I've called on you and the Sergeant has announced that you may begin before delivering your testimony. First, we

will hear from Council member Powers followed by Council member Lander. Council member Powers?

SERGEANT-AT-ARMS: Time starts now.

COUNCIL MEMBER POWERS: Thank you. Nice to see everybody. And thanks for the testimony. I just want to say thank you for the support of this program. Many of us have been asking and calling for it, so I'm glad to see it getting off the ground a bit. Can I just talk more about the vision of it? Like my district here in Midtown is-- and in Manhattan-- is going to be challenging because of traffic flow and it's-- you know, only so much plaza space available and things like that. Can you give us some vision for how this might have been, particularly on like an Avenue in Manhattan where there might be a number of restaurants and bars? Two is-- I might've missed this part, what is the process by which one will be able to make themselves eligible for this? I'm just going to throw them. Three is POPS, privately owned public spaces, are those part of this program? And I will start with those three questions and I might have one or two follow-ups, but whichever-- [inaudible 00:40:48]

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COMMISSIONER TROTTEBERG: I'll take the first crack and Commissioner Doris will probably have some answers, too. I think question number one, as if I was just saying to Chairman Cohen, it's not a one-size-fits-all. I think, you know, we certainly heard the plea from you and a lot of others to try and make as much outdoor space available as we could. That fairies and different parts of the city. There is no question about it. You know, I think we are trying to be as expansive as we can and say, where there is room on the sidewalk, you can have the sidewalk in front of your restaurant. Where there is room in the curb the bed, as long, again, as it isn't interfering with fire hydrants or bus stops or other things, you can have the space. It is not going to be a perfect solution for every restaurant. We are also, as I said in my testimony, we are looking at other things. We are looking up plazas. We are looking at-- This is not so true for Midtown, but other parts of the city, parking lots. Haven't put POPS on the list, but we can certainly talked to DCP about the. So, I think part of this also is, you know, we've put our proposal on the table, but come back to us with other creative things we can pursue.

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I think we are trying to send all the doors open for everything we can all do together, recognizing there is not a perfect solution for every restaurant, but we will do our best to find them where we can. I also just want to just emphasize one thing Commissioner Doris said. We also really hope to-- and I think Council members and BIDs and others can play a big role here. There could be whole block solutions where a group of restaurants on a single block come together on a potential design that allocates the space amongst them all. We, obviously, want to be open to that, too.

COUNCIL MEMBER POWERS: Got it. Well, you took my next question which was how does a group of restaurants coordinate? And then, BIDs, so BIDs can be a part of that. And does this have to be approved by the community board or go to the community board? Is there [inaudible 00:42:31]

COMMISSIONER TROTTEBERG: No. We were not envisioning that. I think, again, you all are wanting us to help 27,000 restaurants in three weeks. That's not going to be. We won't be able to bring these all to the community board. So that's, I

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think, the tradeoff that, I'm sure, we'll dive into here today. Fast--

COUNCIL MEMBER POWERS: Yeah.

COMMISSIONER TROTTEBERG: serving thousands of restaurants versus how much oversight and process everybody feels comfortable with.

COUNCIL MEMBER POWERS: And has the SLA been involved in this conversation when it comes to having to, obviously, deal with some changes to the liquor licenses to allow for service?

COMMISSIONER TROTTEBERG: Yes. I mean, we have certainly been talking. I know that the City Hall has been talking to our state partners. We have, obviously, city attorneys. The law department and various agencies looking at everything we would need in terms of executive orders and stayed, you know, requirements. So, there is a team hard at work on that, as well.

COUNCIL MEMBER POWERS: Got it. And, if I am a restaurant and I am not eligible to be able to use the space right in front of my restaurant because I have a bus stop for something right in front of me, is there a ownership that or are saying bring us want and we will take a look at it?

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COMMISSIONER TROTTEBERG: Rate. I think you will come to us, we will take a look at the block, and the adjoining areas and see what we can do. But I do want to say that I can't promise this is going to work for all 27,000 restaurants in New York City.

COUNCIL MEMBER POWERS: And to be eligible--

COMMISSIONER TROTTEBERG: I don't know that there is any solution that is going to easily work for everybody.

COUNCIL MEMBER POWERS: Right. And I both recognize and-- that the flexibility is needed, but also get concerned that it is going to be so discretionary that it's going to become quite-- you know, there's going to be some very clear winners and losers based on just some of those logistics. But my last question when it comes to who is the agency that is receiving these? And is it DOT that's doing the--

COMMISSIONER TROTTEBERG: I think we're envisioning that it will be DOT, but, obviously, in close coordination with-- for the sidewalks with DCWP and all of this is going to be in close coordination with Department of Health and some of

our sisters. And I just, Council member, to go back to the winners and losers question, I think part of why we tried to make this the universal is because they think we, the city itself, it would have been a challenge for us to pick the winners and losers with this many restaurants in this many hundreds of miles of commercial space. So that is why--

SERGEANT-AT-ARMS: Time's expired.

COMMISSIONER TROTTEBERG: we're leaning into something where it is a more universal option for every restaurant.

COUNCIL MEMBER POWERS: Yeah. And I understand that. Thank you to the Chair. And my last question is when does this actually start? When is the first time-- I'm sorry. Not start. When can one put an application in?

COMMISSIONER TROTTEBERG: I mean, our goal is to get this up and running for phase two, but, obviously, I think, we will be informed by the discussion today and subsequent discussions with the Council about exactly if you are pursuing a legislation or what our collective agreement is on how this program will work.

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COUNCIL MEMBER POWERS: Okay. Thank you. Thanks for being responsive to many of our concerns. Thanks so much.

COMMITTEE COUNSEL: Thank you, Council member. Next, we will hear from Council member Lander, followed by Council member Koo. Council member Lander?

SERGEANT-AT-ARMS: Time starts now.

COUNCIL MEMBER LANDER: Thank you very much. I share the enthusiasm of the Chair and Council member Reynoso, thank you. And Council member Powers. And I just also want to say, Commissioner, I really appreciate the approach that you have taken here and, I think, doing something that can stand up quickly and can be available to everyone is smart. So, I am grateful for the approach you are taking. I really like the ideas where we can be more expensive. Whole block solutions in partnership with bigger improvement districts. Maybe there's even some places tempering the pedestrian open street model and this model together so that you could actually close a whole street and use the closed street. That is not available to everyone. So, the curb bed is great,

but I am glad you are going to be opened at that and, like, that is easier where there's a bid and so I think that is grade a rose, you know, a more specialized or boutique model in addition to the broad model that is available. A quick follow-up, I guess, on the SLA question. I mean, bars, I think, need some special consideration here. Normally, you just have like one bar tender. So, if that bar tender is inside at the bar who is outside and I just, I guess, want to know, that you are doing some thinking about how this can work well for bars, as well as restaurants. And that's going to also involve thinking about enforcement because I-- you know, I'm very anxious. Everyone looking around the city has got to be very anxious about disparate enforcement right now. And we have to make sure we don't provide a reason for cops to arrest people of color drinking two steps from a bar that has one of these. So I just want to know that, as you are thinking with the SLA, that includes all of this set [inaudible 00:47:14].

COMMISSIONER TROTTEBERG: Yeah. And I'm going to take a crack at that and, I think, Deputy Commissioner Schiff from Department of Health, has

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some expertise in this, too. We're sensitive to those issues and I'll say we are still thinking through how it would work with bars cognizant of all the issues you raised, Council member. We want to get that right. So, again, I think further dialogue with all of you and with the industry. I have just seen, in our neighborhood, but I think some bars have--

COUNCIL MEMBER LANDER: Oh, love it.

COMMISSIONER TROTTEBERG: this. The bartender is back there making the drinks and there is a guy ride out the door who gives it to you in a to go cup. And New York--

COUNCIL MEMBER LANDER: And people--

COMMISSIONER TROTTEBERG: New York businesses--

COUNCIL MEMBER LANDER: Absolutely.

COMMISSIONER TROTTEBERG: are very resourceful.

COUNCIL MEMBER LANDER: Absolutely. And, look, the people who figured out how to make a window at the bar and serve about that window, then that person might be able to also keep an eye on the tables out in front. I did notice that the governor

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made a distinction between sitting and standing and I hope we will figure out like standing tables seem like a reasonable approach, as well. So, anyway, I think those are important issues to follow up on. I want this to be able to work for bars, too, but I want us to be mindful of public health and public safety and equity and enforcement. So I--

COMMISSIONER TROTTEBERG: It's a--

COUNCIL MEMBER LANDER: Yeah.

COMMISSIONER TROTTEBERG: It would be--

COUNCIL MEMBER LANDER: It sounds like you are and that's all I want to know. Is that you were mindful of those things as we move forward.

COMMISSIONER TROTTEBERG: Yeah. Yeah. Yeah. But I think it would be good to hear from Deputy Commissioner Schiff from DOH--

COUNCIL MEMBER LANDER: Okay.

COMMISSIONER TROTTEBERG: on that.

COUNCIL MEMBER LANDER: But I don't want to lose my--

COMMISSIONER TROTTEBERG: Oh, ok.

COUNCIL MEMBER LANDER: the other question that I have to ask. So, Chair, can I have a little dispensation--

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COMMISSIONER TROTTEBERG: [inaudible  
00:48:40] time.

COUNCIL MEMBER LANDER: Thank you.

DEPUTY COMMISSIONER SCHIFF: Good morning.  
Karen Schiff from the health department. And I don't  
have much to add. I agree with everything you said.  
This is on the table of issues that we need to think  
through.

COUNCIL MEMBER LANDER: Cream. And I know,  
you know, Council member Reynoso and Chair Cohen and  
the other relevant Chairs would be Clyde to work with  
you on this. So you don't need to come back to me on  
it. I just want to know that as you are-- and the  
event is used to that is faster than we can  
legislate, grave. We want it up quickly, but it  
sounds like you will be in dialogue with the Council  
member, with the Chair, with the Speaker's office to  
help figure out this set of issues together. And you  
don't need to come back to me on it. I defer to  
them. I know they care about these things, as well.  
So--

COMMISSIONER TROTTEBERG: great.

COUNCIL MEMBER LANDER: my other set of  
questions, though, to relate to thinking about the

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workers in these establishments because I am thrilled we are opening up the restaurants and our neighborhood needed and our small business owners need it, but some of these folks are essential workers that we have not been doing right by yet and I want to make sure we get there. So, I guess, question one, this will be available for fast food restaurants, as well? I assume? They are restaurants. They could seek the tables outside a McDonald's or a Chipotle?

COMMISSIONER TROTTEBERG: Yeah.

COUNCIL MEMBER LANDER: Okay. So, I just want to remind my colleagues, you know--

COMMISSIONER TROTTEBERG: [inaudible  
00:49:52]

COUNCIL MEMBER LANDER: the Chipotle and--

COMMISSIONER TROTTEBERG: restaurants.

COUNCIL MEMBER LANDER: and McDonald's have been bad actors in unfair firings and we heard from fast food workers who want to be protected from unfair firing before we provide open space for free. Public space for free to Chipotle and McDonald's. We ought to make sure that we are making sure their workers have adequate protections or all that

cheering we're at seven does not mean that much. And then, I guess, I also assume restaurants who have open space will be free to continue to do delivery as they've been doing, of course, right?

COMMISSIONER TROTTEBERG: Yes.

COMMISSIONER DORIS: Right.

COUNCIL MEMBER LANDER: So, then, I would just also remind my colleagues that those door dash and instacart delivery workers can't take a payday off when they're sick. So, before we also offer our streets for free to these restaurants, we ought to pass a legislation that makes sure that their delivery workers can take some paid sick time off. I so support this bill. I think it's great for our restaurants-- or our neighborhoods.

SERGEANT-AT-ARMS: Time's expired.

COUNCIL MEMBER LANDER: I think it's great for our small businesses, but I would just urge that we really have to think about the workers here, as well. We have an opportunity to do right by them, but so far, we have not done anything to legislate protections for our essential workers really asked why colleagues to think about using this as an

opportunity to make sure that we do. Thank you,  
Chair.

STEVE ETTANNANI: Council member, I do want to just speak to that point. It's good to see you again. I'm Steve from the-- the Executive Director for External Affairs from DCWP. As you know, New York City's workplace laws are still in effect during this crisis and we are still vigorously enforcing those and I know that our Commissioner and you are Deputy Commissioner for Office of Labor Policy and Standards, we have a great relationship with your office. So, you know, as it relates to this program, specifically, equity is the big issue. We will be working with our partners to ensure that that's the case. And, of course, in previous hearings and, as we spoke to you in terms of the workplace rights bills, including paid safe and sick leave for gig workers, that's something that we support as an agency. We're looking forward to working with the Council to make that reality. And also, as you know, may offer an excellent opportunity for us to update our paid safe and sick leave laws so that it comports with the state's passage of their

law. So we're looking forward to working with you and I'm grateful that you highlighted that today.

COUNCIL MEMBER LANDER: Thank you very much, Steven. And, yes, your agency testified positively on paid sick leave for gig workers like those restaurant delivery workers. And also, quite positively, that an earlier hearing about just cause protections for fast food workers from unfair firing. So, it is on the Council to pass and send to the administration those bills for implementation. And I know you will be implementing the paid sick leave laws that exist for those restaurants who have them, like the delivery workers and other regulations that apply. So, I really appreciate what DCWP is doing. These are two, you know, things that are still holes in our worker protection laws that our attention has been called to in this crisis and I just, you know? I'm just urging my colleagues to work together to make sure we do what can to close those holes and work with you. So, thank you, Mr. Chair, for the extra time.

COMMITTEE COUNSEL: Thank you, Council member. Next, we will hear from Council member Koo. Council member Koo?

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SERGEANT-AT-ARMS: Time starts now.

COUNCIL MEMBER KOO: Hello?

COMMITTEE COUNSEL: We can hear you,  
Council member.

COUNCIL MEMBER KOO: Okay. So, thank  
you, Commissioner Trottenberg and Commissioner Doris.  
You to really exemplify true public service. First,  
I wanted to take issue with my colleagues when they  
mentioned about the minorities. There were only  
mentioning about Blacks and browns. They forgot  
Asians. It's a bank part of minorities in your city.  
We occupy a 15 percent of the New York City  
population, so please, when you mention minorities,  
always mentioned Blacks, browns, and Asians. We are  
part of the group, too. And among all the restaurant  
owners, I guess a high percentage of those  
restaurants are Asian American-owned. So, we are  
talking about equity. Don't forget about Asians.  
Yeah. Council member Reynoso and others, my  
colleagues in the BLAC. We are BLAC caucus. BLA. A  
means Asian. Thank you. So, my question is, for a  
long time, I spent a lot of time to make sure in  
downtown Flushing the sidewalks are used primarily  
for pedestrians because we are trends that. We had

too many vendors on the streets, before. So, I wonder, when there is new rule gets into effect, will the legislation that passed in the city Council, Flushing downtown is a restricted vendor area, especially among Roosevelt, among Main street, and other streets. So, I don't want restaurants to put out tables on Main Street. And, meanwhile, pedestrians have no place to walk. And also, Main Street is-- We have like 22 buses along the bus-- along Main Street. So, it will create a lot of pollution. It's not could to eat on the sidewalk. It's very unhealthy. All these PPNs, exhaust from the bus, and from other cars, from the trucks. So you will interfere with your health tremendously. So, I hope DOT will take that into consideration. And also Department of Health. The second question I want to ask is, as I said before, the sidewalk is mainly for pedestrians, right? So, we should never [inaudible 00:56:22] sidewalk that way. We should name it outdoor cafes. You know? Because when you do things outdoors, it doesn't have to be on the sidewalk. You can use the space behind-- many restaurants have back yards. They can use the backyard or some other public parcels. So, other

countries, when they do it, they have an outdoor market where all the restaurants, all the small catering place, they stay in one place. They're either in the big parking lot, the subway station, or some outdoor space that people can drive to. So, will this legislation later on will move to outdoor market concept? This way, a lot of small business owners and restaurant owners, they can open their restaurants-- no restaurant. They can open their markets in outdoor spaces no necessary near the restaurants. Not necessary adjacent to the restaurants. So those are my two questions. Thank you.

COMMISSIONER TROTTEBERG: I'll take a crack at some of it, Council member, and I think, maybe, Commissioner Doris will--

COMMISSIONER DORIS: Sure.

COMMISSIONER TROTTEBERG: speak about the ending question. Look, I think, obviously, downtown Flushing, we're going to want to work closely with you and the businesses there. It's a very, obviously, dense part of the city. Then, just to be clear, the sidewalk cafés are not going to go work in places where the sidewalks are completely

packed with pedestrians. But, I think, as I said in my testimony, we very much want to explore if there are other outdoor places, plazas, parking lots, etc., where we can do more open air type dining. Again, very much with an overlay from Department of Public Health. And I think they may be able to speak-- I don't have an answer to the question about whether we're going to let restaurants use their backyard. That may be complicated in terms of then having to have a bunch of customers go through the restaurant, but I'll defer to my DOH colleague now on the venue.

UNIDENTIFIED: Sure. So, thanks, Council member, for the question. So we plan to work with our local community partners and really have local corridors specific, you know, plans and dealing with the challenges there. So, you know, as you know, we work very closely with like the Flushing bid and others in that area. And, you know, we are going to be working with them and really look to make sure we provide a solution that is meaningful. So, I think that is our commitment and we are hoping that we can work with you, as well to make sure that, how this is implemented, you know, it is good for the community and good for all of the restaurants who

want to participate in. The last thing I say, you know, part of what we are doing here is, you know, you have the ability to opt in to the program. So, you know, again, that gives the flexibility of the restaurants to decide to participate or not. Then, if we are on a corridor where we have multiple restaurants, they can come together and we can help them do that to figure out the collaborative effort. Some sort of space that we can carve out if we need to to address the need to have this sort of open restaurant space. But also with the traffic and other kind of challenges that we face and, also, generally the area on how the area sort of functions on a daily basis. We want to make sure that we are doing something that is meaningful and not just implementing something that doesn't make sense for a particular area.

COUNCIL MEMBER KOO: So, are you guys considering opening some-- a place that's like a market or marketplace? Outdoor market? Outdoor restaurant place? Well, not restaurant? Outdoor eating place so that small business owners can go there to operate their business and people can go there? Hello?

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COMMISSIONER TROTTEBERG: Yeah. I mean, again, Council member, I think we are open to looking into that where we can find appropriate spaces where we think, again, that it is going to be safe in terms of social distancing. But, the doors are open to look at those proposals. Plazas, parking lot, other spaces we may find around the city.

COUNCIL MEMBER KOO: Yeah. Because this is really popular and Asian trees. Yeah.

COMMISSIONER TROTTEBERG: Yep.

COUNCIL MEMBER KOO: Yeah. Thank you.

UNIDENTIFIED: Yeah.

COMMITTEE COUNSEL: Thank you, Council member. Next, we will call on Council member Chin test questions. Council member Chin?

SERGEANT-AT-ARMS: Time starts now.

COUNCIL MEMBER CHIN: Okay. Thank you. Thank you, Chair and thank you to the Commissioner. I think-- No. Thank you to Council member Reynoso for this bill. And, you know, we desperately want to help our small businesses, especially restaurants who suffers so much. But I also want to make sure that we also create opportunity for our street vendors who also have suffered through this pandemic and has not

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been getting any help from the city. From the Department of Small Business Services because they don't qualify for any of the grants or the loans. And a lot of those small businesses, restaurants and immigrant communities, also did not qualify for any of these government benefits. So, we have some positive examples in my district. I know that we started the Doyer Street closure for the past couple of summers and it has been very successful. And also we have the little Italy mall over the weekend. So, there are examples that we can look at and also the DOT, thank you for your leadership on doing shares streets where we did, you know, have restaurants have tables and chairs on the street and cars, you know, moving slowly. So, there are already models out there. So my question to the two commissioners is that how do we make sure that there are opportunities and, maybe, increased opportunities for, you know, street vendors who are the small small business and make sure they don't lose the spot that they have fought for for so long because DOT will have the opportunity to designate space and, hopefully, that will be designated new space and create new

opportunity and not taking away whatever space that they had before. Thank you.

COMMISSIONER DORIS: so, thank you so much, Council member. I wanted to say a few things about our SBS general programs. As you know, the majority of our programs for small business are free and open to all of the business types. It doesn't matter if they are vendors or brick-and-mortar. And our loan and grant programs also was eligible to anyone with an EIN number. It did not require a Social Security number or anything of the sort. But just and VIN number. A business number. And most of our members have that. And, also, you know, we assessed our vendors with accessing, as you know, capital beyond the federal programs and, I think, with micro lenders and our city [inaudible 01:04:01] in our communities, we have been helping and working with them. And also the philanthropic community. But, on this specific line, I think, you know, we planned to have discussions on this topic, particularly around street vendors as part of our working group, as the Commissioner mentioned that is being formed here to really address those challenges. And, as I think, that we expand the programs you

mentioned to you, you know, street facilities where-- open street facilities, sorry, where we can-- and different cafés that is being brought up on multiple streets through our BIDs who are bringing it to us now, you know, we can actually help some of those street vendors. So, you know, it was certainly a part of the list of things we were looking at as part of our concern and making sure we are equitably distributing opportunity. That's a huge part of what SBS does. But this is something we want to talk to you and others, you know, with about a bit more because we understand and see the challenge.

COUNCIL MEMBER CHIN: Well, definitely with the community and the community born, with the local engagement, I think, that will help make it more successful. I don't want residents to start complaining that, you know, this is happening there, but there are opportunities that we can create, you know, to support our small businesses and to support the street vendors. Because we've been fighting very hard to expand permits so that people can be able to make a decent living without, you know, buying up her man in the black market paying thousands and thousands of dollars. And so, that is something that

we wanted to push ahead. And we just want to make sure that we create opportunity for everyone, especially from the immigrant community. I mean, like, to the mix lie awake the restaurants sometimes the space is very small inside anyway and, you know, with social distancing, they need more space. And, if we could create some out space for them-- I mean, for example, on East Broadway Forsythe as an open area where it could be used for people who buy something from the little small space restaurant and are able to eat outside. So I think really knowing the neighborhood and creating those opportunity and supporting the small businesses-- and make sure that everything gets in multi-lingual and I'm glad to hear the Commissioner Trottenberg said earlier to really simplify the process. So it's not like applying for sidewalk cafes. Forget it. It's too complicated and too expensive. But if it's a simple process that people can apply and really can participate, I think that will be a great benefit.

COMMISSIONER DORIS: Yeah. Thank you.

I just wanted to say a quick thing on making sure that whatever we do-- guidance we give, it is in many languages and really a community-based approach.

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You know, that is the SBS model. And so, anything we do, we print it in multiple languages. You have it available in multiple languages. So, like we hear you on that and we're not going to change in this case, but we're going to probably do more because, you know, we really need to educate the community on this and those small businesses. So thank you so much for that.

COUNCIL MEMBER CHIN: But one last thing with SBS. I know that a lot of the mom-and-pop stores throughout, you know, the city were vandalized and destroyed. You know, I have a lot of them in my district. And these are not all luxury stores. And I really hope that SBS can work on something together to help these businesses because not everyone has insurance or, even if they do, it doesn't cover their loss and it is going to be very difficult for them to reopen. So, I think that the city really needs to step up and help these businesses across the city who were the victims, you know, while the lootings. And so, I hope that SBS can take the lead on that.

COMMISSIONER DORIS: Yeah. So, thank you so much. So, you know, SBS has our emergency response unit team currently providing support. We'd

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love to connect with you and those businesses to make sure that they understand what our services are and what we have. But, you know, they do quite a bit of work. You know, if it is connecting businesses to, you know, any kind of emergency financial assistance that is out there that we know about, emergency legal assistance, incident report, making sure that we help facilitate that for them. You know, if they do have insurance, we help them with their filing of their claims. Also, when it comes to security, working with NYPD to make sure that we minimize loss and help them sort of secure their facilities. So, you know, we do have quite a bit of services. Even speaking with the state, Department of Financial Services around various regulatory requirements there and also even with utilities. So, we have a unit that does that work. They are out there doing it now. And so, we will connect with you. I want to make sure that we are getting to the businesses that you are seeing and that need the support. So, that's okay, will make sure that we connect with you later take at the list of businesses that you are seeing to make sure that we are getting everybody.

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COUNCIL MEMBER CHIN: Okay. Thank you.

With than compiling it. So.

COMMISSIONER DORIS: Okay. Thank you.

COUNCIL MEMBER CHIN: Thank you, Chairs.

COMMITTEE COUNSEL: Thank you, Council member. I'll now turn it back to Chair Cohen for additional questions or comments.

CHAIRPERSON COHEN: Thank you, again.

I guess I just am trying to do now like what level of specificity we are at in terms of like are we going to promulgate some kind of regulations? Can we do that in a timely fashion? I am just curious how you think any of this is going to work. I am meeting, may be a statutory solution is the right solution because it can be done, you know, without a common period. I don't know if we have any thoughts on how we are going to work this out.

COMMISSIONER TROTTEBERG: I mean--

CHAIRPERSON COHEN: Not that I want to negotiate the bill. But I just want to--

COMMISSIONER TROTTEBERG: Well, I think, as I said, Council member, at least on the city side, the attorneys are looking at what kind of, you know, potentially emergency authorities the Mayor would

need instead of, I think, along rulemaking process. Again, if our mission is to start helping restaurants in the next few weeks, I think we are trying to minimize the paperwork and complexity. We're looking at a very sort of simple process where they would-- you know, we would make sure they checked some boxes on what the guidelines are, but, again I think something we can talk to you all more about. We were really focusing on something that was as quick and nimble as we could devise, though.

CHAIRPERSON COHEN: I understand that. But, I mean, ultimately, we have to come up with a coherent, workable policy. And I'm just curious-- Again, if you think that there is-- you know, through emergency authority there is a way to get this up and running, it still has, you know, be coherent and make sense and workable. And you think that could be done in time for phase two, if that is two weeks from now or three weeks from now or--

COMMISSIONER TROTTEBERG: That's the goal. Obviously, we are raising a lot of issues here today and I think we will want to have further dialogue with you all. You have a bill you are potentially working on, so, I think, let's discuss

further on a mutually agreed upon time line on what you want to see happen.

CHAIRPERSON COHEN: I understand that. I just want to follow up on a question that Council member Chin asked. Because, you know, navigating-- and I've had this in my own district. Trying to navigate, sometimes, tensions between restaurants and food vendors or supermarkets and food vendors. It's something to be thoughtful love to make sure that we don't displace street vendors or that brick and mortar-- like I want to make sure that we are not increasing tension in that-- and, you know, where using it to bring down tension so that we are a thoughtful-- if a street vendor has a spot, the last thing I want to do-- it can't and then the restaurant wants to try to use the streets pays. I don't want to have a conflict there that is going to make things-- That's just something to keep in mind.

COMMISSIONER TROTTENBERG: I mean, again, I think SBS is very focused on the vendor question. I don't know that this whole process will be conflict free, but it is not our goal to, and anyway, deliberately harm the vendors in this scenario. We

recognize they have their spaces and we will try and work with that. But, I know Jonnel's--

COMMISSIONER DORIS: Yeah. Sure.

COMMISSIONER TROTTEBERG: [inaudible  
01:12:39] the vendor issue.

COMMISSIONER DORIS: Yeah. You know, Look. I think opening more public spaces, right, will benefit everybody and all the corridor stakeholders. And, again, what are we going to be doing is working very closely with those communities and the restaurant community to make sure-- and our community partners to make sure that we are doing something that makes sense for that specific community and that specific corridor. So, I hear you, Mr. Chair. And we share that concern. And hopefully we can get together and we can talk about some of the solutions we are thinking about. But, certainly, that does register with us as we roll this out. And so, all of our information we have provided, our resources, our guides, etc., will be cognizant of this reality. But I think, through a more collaborative effort to move forward is, essentially, what we are looking to do.

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CHAIRPERSON COHEN: Commissioner Doris, just curious. Have you had any sleep since you've been on this job because he seemed to be everywhere. Every Zoom I am on. I guess maybe you can nap between Zooms or something, but you've really been out and about and I just want you to know that we recognize that and appreciate it.

COMMISSIONER DORIS: Thank you very much. Sleep is a luxury right now.

CHAIRPERSON COHEN: All right. Thank you very much. I guess we will call the next panel. Again, I really appreciate the response from the administration on the commissioner level for this. And I think it is a testament to the recognition of how important it is. So, thank you very much. Thank you.

COMMITTEE COUNSEL: Thank you, Chair. We actually have one more Council member who has raised their hand. It is Council member Yeger. Council member Yeger?

CHAIRPERSON COHEN: Didn't we let Council member Yeger ask questions? That's all right.

SERGEANT-AT-ARMS: Time starts now.

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COUNCIL MEMBER YEGER: Have we change that rule?

CHAIRPERSON COHEN: Not yet.

COUNCIL MEMBER YEGER: Thank you, Mr. Chairman. I appreciate you holding this hearing and I actually have questions. I will have a brief statement. But I just wanted to reflect first on Councilman Koo's comments. I think they are very apropos and, yourself, Mr. Chair, I think you spoke earlier about the one-size-fits-all question. I would prefer, as with many laws that the Council writes, that they make a law for Manhattan and then another law for the rest of the boroughs because most of the boroughs and most of our neighborhoods are nothing like the main Manhattan places. And, thankfully, in the last couple days, we have actually seen what that means. Before I start, I just also want to say that it is unfortunate that some members of this body have brought their uniform hatred for police to this hearing. I think, by now, I ought to be used to it, but it still often is shocking to me. Restaurants are failing in New York because, even though the curve has, long ago, and flattened and it is practically a Grand Canyon by now, government has

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failed to act to restore New Yorkers ability to restart the economy. And that is not just limited to the one side of City Hall. We are complicit in that, as well. That is Council has failed to provide a single iota of relief to New York's small businesses. Don't get me wrong. We have issued plenty of press releases. We have passed fake news legislation. We have not provided any real assistance. Not a single penny of tax relief. Not a single penny of fine or fee relief with the exception, though limited exception, of Councilman Cohen's bill to allow businesses to recapture the sidewalk fees that they have paid for their destroying year of business. Other than that, zero. And that is not a reflection of the Commissioner of SBS, either the new Commissioner or his predecessor. That is a reflection on the policies of the city which have made tax relief and find and feed relief for businesses, literally, nothing to be concerned-- or for us to be concerned with. And, at the same time, we sit here today in our virtual chamber almost as a proverbial Nero fiddling while New York is burning, which it is. And we are talking about this bill today while the city is on fire. And I haven't seen

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yet what we have done or what we are talking about doing to restore the city. To stop the fires and finally restore the city. To let restaurants back in business. To let all businesses back in business. The idea that this one size fits all idea of takeover as sidewalk here and there so a restaurant, and an open, that is not the solution to restoring New York. Giving a restaurant the ability to have two or three tables outside their frontage and in only the places that they can, is not the solution to restoring New York. It's just not. And what is good for Midtown Manhattan, perhaps, God willing that they ever can ever open anything again, and maybe not good for community board 11 in the Bronx or community board 11 in Brooklyn and Benson Hurst and Borough Park and Midwood in Riverdale where Councilman Cohen represents. Over in many of the other neighborhoods that are represented here at this hearing and that are not represented by the 15 members of this Counsel who all have residential parts of their neighborhood. I think that it is a mistake to take this decision then put them wholly in the name of bureaucrats and a Manhattan city agency without including the community board. My community boards, I represent four, have

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robust, robust reviews of-- quick reviews, but robust, of sidewalk café applications, including my district managers going out to the applications themselves. To the locations themselves and looking at the places in determining whether or not this makes sense. And I am not saying community boards should have the final sign off. By any means. Commissioners, that ought to be done by the experts, for sure. But to do this without including the community board as a necessary step in the process, I think, is a mistake. Residential neighborhoods are for residents and there are businesses and residential neighborhoods. That is true. But when we talked about-- I have heard this thought a number of times. The opt-in question. You know, don't worry about it because some restaurants won't opt in. That's great, but what if the restaurant wants to opt in? What about the 200,000 people who live in our district who are to that restaurant? In the restaurant wants to opt in and fills out an application and all is good? What about everybody else? So, the community boards, which are the closest to Ground Zero of each neighborhood, which are the closest to the frontages of each restaurant,

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have to have a role to play. They have to be able to go there and look at it and say, yes or no. Make the recommendation and say, you know, this restaurant can handle six tables. This restaurant can only handle two or three tables. Councilman Koo's point to, you know, these major commercial blocks that have buses running down them, trucks--

SERGEANT-AT-ARMS: Time's expired.

COUNCIL MEMBER YEGER: running down the that the-- Mr. Chair, I'll ask for a few more moments of your time right now.

CHAIRPERSON COHEN: No problem.

COUNCIL MEMBER YEGER: Thank you, sir. That we have buses. We have trucks. We have deliveries. We have pedestrians. In my neighborhood, we have many, many, many children. I have one of the largest numbers of children of any Council district in the city. And they all can't be in school because our government has failed them. So, the idea that the sidewalk decision will be made somewhere in Manhattan without any income find the neighborhood, I think, is a mistake and I think Councilman Koo is 100 percent right about, particularly like a street like Main Street is my

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13th Avenue. Is my Kings Highway. And those stream things as all across the city. You know, I really urge you, Commissioner. I know that you are going to try to look at this holistic way and, when I say Commissioner, I'm really talking the DOT Commissioner. Commissioner Trottenberg. I know you are going to try to look at this holistically with the view of what one policy can do to encompass the entire city, but, in this particular instance-- and I know that you don't necessarily-- your agency may not have the bandwidth to it to the use mind earned drop-down reviews that are necessary community board to community board. But, there has to be a way that you can. And I know you know many of the neighborhoods in this city better than most commissioners to because I know you have been to them more than most commissioners have. And so, I think that you have two figure out a way, please, to just somehow include a local step before an agency makes a decision within five days, as this bill envisions, for the neighborhood to actually opine on it. And, with that, Mr. Chair, I really do think you for allowing me to expand. I don't have any questions. This was just a statement. But some urging included

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in that. And, Commissioner, the time is yours. You can answer if you want to. You don't have to, if you don't wish to, but I appreciate very much--

COMMISSIONER TROTTEBERG: I'm happy to respond, Council member Yeger. And I certainly understand where you are coming from and I think here is the creative tension. This is what we have heard from the industry. We have about four or five months of warm weather, which is the opportunity for restaurants to get out into outdoor dining. So, and I think you heard from the Chairman of this very committee, phase two is coming in a few weeks and he wants us to get rolling. So, the creative tension here is that we have 59 community boards. We have some number of 27,000 restaurants and 700+ miles of commercial strips. I think it is a dialogue between us all to the extent that there is more local review and sign off, it's going to slow things down, but obviously have more local impact. I think, from the administration's point of view, we are signaling we are ready to be very nimble and open, but, you know, that may be a model that, in the end, the Council doesn't feel as comfortable with as we are. And I think that is a discussion to have. I will just say

I don't think this is going to be a one-size-fits-all. And that, on very busy streets where there's a lot of pedestrian traffic, some, likely, of sidewalk café is going to work. On a major route with a lot of-- you know? So, just to be clear, I don't want everyone to think-- we will have guidelines and I think there will be, as you point out, Council member Yeger, neighborhoods where this will work in neighborhoods where it's not going to be, you know, perfect solution. So, you know, I look forward to hashing out the-- it's a trade-off. It's a trade-off between, you know, speed, nimbleness, and universality persons, you know, oversight by community boards, Council members, etc. and we can work with you all to find out what the sweet spot is.

COUNCIL MEMBER YEGER: Thank you very much, Commissioner. Thank you, Mr. Chairman.

CHAIRPERSON COHEN: Thank you.

COMMITTEE COUNSEL: Thank you. We will now turn to public testimony. I would like to remind everyone that, like our typical Council hearings, we will be calling individuals one by one to testify. Each panelist will be given two minutes to speak. Please begin once Sergeant has started the timer.

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Council members who have questions for a particular panelist should use the raise and function in Zoom and I will call on you after the panelist has completed their testimony. For panelists, once your name is called, a member of our staff will unmute you and the Sergeant-at-arms will give you the go-ahead to begin upon setting the timer. Please wait for the Sergeant to announce that you may begin before delivering your testimony. I will now be calling on Alejandra Gordosito to translate these instructions into Spanish for those panelists who have requested translation for today's hearing. Panelists requiring translation of their testimony showed positive after every two or three sentences to provide an opportunity for the translator to translate their testimony into English. Alejandra, you may begin.

ALEJANDRA GORDOSITA: [speaking foreign language]

COMMITTEE COUNSEL: Thank you, Alejandra.

ALEJANDRA GORDOSITO: You're welcome.

COMMITTEE COUNSEL: I would like to know well, the Honorable Gale Brewer to testify. After Manhattan borough president Brewer, I will be

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calling on Madison Thomas and then Christine Burthet [sp?] to testify. Borough president Brewer?

SERGEANT-AT-ARMS: Time starts now.

GALE BREWER: Thank you very much. Should I pause for translation or just do the whole thing? What do you suggest?

COMMITTEE COUNSEL: I think you should pause after every two or three sentences--

GALE BREWER: Okay.

COMMITTEE COUNSEL: so that she--

GALE BREWER: So, it'll be four minutes. Is that the idea? I'm just trying to understand timing wise? Okay. I'm ready.

SERGEANT-AT-ARMS: Time starts now.

GALE BREWER: So, I'm Gale Brewer. I'm the Manhattan borough president and I am testifying in favor of the legislation sponsored by Speaker Johnson and Council member Reynoso, obviously, talking about the supportive expansion of outdoor dining space so that we can help our struggling restaurants and street vendors.

COMMITTEE COUNSEL: I apologize, Borough Pres. Brewer. We're not going to be

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translating each testimony after every two or three sentences.

GALE BREWER: Okay.

COMMITTEE COUNSEL: Just do your testimony in its entirety.

GALE BREWER: Okay.

COMMITTEE COUNSEL: Thank you.

GALE BREWER: I'll do it in two minutes quickly.

COMMITTEE COUNSEL: I apologize.

GALE BREWER: It's okay. I just want to also say to Council member Yeger. I understand his concern, but, in Manhattan where I have 12 community boards and many of them in the busier sections, similar to Brooklyn, Bronx, everywhere else, up town and downtown, most of them, if not all, want the outdoor space because they are concerned about the future of their mom-and-pop. They are almost universal. I think we know how important this legislation is. We have restaurants that have been in business for 9 1/2 years. They have only 10 percent of their business. They have employees that need to come back and, without outdoor, they cannot make it. I am very happy about the finer details in

this legislation, including that the permitting process will be expedited, no permit fees, and the obvious, the need for social distancing guidelines in advance. I am encouraged to see food vendors included. I know the drama and I don't think it is going to go away. But if we have, perhaps, the new normal in the five boroughs, particularly in Manhattan, we can have a better discussion between the restaurants and the vendors. There are so many details to work out, but maybe something like shared seating like at food court and if people need to have their own seating, we need to figure that out. That could be done locally. We also have to think about commercial sanitation pickups in areas where there is outdoor food pop-ups. This is a new continuing challenge and the new normal under COVID. We can learn from other cities. We also could suggest-- and we've done this and a letter to DOT-- the Street Seats program, which exists all over the world and if you can't expand in your area because of space limitations, you can allow dining in the parking lane for those businesses that can't do anything else because there is a bus or truck route. Something to consider. We are also concerned about racial

justice. That is what we are all focused on with the protesters and those of us in our lives. So, we have to make sure that the permit given to the sidewalk cafés are granted equitably and without fees. I know that the state [inaudible 01:28:48] guidance under--

SERGEANT-AT-ARMS: Time expired.

GALE BREWER: the governor's law recently haven't' changed and we think it'll be better under SLA. I just want to say one more thing which is the BIDs, the chambers of commerce, and the community boards can play a big role in making sure that it is this fair share of outdoor dining space. They are the ones who want this. Congratulations. And thank you for this opportunity.

COMMITTEE COUNSEL: Thank you, Borough President Brewer. I see we have a question from Counsel member Yeger.

COUNCIL MEMBER YEGER: Thank you very much. Thank you, Mr. Chairman. Real quick to Madame President. I couldn't agree with you more with what you said about Manhattan. Manhattan is so different. You know, I hate to do this when it comes to the city and separate us out as two different entities in different places, but the reality is-- and you know

this better than anyone who walks this chamber--  
Manhattan is such a different place. Manhattan has  
to have its own way about it because of just the  
nature of what Manhattan is. And I think that there  
has got be a way-- and maybe Manhattan shouldn't  
have a community board input. Maybe that's the  
smartest way, but there's got to be a way that, in  
the smaller neighborhoods in the outskirts and the  
boroughs-- and I don't mean to disrespect then  
Manhattan is also a borough, but you do know what I  
mean when I say that. I think you are right. I  
think Manhattan has to have the ability to,  
literally, jumpstart the economy and put its foot on  
the gas and go 65 miles an hour and make it happen.  
It's one of the reasons that I've already said that I  
think the reopening needs to happen. That is phase  
one, phase two, phase three. Some of these small  
businesses need to get in there right at the second  
and may need to start it. And the starting really  
does happen in Manhattan. And I think you know that  
probably better than I do, for sure. I'm better than  
most members of the body.

GALE BREWER: Thank you. I'll just say the  
community boards are already involved, Council member

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and they have been working on this for months. They will be involved the entire time.

COUNCIL MEMBER YEGER: Not in Brooklyn. Not in Queens. Not in Staten Island. That's my only point. Not in the Bronx. Manhattan is a different place. But thank you.

GALE BREWER: You're welcome.

COUNCIL MEMBER YEGER: I really do appreciate it. Thank you, Mr. Chairman.

COMMITTEE COUNSEL: Thank you, Borough President Brewer. Next up is Maddison Thomas followed by Christine Burthet and then Robert Bookman. Maddison?

SERGEANT-AT-ARMS: Time starts now.

MADDISON THOMAS: Hello. My name is Maddison Thomas and I am representing assembly member Rebecca Seawright. Assembly member Seawright has submitted written testimony which I will be reading. Good afternoon Mr. Chair, Council member Chin, Council member Koo, Council member Koslowitz, Council member Lander, Council member Brannan, and Council member Yeger. Thank you for allowing me the opportunity to speak today. I am assembly member Rebecca Seawright. I proudly represent district 76,

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which is comprised of the Upper East Side, Yorkville, and Roosevelt Island. I'm here today to speak in favor of the bill introduced by Council member Antonio Reynoso regarding temporary space is for outdoor dining. There are many small businesses, from restaurants, to bars, and my district that can benefit from this bill. Many of these restaurant owners have reached out to my office and are optimistic to hear about this proposed legislation. This bill will expedite the process of obtaining a temporary permit for outdoor seating, which is extremely necessary during these hard economic times as a result of the pandemic.

[Background comments]

MADDISON THOMAS: Small businesses across the city are suffering tremendously. More importantly, the bill would expedite the normal process of an eight month waiting period of obtaining a temporary outdoor dining permit to about one month. Also, this bill will bring back and maintain previous levels of business. Furthermore, the bill will enable more social distancing as restaurants and bars begin to reopen. I want to take a moment to commend the Consumer Affairs Committee, Council member

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Antonio Reynoso, and Speaker Corey Johnson for discussing this bill today that will help countless New Yorkers. This legislation will assist small businesses in getting back up onto their feet and it will pave the way for our new normal as New Yorkers. Once again, thank you for allowing me to speak in support of this bill. I hope to see this bill pass and have a positive impact on all small business owners across the city. Thank you for your time.

COMMITTEE COUNSEL: Thank you, Maddison. I see that Council member Koslowitz member Koslowitz?

COUNCIL MEMBER KOSLOWITZ: I just wanted to say that my community board in Queens is working on this as we speak and they have been working on it. I think this is a very good bill and I would like to add my name to the bill. Thank you.

COMMITTEE COUNSEL: Next up is Christine Burthet followed by Robert Bookman and then Andrew Ridgey. Christine?

CHRISTINE BURTHET: Yes.

SERGEANT-AT-ARMS: Time starts now.

CHRISTINE BURTHET: I'm Christine Burthet. I represent Manhattan CB for which is

Hell's kitchen and Chelsea. One of the districts with the most restaurants in New York City. The survival of this industry is critical to our community and providing significant employment and enjoyed to our city. We urge the city temporarily to allow restaurants and retailers impacted by store capacity limits to utilize the roadway space for their operation and reserve parking space for vendors. But that is program must also be structured in a way that reserves an appropriate, which is 12 feet, the amount of sidewalks space without any obstruction for proper distancing of pedestrians. The last thing we want is another wave of contagion and a return to street confinement. So, for example, the provision of the bill related to the sidewalk cafés would put pedestrians and patrons at risk. The [inaudible 01:35:04] often end up in real life providing less than five feet for pedestrians, which means pedestrians would be right on the top of patrons. We urge you to change the sidewalk café roles to require a 10 foot minimum between obstruction for social distancing with each other and with patrons. Another concern we have recently is that the open container law, which has allowed

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restaurants and bars to sell drinks to go. In our observation, that system is not very good and we hope that the new proposal will replace it. For example, on sidewalks and Ninth Avenue, they are impossible. Instead of taking their drinks home, people and groups come right in front of bars to drink on sidewalks. Many of them do not wear mask and residents have to-- have reported littering. So, this needs to be put under control and is new legislation, or new approach would be able to replace the law--

SERGEANT-AT-ARMS: Time's expired.

CHRISTINE BURTHET: [inaudible 01:36:05]. And, clearly, we don't want NYPD to show up with baiting to enforce. So, we also recommend that all garbage be put in parking lanes and we are very strongly in favor of this law. Thank you.

COMMITTEE COUNSEL: Thank you, Christine. Unless there are any questions from members, we will move on to the next panelist. Next panelist is Robert Bookman followed by Andrew Ridgely and then Kathleen Riley. Robert?

SERGEANT-AT-ARMS: Time starts now.

ROBERT BOOKMAN: Can you hear me?

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COMMITTEE COUNSEL: Yes. We can hear you.

ROBERT BOOKMAN: Thank you. My name is Robert Bookman. I am Council to the New York City Hospitality Alliance. I want to thank you for this legislation. We, obviously, support the intent of both the administration and the Council to help restaurants by providing the process for quick, simple cafés that are regulated and safe for outdoor dining. We ought to do that is or there will continue to be on regulated wild West out there. People need to go outdoors and restaurants need to have a place for them to set. In my role as counsel to the Hospitality Alliance, I have been in contact with the SLA in the last 24 hours. They have already issued draft rules last night. And this needs to be coordinated with them, as well, as they have their own requirements and issues. They seem to now require a permit, you know, for a particular restaurant at a particular location and municipality to approve that. Shared seating may not work under the liquor laws. They are being very cooperative and helpful and we need to work with them. This legislation is good law. It is good legislation. I

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mean, it would be good law. It has two categories. Contiguous sidewalk space and noncontiguous sidewalk space in the street or plazas. The contiguous space should be simple. There should be an immediate permit as of right in the space safely for this season, especially if located on a street that is currently zoned for sidewalk cafés or in a commercial zone. In the current law does not say five feet. It is eight feet minimum clear path or half the sidewalk with. Whichever is greater. This new law, you know-- this proposal by the administration is a bit of a chicken or the egg. We need to do what is fastest. This legislation provides a fast process to identify locations that are noncontiguous. As the licensed food vendors, they can operate today, as they like. They are food people. There is nothing stopping them. When people come back on the street, they will have customers again. This legislation does not take away a single current illegal space for food vendors to vend. But we have to be careful that, if we open up, you know, laying in the sidewalk, that there aren't arose food vendors between the restaurant, you know, in the lane that we have opened because--

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SERGEANT-AT-ARMS: Time is expired.

ROBERT BOOKMAN: Thank you. As for community boards, as the borough president said, they already are involved with the process. But we cannot have, and in an emergency situation, each particular application go back to the community boards. Community boards want this and we need to work in a quick manner. This legislation does not require DOT-- Sorry. This legislation does require DOT to consult with community boards, BIDs, and others in identifying locations other than the contiguous sidewalks spaces. So, I think, you know, we need to move forward with this legislation. We need to coordinate with the liquor authority. This legislation, in fact, I believe, will comply with what the liquor authority wants. I'm not so sure that being more nimble than that with the administration does. We need to work it out. And I think both the administration and Corey Johnson and member Reynoso, you know, for pushing this along. We really need it. Thank you. I'm happy to answer any questions, of course.

COMMITTEE COUNSEL: Thank you, Robert.

Is there any questions from council members, we will

be moving on to the next panelist. Next panelist is Andrew Ridgey followed by Kathleen Riley and then Jennifer Tausig. Andrew?

SERGEANT-AT-ARMS: Time starts now.

ANDREW RIDGEY: Hello. They just and muted me. Good afternoon. First, I wanted to say thank you to the Chair Cohen, Council member Reynoso, of course the Speaker, and all the other members. Council member Powers and the others who have been very big advocate, as well as Manhattan borough president and we are thrilled to see the Department of Transportation and Small Business Services as part of this conversation. Restaurants and bars are the backbone of New York City and we need to get these businesses open as soon and as safe as possible and get people back to work. It's going to be critically important for the recovery of our city. We know we are going to be operating under reduced occupancy indoors, so we are going to need the space outdoors. And we understand that this is the big city. Neighborhoods are different. But I do think that, if we are going to get back to a place where there is a new sense of normal, opening up restaurant send getting people back to work is going

to be part of that and we need to have this legislation or however this is implemented, done in no way that we can adjusted as needed. We can have business owners waiting a long time to try to get a permit to try to get set up because then, whoo, the summer is going to be gone and there is incredible support. BIDs, community boards-- I'm on my community board in the Upper West Side and I know all throughout the borough's they have been very supportive. And I think we need to work with all of them. Everyone needs to be able to provide feedback, but they need to also be able to provide feedback on an ongoing basis. And we are happy, as I said, that the Department of Transportation and the administration is having these conversations and we look forward to working with them in the Council, particularly on this legislation, 1957. I would say a couple of quick things in my time left. One is we need business owners to be able to submit their own proposed layouts. They need to be acceptable. We understand that architectural renderings can be expensive and we can't have an architect, as the legislation rightly doesn't require certify every draft.

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SERGEANT-AT-ARMS: Time is expired.

ANDREW RIDGEY: Second is that the permits also need to be issued within a timely fashion. So, if, for example, after five days, an agency has been unable to review the permit, we need to allow them to start setting up subjects to review because time, as we said, is of the essence. There's obviously a lot more. I submitted some testimony. We can all, of course, have additional conversation, but I want to thank you very much, everyone involved, in working to make this happen and making it happen soon. And I am happy to answer any questions.

COMMITTEE COUNSEL: Thank you, Andrew. I see Chair Cohen would like to ask some questions. Chair?

CHAIRPERSON COHEN: Thank you very much. Andrew, it's good to see you. Thank you for taking the time. I know how important this has been. You know, I guess I am concerned about tension. You know, if you are on a community board, you know community boards, you know, really tried to safeguard the city's streets and want to make sure that there is a good relationship between the community and the businesses. How do you envision sort of dispute

resolution or, you know, when there is someone wants to let people drink in front of their establishment until too late? Like that is going to cause a problem that it would be great if we could kind of come up with a regime to deal with that in advance.

ANDREW RIDGEY: Yeah. Well, the first thing I would say is that it is extremely heartening. The community boards-- and I have spoken with many of them-- have been extremely thoughtful and extremely supportive and may have had these types of discussions. I have just been so impressed by the types of conversations that have been happening. Anything, and generally, look, this is an unprecedented crisis. We have never been in a situation like this before and I think everyone, no matter if you are a resident door restaurant or visitor is going to change their lifestyle and have to kind of compromise for the future of our city. With that said, I think that the conversations that have been happening with the Council and with the administration, as well, want to address these issues. And I think we are going to have to have personal responsibility because, again, this is a massive issue with not a full infrastructure that has

been in place and we need to roll it out quickly. So, I do think there is going to have to be communication. If there is an issue with a venue, restaurant or a bar, then the community boards should be working out. You know, reaching out to them and there should be a thoughtful conversation and mediation happening. I know that there has been conversations through the city's Office of Night Life pre-COVID. When there is a conflict, they tried to get together and mediate the situation. So, I think we are all going to have to talk things through. I think we are going and need to have a sensible framework in place, which it sounds like we have included in this legislation. And then we will have to figure things out a bit as we go in a thoughtful, sensible way. But the idea of not doing anything, in my opinion, is so, so much worse than us, you know-- I'm sorry. We need to do something. If we don't act at all, the situation will be much worse. And whatever minor incidents come up, we will have to deal with them.

CHAIRPERSON COHEN: Okay. I mean, again, I really-- and it sounds like the administration is very open to establishing a

framework, but there just has to be standards. There has to be roles of that, I think, that people can live with and that it works for the community, as well as the restaurant. So--

ANDREW RIDGEY: I would just-- I mean, there are, you know-- While this is a new format, you know, we do have sidewalk cafés, so there is kind of the regulatory structure. Obviously, we need to not want this to be calm enforcement over-- a heavy-handed enforcement issue, but there is an infrastructure in place if people are in violation of various regulations. So, it's not like it's--

CHAIRPERSON COHEN: Yeah. I know. But, currently, like I could call up a sidewalk café permit application at the Council that could-- you know, I have some real ability to make sure that there is compliance. That is really, I guess, all I am worried about. I just want to make sure there is an ability to have-- that there is, you know? I want to help.

ANDREW RIDGEY: Yeah. And I think, going-- Looking at each neighborhood is going to be a little bit different, so there may be areas where you want to have, you know? We're okay with, you

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know, reasonable operational hours. So, you know, in some places it may be fine. There may not be residents right there on the block. In others, it may be a heavy residential area. So, again, I think we are going to have to be nimble enough to look at the different neighborhoods, take the community feedback, and do this in a thoughtful way and be willing, you know, to adjust as needed. But, again, I think everyone would agree that it is okay to have reasonable standards in place. And, if we find something works, maybe we could start implementing in other neighborhoods, if we find something doesn't work, we can use that. But, like I said, you know, we need action and inaction, to me, I believe will chose compound our cities crisis.

CHAIRPERSON COHEN: I appreciate your partnership, Andrew. Thank you.

ANDREW RIDGEY: Yes. Thank you so much for your questions.

COMMITTEE COUNSEL: Thank you, Andrew. Next up is Kathleen Riley, followed by Jennifer Tausig and then Regina Fojas. Kathleen?

SERGEANT-AT-ARMS: Times starts now.

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KATHLEEN RILEY: Good afternoon, everybody. My name is Kathleen Riley with the New York State Restaurant Association. And thank you all so much for holding this hearing today. Our members are one of the hardest hit industries in the hardest hit city. And, as you all know, thousands of employees have lost their jobs. We've got members who tell us on a daily basis that they are barely or not even making ends meet when they are limited to strictly take-out and delivery. So, we know how much the restaurant industry means to the city, to its culture, to its economy. And we know that we are going to need serious assistance to reopen and to recover. We believe that outdoor dining is going to be a critical piece of that puzzle. So, the prepared remarks that we had today were in support of Intro 1957 and, since the open restaurants plan was introduced, more or less, and our midst today, we can just say that we are very supportive of the administration and city Council working collaboratively towards outdoor dining. And we support any streamlined and flexible process that will give New York City restaurants access to these resources. Just a couple notes or points that we

would like to emphasize, as well-- and we will keep it quick. We hope that the use of private spaces, with permission, will still go forward. I don't know that that was an emphasis of the open restaurants program as it was explained to us today, but we thought that was a very essential element of Intro 1957, so we would like to make sure that goes forward. As we read it, backyard space that restaurants already have control over is covered by the Governor's Executive Order and New York City restaurants should be allowed to use the errors in phase two. It seems like this is what everyone has in mind, but we encourage the use of public space for dining to be free. Approvals to whether it is an application permit process or self-certification process, whatever process it is, to a big quake and to be streamlined. We hope that the, community boards, and trade associations like [inaudible 01:49:10] will still be part of making the school a reality and facilitating access for all of our local restaurants around the city. And that includes, you know, every borough and it includes language access, as well. We are also glad to see some guidance from the SLA released last night around modifying existing

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licenses for outdoor dining and we hope city Council will fully collaborate in its role as a municipality to create a streamlined process for that needed accommodation. Thank you, everyone, again, for holding this hearing. It is such a crucial topic and I can't agree more with the previous speakers that inaction would be incredibly harmful to our industry. Thank you.

COMMITTEE COUNSEL: Thank you, Kathleen. Unless city councilmembers have any questions, we are going to move on to the next panelist. Before we continue, I would like to remind witnesses that we will call on you in order. There is no need to raise your hand at this time. You will be called on. Next, we have Jennifer Tausig followed by Regina Fojas and then Thomas Gregg. Jennifer?

SERGEANT-AT-ARMS: Times starts now.

JENNIFER TAUSIG: Thank you, Chair Cohen and members of the city Council. My name Jennifer Tausig. I am the executive director of the Jerome Gunn Hill bid in the Bronx and currently serve as co-chair of the New York City BID Association which represents 76 BIDs and over 93,000 businesses across New York City. The combined crisis of COVID-19 and

recent civil unrest must inspire us to unleash our most creative and impactful solutions. We thank the Counsel for bringing this issue into the public eye with this hearing because we strongly believe that creative use of public space, especially how it relates to the potential of additional outdoor dining and general retail space, is key to economic recovery plan. And we are very supportive of the administration's proposals set forth today and look forward to working closely with our partners at DOT and SBS on implementation. In regards specifically to this legislation, we will submit written testimony, but there are a few significant unanswered questions about the logistics of how to make this work as smoothly as possible, so we are looking forward to working with everyone here to try and resolve these questions. BIDs provide supplemental services, but help to keep our streets safe, clean, and beautiful. This has been a significant challenge over the past few months and we want to be sure that any additional outdoor dining plan is implemented with two consideration to the complicated array of issues. Space, management, health, resources, and equity that are implicated by this plan. Individual

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BIDs already operate many of the city's existing pedestrian plazas under concessions agreements with the Department of Transportation and the parks department. As such, many of our BIDs are able to maintain outdoor tables and chairs for the purpose of take out and dining as they always have and will be ready and willing to begin reestablishing outdoor dining space once the city gets permission and provides appropriate guidelines. BIDs are also open to the expansion of pedestrian plazas, sidewalks, and other public spaces such as parks, but there must be clear operational and legal guidelines. There are complicated questions of responsibility, liability, and indemnification when it comes to oversight and management of public space. We also strongly recommend that the legislation being considered today focuses solely on creating temporary tools for brick-and-mortar businesses whose operations have been crippled by government shutdown orders.

SERGEANT-AT-ARMS: Time's expired.

CHAIRPERSON COHEN: Jenn, you can finish.

JENNIFER TAUSIG: Okay. Thanks. We know that street vendors are a vital part of our

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neighborhood, so this legislation, as written, cattle  
lemonade all existing siting requirements for vendors  
creating a disorderly and confusing situation that  
would be impossible to reverse once restaurants go  
back inside post-COVID-19. We believe fixes to the  
broken street vending system should be addressed  
outside of this temporary legislation in which the  
goal is to reopen our restaurants quickly and safely.  
As you well know, our small businesses, including  
restaurants, employ more than half of New York City's  
private sector workforce. Ensuring they can reopen  
as soon as possible and get people back to work is  
vital to the city's economic recovery. The New York  
City BID Association fully supports the use of  
outdoor space for dining and we stress other retail  
activity in the coming months, but ask the Counsel  
administration to be sure to carefully craft  
guidelines that ensure safe and successful  
implementation. Then we look forward to serving as  
partners in this process. Thank you.

COMMITTEE COUNSEL: Thank you,  
Jennifer. Next, we will move on to Regina Fojas,  
followed by Thomas Grech, and then Arelia Taveras.  
Regina?

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SERGEANT-AT-ARMS: Time starts now.

REGINA FOJAS: Thank you. This statement is being given and on but half of Tim Tompkins, president of the Times Square Alliance. Good morning, Chairperson Cohen and members of the Committee on Consumer Affairs and Business Licensing. My name is Regina Fojas, director of external affairs at the Times Square Alliance and I would like to thank you for the opportunity to testify today and support of Intro 1957 of 2020. On behalf of the alliance and our community of nearly 250 food and beverage establishments, we are so grateful for the councils work around how we can safely support the reopening of our businesses as we work through this difficult and unprecedented health emergency. Times Square, lacking a large residential population, lost most of our dining and drinking customers overnight. At the height of the epidemic, 85 percent of our food and beverage establishments closed. We understand that this bill is intended to have DOT, DCA, and DOH identify appropriate outdoor dining spaces, develop a simplified permitting process, and provide social distancing guidelines. However, we believe there is a faster way to get our restaurants open. The Mayor

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should issue an executive order allowing any existing public space, whether it is the sidewalk, open street, streets eat Plaza to be programmed via a streamlined and free SAPO, or temporary permit for outdoor dining. Now, more than ever, we need the city to empower partners, such as BIDs, and other community groups, to experiment and test various scenarios. We have included specific guidelines on the executive order in our submitted testimony. If the city found certain locations out of compliance, the permit for that establishment could be easily revoked. The need for flexibility and creativity is never been more critical than now, when we have a very small window to activate our streets and public spaces to save our neighborhood businesses. We look forward to continuing to work with both the Council and the administration to reopen our city. Thank you.

COMMITTEE COUNSEL: Thank you, Regina.

Next up we have Thomas Grech followed by Aurelia Taveras and Jeffrey LeFrançoise. Thomas?

SERGEANT-AT-ARMS: Time starts now.

THOMAS GRECH: Good morning, all. Good morning, Chairperson Cohen, members of the committee.

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My name is Thomas Grech. I am the president and CEO of the Queens Chamber of Commerce. I am pleased to be here today on behalf of the Chambers 1150 members representing over 100,000 Queens based employees. The COVID-19 epidemic has had a profound impact on businesses throughout Queens, particularly in restaurant and hospitality. We're home to 6000 of the estimated 27,000 restaurants in New York City. These businesses employ tens of thousands of Queens residents, creating economic opportunity and adding to the unique character of our neighborhoods. Throughout the pandemic, we have seen Queens restaurants and the communities step up to the plate. So many establishments pivoting to offer takeout and delivery, doing what they could continue to serve their customers and keep their employees on the payroll. But, for the vast majority restaurants, that was not enough. Right now, restaurants need our support. If we don't take decisive action today, I fear that many of them will never reopen. We have a reason to believe that up to half-- half-- of those 6000 restaurants in Queens may never see the light of day. The reality is that COVID-19 will remain a public risk for the foreseeable future. For the

industry they get back on its feet, we will need to take measures to make restaurants as safe as possible for the dining public and restaurant employees and allow for as much social distancing as possible. That why we are here today to support Intro 1957, which would create outdoor dining areas that would allow for restaurants to the better adhere to social distancing while serving customers. As most folks know, cities across Europe and other places have begun using public sidewalks, streets, and pauses for the creation of outdoor spaces, with many of them shared by several restaurants and bars along the closed street. I have been there before and this works very effectively on places like Stone Street in lower Manhattan. And there are many locations within Queens that this would be ideal for, as well. We hope that this--

SERGEANT-AT-ARMS: Time expired.

SERGEANT-AT-ARMS: proposal can be passed and signed into law quickly so that restaurants can begin planning. The Chamber would be thrilled to work with city Council, city and state agencies, to make this work. With this morning's jobs report of another million and a half folks unemployed, up to 42

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million people now in the United States of America unemployed, we need to get this done. We thank Council member Antonio Reynoso for introducing the bill, Speaker Corey Johnson for his leadership. Thank you for allowing me to speak today. I have one other comment I need to pass. Regarding to the comment made earlier today about McDonald's, just want to state a fact. In Queens County, there are 49 McDonald's representing and employing over 4000-- or just about close to 4000 people averaging 77 people per restaurant. It's also important to note, of those 49, 47 are independently owned and operated, many by first-generation immigrants. Thank you for allowing me to testify today.

COMMITTEE COUNSEL: Thank you, Thomas. Next up is Arelia Taveras, Jeffrey LeFrançois, and then Alexandria Sica. Aurelia?

SERGEANT-AT-ARMS: Time starts now.

ARELIA TAVERAS: Good afternoon, everyone. I would like to start my testimony with thanking Chairman Cohen, Council member Espinosa, SBS, and the entire city Council and committee members for the opportunity to testify before you today. My name is Arelia Taveras. As some of you

know, I am the executive director of the New York State Latino Restaurant Bar and Lounge Association, representing the interests of hundreds of minority owned restaurants and nightlife establishments throughout New York City. I am here today to avoid is our enthusiastic support for Intro 1957, which would create a temporary outdoor dining space and permit issued by the Department of Consumer Affairs and Worker Protection. The legislation comes at a time when the restaurant and bar industries are struggling to stay in business. The COVID-19 epidemic has decimated our industry to the point where many of our members have been forced to close their doors. The restaurant and hospitality industry have lost a lot of lives due to COVID-19 and the property as a result of looting damages. We are hurting. I stress that we make this outdoor dining initiative easy, accessible, and affordable. Let's remove all the barriers that could delay the expeditious processing of these permits. My underserved communities of color cannot afford to wait any longer. When Governor Cuomo issued the executive order in March to limit restaurant and bar service to take out and delivery only, it significantly impacted our ability

to earn a living. Over the past three months, our members have been forced to adapt to a new normal, but it has not come without consequences. Many restaurants have had to reduce staff hours, or in some cases, lay off staff indefinitely. Many restaurants have had to-- or other owners have not been able to meet their financial obligations and been forced to shut their doors for good. Some of these minority owned businesses were long-standing members of their community creating jobs and opportunities in these areas.

SERGEANT-AT-ARMS: Time expired.

ARELIA TAVERAS: As we began to reopen our various industries and sectors, we support this legislation, but we do have some issues with this bill. Awnings. Many restaurants and nightlife establishments have retractable awnings that need permits. We ask that this be included in the permit application. The New York State Liquor Authority. We ask that there be an easy interface between city and state so to make this process easier and collaborative. Outdoor spaces. Our association has already begun working with members to identify potential spaces. We look forward to working with

you to license those spaces. And backyard spaces. I would like to request that backyard spaces be a main component to this permit. Some owners do not have enough frontage or dining space to have-- and adjacent and backdoors spaces for dining patrons would help in this initiative. And, finally, for enforcement, the rest-- they spoke earlier about enforcement. You're not going to get any issues or have any issues with our communities because it took us a lot to get here and we have suffered enough and you're not going to have any problems from our owners complying. And I would suggest that, maybe, a limitation on sidewa-- on outdoor dining be enacted, so, you know, time limitation. Maybe 10 p.m. or the Jackson rules like they have them in Washington Heights where 10 p.m. or 11 p.m. be the closure time so that we don't disturb our local residences. But you will not have a problem from our--

CHAIRPERSON COHEN: Thank you. Thank you very much.

ARELIA TAVERAS: Thank you.

CHAIRPERSON COHEN: I just want everyone to know that we have over 40 people to sign up to talk, so if we could try to keep it as close to

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two minutes as possible, we would really appreciate it. Thank you.

COMMITTEE COUNSEL: I would now like to welcome Jeffrey LeFrançois to testify. After Jeffrey will be followed by Alexandria Sica and Mohammed Attia. Jeffrey, you may begin after the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

JEFFERY LEFRANÇOIS: Thank you very much. My name is Jeffrey LeFrançois and I am the executive director of the meatpacking district, business improvement District on the far west side of Manhattan reported by Chelsea to the North and the West Village to the south. Thank you to Speaker Johnson and Chair Cohen and to Council member Reynoso for introducing this legislation and allowing me to testify today. Meat Packing BID represents over 200 businesses, including over 70 restaurants. The district employs 26,000+ people, 6000 of which are in the food service and hospitality industry. Despite the large workforce and visitor population, 80 percent of public space is dedicated to cars, while just 20 percent of space outside, including 30,000 square feet of plazas, is spaced for pedestrians and

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sidewalk cafés. This legislation is a positive step to allow those numbers to come closer together and provide more space for restaurants to occupy. The meatpacking BID supports the premise of Intro 1957 to allow outdoor on street dining and support for implementing the idea from the administration today is heartening. Hospitality and entertainment businesses are at the heart of our district and, without providing the opportunity to expand outdoor dining, the associated quarantine policies made tests I may have the vibrant community here in the district. We would like to make a number of suggestions to improve the legislation today. The need for swift and direct action is essential. Involving three agencies in this process will slow down and complicate the movement, thereby undercutting the overall goal of allowing restaurants to quickly open for outdoor dining. The legislation should give broad authority to one agency to direct how this will work and apply existing rules accordingly. If plaza use is going to be allowed by a restaurant, the plaza partner should be empowered to set roles of relates to maintain the space by the restaurant, including cleaning of the plaza

furniture, trash, and sanitation needs. Over the past few weeks, and the meatpacking district sanitation team has noticed substantial increase in the amount of trash generated. And so, trash management needs to be considered. The legislation also provides that street vendors be granted new space and permissions. While we support siting guidelines and specific roles as they relate to--

SERGEANT-AT-ARMS: Time's expired.

JEFFERY LEFRANCOISE: vending and providing space off the sidewalk for doing so, curb space is in high demand and a street vendor should not be allowed to occupy space that could otherwise be used for a restaurant or brick-and-mortar establishment. While this legislation addresses the restaurant industry and its immediate needs, though we said also be considering retail needs for the reopening and how they may need to use the streets and sidewalk in ways we have never seen or complicated as a city. This legislation presents a critical lifeline that can support and bring many of our businesses back, but it's not a [inaudible 02:05:27]. Even with this proposal, business owners will face difficult decisions. This opportunity

provides a fighting chance, so it must be done quickly and efficiently, otherwise, despite all good intentions, it will come for not. Bringing our bustling city back will not be easy and it will, indeed be messy. We should let this happen quickly, learn what works and what does not work and we can then fix those issues that rise accordingly. Thank you.

COMMITTEE COUNSEL: Thank you, Jeffery. I'd ask that people please respect the clock and I reminded everyone that you can submit your written testimony at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). We will now move on to Alexandria Sica followed by Mohammed Attia and Matt Shapiro. Alexandria, you may begin when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

ALEXANDRIA SICA: Hi. And thank you for this opportunity and thank you so much for aggressively working on this port and effort on behalf of our small businesses. I represent the Dumbo Improvement district. Dumbo is a neighbor that prides itself on having a time of small businesses. I wanted to echo-- and so I won't repeat in detail all of the points that were made by my colleague,

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Jeffery, and Jennifer at the BID Association, but we stand by all of those points, as well. I want to highlight two quick things. One is that we absolutely need flexibility. We made a minimum amount of regulation, but clear guidelines. We also want to flag that our retailers are suffering significantly, as well, and in a neighborhood such as ours, which is tourism have the, browsing is key. People are not going to be going into the shops and so we have to give them the ability to also use the street space to sell and to allow folks to browse their goods. Finally, I would want to flag that we must prioritize the business is that are paying rent on spaces that they could not use for months and they still will not be able to use at full capacity. We, in Dumbo, have a plaza called Old Fulton that last weekend had three ice cream trucks pulled up on the exterior of the plaza creating the lack of social distancing catering towards park goers and competing with the five ice cream shops that we have in the neighborhood who continue to pay rent. These are the kinds of businesses that need to be really monitored and protected under this bill. Thank you so much

and, again, thank you so much to the Department of Transportation, to the Mayor's Office, and to the--

SERGEANT-AT-ARMS: Time expired.

ALEXANDRIA SICA: Council for all your efforts on this. It's wonderful.

COMMITTEE COUNSEL: Thank you, Alexandria. I would now like to call on Mohammed Attia to give testimony followed by Matt Shapiro and Karina Kaufman Gutierrez. Mohammed, you may begin when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

MOHAMMED ATTIA: Good afternoon, Chair Cohen, and Council member. My name is Mohammed Attia. I am the executive director of the Street Vendor Project who represents roughly 20,000 and street vendors in New York City who are mostly immigrants and low income New Yorkers. There is no doubt small businesses across New York City have been struggling during the COVID-19 pandemic, especially those businesses and individuals who were left out from all government support, including many restaurants and most of street vendors. We are in favor of the legislation, Intro 1957, and supporting the city's efforts to create opportunities for

restaurants to recover from this crisis by allowing them to use public space to operate their businesses. While we are so concerned about how this plan and policy will be implemented. The legislation lacks the clarity of ensuring that current vending spots will be protected and vendors will not be displaced by any furniture or structure used by restaurants. The city Council approach must be inclusive to all small businesses and ensure that supporting one group of small business won't hurt any other. As Chair Cohen said earlier, many street vendors are sold providers haven't received any aid from the government yet, despite the fact that they pay their fair share of taxes like any other business and haven't been able to work for so long. And the last thing they expect after this crisis is to be displaced for any reason. I want to take a moment here to hold the DOT and the SBS accountable to their words earlier today about not hurting vendors deliberately. And, of course, we won't accept any vendors to be displaced accidentally. We are proposing some ideas that might be considered to ensure vendors the voices are heard and this process, such as and including the street vendor project and

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community-based organizations as consultant organizations that work with the DOT in identifying these spaces. We urge the DOT to hold the outdated law that prohibits food trucks from working in parking meter areas which is most of Manhattan.

SERGEANT-AT-ARMS: Time's expired.

MOHAMMED ATTIA: Finally, I want to thank COUNCIL members for working in this wonderful legislation. And thanks for Chair Cohen for the support.

COMMITTEE COUNSEL: Thank you, Mohammed. I'd now like to call on Matthew Shapiro, followed by Karina Kaufman Gutierrez and Julie Torres Moskovitz. Matt, begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

MATTHEW SHAPIRO: Hello. Can you hear me?

COMMITTEE COUNSEL: Yes.

MATTHEW SHAPIRO: Okay. Great. My name is Matthew Shapiro. I am the legal director of the Street Vendor project of the Urban Justice Center. My computer just crashed, so I lost my notes, so I am just going to go off of what I remember, but I submitted a written testimony. Like Mohammed said,

it is crucial that no vending spaces are displaced.

We know that vendors and restaurants have lived alongside each other for centuries, but it's true that vendors have also historically been disadvantaged because they've been perceived as having less legitimacy. You heard it from the BIDs so far. Basically, they all just said that restaurants are more important than vendors, and this cannot be fair. The bill should contain language that protects existing food vendors spaces and any permits that are issued should also contain a self-certification from the restaurant that they are designed for the sidewalk will not displays an existing food vendor. I'm sure every single restaurant knows whether or not there is a food vendor that operates outside their doors. The bill should also contain language that protects five feet of space from the curb, which is the width of the biggest food vending cart, to allow vendors to operate. And, as much as possible, restaurants should be able to use the street. Parking spaces, more streets should be closed so restaurants can operate in the actual road way which will provide sidewalk space for existing food vendors, as well as

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pedestrians. We have to remember that vendors from from the communities that are the hardest hit during this pandemic and any reopening has to include protection for vendors, otherwise, the reopening will look just as unequal as the effects of the pandemic. I think you for the opportunity here and we look forward to working with all the people involved.

COMMITTEE COUNSEL: Thank you, Matt. I would now like to call on Carina Kaufman-Gutierrez, followed by Julie Torres Moskovitz, followed by Bobby Digi. Carina, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

CARINA KAUFMAN-GUTIERREZ: Thank you. Good afternoon, members of the City Council Committee on Consumer Affairs and Business Licensing. Thank you for the opportunity to provide testimony. Now, I really want to emphasize today that street vendors and restaurants are part of the same small business and food ecosystem in New York City. All small businesses are struggling and we must find a way for both vendors and restaurants to share space without risking the elimination of street vendors small business owners who contribute so much to New York

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City. Restaurants opening onto streets and sidewalks should not mean erasing the street vendors who also make New York City grade. There are approximately 20,000 New Yorkers who sell food and merchandise from the streets and sidewalks of New York City. Vendors are primarily low-wage immigrant workers who rely on busy streets and, as small business owners and workers, they contribute approximately 293 million to the city's economy. But, despite their critical role, vendors have been excluded from disaster relief at every level of government, including New York City, whether it be due to their immigration status or the informal nature of their work or the difficulty in not having translated materials for applications to grants and loan programs. All small businesses are struggling in the economic fallout and street vendors disproportionately so. Again, to be clear, we are in support of sidewalk dining for struggling restaurants, but the difference in how street vendors who are primarily women of color, undocumented folks, veterans, very low income folks are being treated is discriminatory against our smallest businesses. Our concerns that vendors will be displaced from their places of operation where

they have built up clientele have been validated time and time again. Opponents of street vending, most notably, folks from business improvement districts, have used tactics of intimidation to dispel vendors, using private security officers, or even the NYPD themselves for placing large planters or [inaudible 02:15:15].

SERGEANT-AT-ARMS: Time is expired.

CARINA KAUFMAN GUTIERREZ: And I just want to emphasize that this is a moment where New York City has the opportunity to really be inclusive in how economic recovery happens and that means being inclusive of all's all businesses, including street vendors. Thank you.

COMMITTEE COUNSEL: thank you, Karina. I would now like to call on Julie Torres Moskovitz followed by Bobby Digi, followed by Gabriel Som. Julie, you may begin your testimony when Sergeant calls the time.

SERGEANT-AT-ARMS: Time starts now.

JULIE TORRES MOSKOVITZ: Hi. I am Julie Torres Moskovitz. I am a small business owner and Williamsburg. I have an architecture firm. I am excited about this new bill, 1957, and thank you to

my city councilman, Antonio Reynoso, and the other committee members. I am interested in the new normal of coexistence and equity. And so, while I advocate for restaurants, I also am very concerned about vendors, our smallest businesses in the city.

Vendors are a vital part of the city. If you read the New York Times article, these are the things that New Yorkers achingly miss. You will see that New Yorkers miss lamb over rice from the food cart near their office, the coffee cart guy on West 40th who remembers you like black, and I think it is time to stop hating on street vendors, instead, embrace and respect one another. As an architecture firm, we read through either covered Rockwell group, a firm that did renderings for restaurants and, while I commend that they were working for restaurants, I feel like the renderings look like Nantucket and not representative of the boroughs. So we, if you can see on the screen behind me, we've done a couple renderings for street vendors and our area. We studied Williamsburg Greenpoint, Bushwick, and we-- let's see. I'm going to put another background on there. Where we were looking at-- here is a block on Barry's street. I walked all the open streets in

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my area. And here is a block, for example, where there is a shake shack coexisting with it are street vendors. You can just paint the streets and block out area. We understand the scale of nine foot by foot--

SERGEANT-AT-ARMS: Time is expired.

JULIE TORRES MOSKOVITZ: parking space. So, I feel like we can easily accommodate vendors. And I'll submit more testimony. Thank you so much.

COMMITTEE COUNSEL: I'd now like to call on Bobby Digi followed by Gabriel Stulman and Mark Wouter. And I apologize if I'm pronouncing your name incorrectly. Bobby, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

BOBBY DIGI: Thank you. Good day, all. My name is Bobby Digi and I'm reaching you from Staten Island, New York, the borough that many often confused about whether it is part of New York. Ed is part of New York. And speaking on behalf of North Shore Business Alliance. Many of the small business owners in Staten Island, I being a minority business owner here, and a community activist, as well, I want to acknowledge Councilman Cohen and my dear friend,

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Counsel member Reynoso and Manhattan Borough President Gale Brewer. I want to amplify that Staten Island small business folks welcome Intro 1957. We desperately, desperately, desperately need this legislation. Having opened up the first English pop in the borough just January, business started to do well. This is after building this for two years and now, with COVID-19, we're looking at closing forever. We employ about 15 community members and are street, which is Minthorn Street on Staten Island, it's a new block that has restaurants and flagship breweries located there. We are ideally situated where we could easily have sidewalk cafés then utilize the small park, which is called Inspiration Plaza. I want to support what the DOT Commissioner stated that it isn't a one-size-fits-all. I think allow for the different communities to make those decisions and I am aware, also that our community board has actively been working with the chambers and the small business groups to ensure that this legislation is supported. Again, small businesses--

SERGEANT-AT-ARMS: Time's expired.

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BOBBY DIGI: Small businesses are the backbone of America and small businesses on Staten Island are what keeps Staten Island going. Thank you very much. I appreciate the opportunity to speak this afternoon. Thank you.

COMMITTEE COUNSEL: Thank you, Bobby. Next I will be calling on Gabriel Stulman followed by Mark Wouters and Sari Kisilevsky. Gabriel, you may begin when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

GABRIEL STULMAN: Hello, Council members and panelists. My name is Gabriel Stulman and I am the owner and founder of Happy Cooking Hospitality. Together, I used to own nine restaurants in lower Manhattan, many in the West Village. Thank you, Reynoso, for saying trust are small businesses. Yes. Please trust us. Regarding comments about winners and losers, that is not a reason to not move forward with this bill, in my opinion. If there is a bill that can help thousands of restaurants and it doesn't help thousands of restaurants, I don't see a valid reason to not help those that we can. I've seen all nine of my restaurants shut down by this pandemic. I've had to lay off over 260 of my colleagues, many

who have worked with me for more than a decade. It is almost certain that we will not all come back. I have accepted that will permanently lose businesses and not be able to bring back jobs. I am here to try and make sure I don't lose all nine of my restaurants. There are three things that will greatly improve the chances of my business is surviving. Unfortunately for me, none of those factors are in my control. Number one is material changes to the PPP loan program. I am great all that those that passed the already House approved additions and changes yesterday. The second thing that will help me is renegotiating leases with my landlords. So far, that is proved fruitless. Without both of these changes to the PPP and landlord renegotiations, I put the odds that 80 percent that my restaurants will not survive. With those changes, they are proved to 80 percent that they will survive. This takes me to the third thing. Sidewalks and street. To make an analogy that may not be appropriate, the use of sidewalks and streets for restaurant businesses this summer for the next four months is akin to a ventilator during COVID and suffering from that virus. The ventilator does not,

itself, ensure life or death, but it improves your odds. The use of sidewalks and streets will improve our odds. It will not guarantee that we exist. I have been fighting tooth and nail for the last 11 weeks. We need to--

SERGEANT-AT-ARMS: Time expired.

GABRIEL STULMAN: May I continue? I've got 30 seconds more.

COMMITTEE COUNSEL: Sure.

GABRIEL STULMAN: We need to cut the red tape. It took seven months for me to get the one sidewalk café that I have. We need to manage this where the power is not between so many hurdles to get approved. We need to make this simple and more streamlined, as Trottenberg said. Without being fast and simple, this will be useless and it will not achieve its goals. I have been fighting since day one against banks to get the PPP loan. Then I've been fighting against the government to make the PPP work. Then I have been fighting with my landlords and side-by-side with city Council for the past saying of Bill 1932 and my landlords are telling me it won't stand. Now, I am fighting against business insurance company is to pay business interruption

claims, which they are refusing. I am trying to juggle minimum wall liquidity and in all of this, I am attending meetings. Where can you help me? You can help me right here. I will not have nine restaurants at the end. Please help me have some. In this bill is material to providing some survival existence for the weeks and months to come. Thank you for your time. Thank you for your support. We need to put action behind our words. When we say we support our small businesses, let's not let them be words. Let's do it and let's show up now. I'm at your service.

COMMITTEE COUNSEL: Thank you, Gabriel. Next, I'd like to call on Mark Wouters, followed by Sari Kisilevsky, followed by Justin Pollack. Mark, you may begin when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

MARK WOUTERS: Thank you. My name is Mark Wouters. I'm director of Mark Wouters Studios, and urban planning firm based in Brooklyn and, since April, we have been studying modifications to the city sidewalks and streets to accommodate the many new needs of social distancing. We are highly supportive of this new piece of legislation by

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Commissioner Trottenberg, by Council member Reynoso.

We interviewed several restaurant owners and asked if they were interested in using the parking lanes for outdoor tables. We can't even finish the question before they say yes. It is desperately needed from every survey we have done. These additional tables will do more than support restaurant jobs. They will help the food distribution network of New York State, including farmers that sell food to the restaurants. The positive image of outdoor dining can also improve the image of an entire retail street and can encourage foot traffic to a variety of adjacent small businesses, so it has multiple positive effects.

Some restaurant operators have expressed some questions about operating privately owned tables in a public street and does that come with additional issues of liability and are there some legal waivers that the city could help provide so that their insurance costs don't go up. Finally, we are creating the toolkit. Some of you may have seen an early draft that will allow business improvement districts and community boards to assess, within their own neighborhoods, these issues of sidewalks and social distancing. And it goes through, not only

restaurants, but vendors and Q lines for other retailers that will have others social distancing means and it allows people to customize those plans. Thank you.

COMMITTEE COUNSEL: Thank you, Mark.

Next, we have Sari Kisilevsky followed by Justin Pollack. Sari, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

SARI KISILEVSKY: Thank you very much. My name is Sari Kisilevsky. I work at Queens College CUNY in Flushing and I specialize in emigration rights. I want to reiterate the street vendors insistence that the committee include specific language and legislation protecting street vendors, particularly, I think that the legislation should protect their pre-existing pre-pandemic locations. We know from experience that where this language is not included, the vendor's interest quickly become overwhelmed. As we heard from earlier, the vendors contribute almost 3 million dollars to the city's economy and they don't have the power or the resources to fight attacks on their livelihoods on an ad hoc or individual basis at community board

meetings and so on. Those street vendor project has put forth a number of workable proposals for protecting their existing spots, while, at the same time, maintaining social distancing. And these proposals are easily implemented and they are flexible enough to cover the varied interests and the city as a whole. In the interest of equity and of full recovery for everyone in the city, it ought to take this opportunity to avoid re-entrenching the inequalities and the injustices that we are witnessing tear our city apart. So, again, I want to strongly urge the committee to include these specific provisions in the legislation. Thank you very much.

COMMITTEE COUNSEL: Thank you, Sari.

I'd now like to call on Justin Pollack to give his testimony. Please began when the Sergeant calls time.

SERGEANT-AT-ARMS: Time starts now.

JUSTIN POLLACK: Thank you and good afternoon. I'm glad to see the city Council is exploring the use of public land to help food and beverage businesses, but, as an investment professional, I would like to remind that everyone that-- that some of the small businesses that are

the focus of this legislation are already on the street being cut as vendors and restaurants are part of the same ecosystem in New York City and all small businesses are struggling. But we need to find a way for restaurants and street vendors to share space without forcing them to the battle one another. And, while I support sidewalk dining first struggling restaurants, this expansion shouldn't, at the expense of incumbent street vendors who are principally taxpaying city residents from minority and low income communities. Opening restaurants should not be used as a pretext to destroy jobs of our local street vendors, which Council member Reynoso noted are the mom-and-pop businesses that should be of focus and concern, not a target of eviction. And as an investor and private businesses for over 20 years, including multiple restaurants here in New York City, I have directly observed the benefit that keeping vendors part of neighborhood streetscapes. Street vendors bolster safety, food choices, neighborhood engagement. So, I would really like to ensure that part of this COBID-19 recovery plan includes street vendors who come from communities that have been disproportionately impacted by both the health

pandemic and the result of the economic crisis. So please don't ignore our smallest businesses, particularly those led by women of color, undocumented New Yorkers, senior citizens, people with disabilities, the formerly incarcerated, and our military veterans. And, collectively they are some of the best chefs in New York City. So, truly just recovery for small businesses will also extend to those job creating street vendors. Thank you.

COMMITTEE COUNSEL: Thank you, Justin.

The next two panelists will require translation.

Sergeant, please set the clock to four minutes to allow for translation. Alejandra Gordosito, please standby for translation. I will be calling on Heleodora a Vivar Flores followed by Sonia Perez. Heleodora, you may begin your testimony after the Sergeant sets the clock. Please be sure to pause after every two to three sentences so that Alejandra may translate your testimony. Alejandra, please translate these instructions. Once you have translated these instruction, Heleodora may begin her testimony.

TRANSLATOR: [speaking foreign language]

SERGEANT-AT-ARMS: Time starts now.

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HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: My name is Heleodora Vivar.  
I'm a street vendor in Washington Heights.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: [inaudible 02:32:02] for my  
right to work in the street as a vendor.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: for more than 15 years.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: I want to talk today about  
who street vendors are.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: They are immigrants,  
veterans, and seniors.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: We work on crowded streets to  
have a job to be able to survive.

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HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: It's troubling during this  
time and we have contributed with approximately--

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: with approximately 293  
million to the city economy.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: And that is every year except  
for maybe this here due to COVID.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: We are part of the same food  
system.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: Small businesses in New York.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: We need to find a way for the  
restaurants and vendors to share the space--

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HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: without running the risk that  
the vendors are disappearing more displaced.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: They so much contribute to  
the city of New York.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: It's not fair that street  
vendors--

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: women of color, undocumented,  
and very low income, that they are received  
discrimination--

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

TRANSLATOR: against their small  
businesses.

HELEODORA A VIVAR FLORES: [speaking  
foreign language]

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TRANSLATOR: The opening of the restaurant shouldn't mean that street vendors like myself should be eliminated.

HELEODORA A VIVAR FLORES: [speaking foreign language]

TRANSLATOR: We also make the city of New York avid.

HELEODORA A VIVAR FLORES: [speaking foreign language]

TRANSLATOR: Thank you.

COMMITTEE COUNSEL: Thank you, Heleodora. Next we have Sonia Perez. You may begin your testimony after the Sergeant has called time.

TRANSLATOR: [speaking foreign language]

SERGEANT-AT-ARMS: Time starts now.

TRANSLATOR: [speaking foreign language]

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: Hi. My name is Sonia Perez. I am a food street vendor in Bushwick.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: I work at a restaurant.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: I have worked here for a year.

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SONIA PEREZ: [speaking foreign language]

TRANSLATOR: because the police was very bad in my previous location and I couldn't stay there any longer.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: I have a good relationship with the community and what the restaurant owners.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: I have a license for food street vendors.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: and I've been trained in the areas of health and safety of how to prepare foods.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: but I can't still get a permit to sell.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: And that is not because I haven't really tried to get it or because I am not interested.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: We have been to City Hall several times that the committee meetings.

SONIA PEREZ: [speaking foreign language]

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TRANSLATOR: But I can't work safely on the streets right now because I don't have a permit.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: And even then the police are harassing us because we're trying to sell food--

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: to take care of our families.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: I'm afraid if this bill 1957 is approved without getting an opportunity for vendors--

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: to work in public spaces, other vendors like myself will be excluded.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: [speaking foreign language]

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: That will be executed from a recovery plans in the same ways that other peoples have been excluded.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: [speaking foreign language]

SONIA PEREZ: [speaking foreign language]

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TRANSLATOR: We haven't received any kind of financial relief.

SONIA PEREZ: [speaking foreign language]

TRANSLATOR: We're mothers, we are immigrants, and we need to be included in the recovery.

SERGEANT-AT-ARMS: Time expired.

TRANSLATOR: [speaking foreign language]

SONIA PEREZ: Okay.

COMMITTEE COUNSEL: Thank you, Sonia.

TRANSLATOR: [speaking foreign language]

COMMITTEE COUNSEL: Next, I will be calling on Charlotta Janssen, Sophia Laskaris, and Samantha DiStefano. Charlotta, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time begins now.

CHARLOTTA JANSSEN: Good afternoon.

Before we begin, I want to acknowledge everyone using their voice and bodies to create change the because black lives matter. Before we begin-- What's going on? Why am I not in? I am Charlotta Janssen. A owner of Shea Oscar in Bed-Stuy Brooklyn, open since 1998. I am not just speaking for myself today, but with nearly 30 fellow restaurants in [inaudible

02:41:17] who are begging you for help. COVID is killing people and small business. PPP and EIDL have not done enough. Third party delivery caps are too little, too late and way too late. Their monopoly is still killing us. Business is down by 80 percent. Every time you apply for a loan, it just eats at our credit scores. We get nothing. In response to the COVID says, we have organized Stuy Heights restaurants to fight for our shared future. We appreciate Council member Reynoso, outdoor dining bill, but we don't believe it goes far enough or fast enough to save this industry. Please allow all restaurants to serve outdoor in phase 1. Grant use of sidewalks and parking lanes regardless of commercial overlay. NYPD can provide sealed areas and DOT can provide orange barrels. I point you to the letter sent to Mayor de Blasio on May 15th by borough president Eric Adams, calling on the Mayor to act to the executive order. We cannot risk any restaurants getting left behind by a paternalistic and bureaucratic process involving too much red tape. It takes just one bottleneck out of the Department of Consumer Affairs for a number of restaurants to die. Due to the 1961 zoning regulations, many commercial

establishments in our community cannot utilize outdoor space for dining, whether it be sidewalk cafés or yard services. Please see my testimony for a zoning map of our community. This cannot allow any of us to be left behind in this recovery or this legislation. Many of us will die over the winter if we can serve this June and only deepening--

SERGEANT-AT-ARMS: Time expired.

CHARLOTTA JANSSEN: This bill thinks outside the box, but we must be even bolder. We are the global capital for hospitality and we are following everyone else's lead. Please see my written testimony for a more thorough look at our thoughts, rent vouchers, and utility vouchers now. Thank you for your time.

COMMITTEE COUNSEL: Thank you. Next, I'd like to call on Sophia Laskaris followed by Samantha DiStefano followed by Nate Adler. Sophia, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time begins now.

SOPHIA LASKARIS: Can you hear me? Hello?

COMMITTEE COUNSEL: Yes. We can hear you, but please raise your voice.

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SOPHIA LASKARIS: Okay. Good morning, Council members. My name is Sophia Laskaris. I'm a mobile food vendor for many years. I migrated to the US as a child from Greece and, when my family got here in the early 50s, my parents began working as street vendors. I followed in their footsteps and became a vendor myself and work across South Street Seaport where I support our city's tourism and hospitality industry, as well. Street vendors deal with unjust regulatory systems that criminalizes veterans and immigrants and family businesses for crimes like sewing one dollar churros instead of uplifting the important role that vendors play in our city's culture and economy. We struggle with the regulatory system that finds vendors for setting up near a bus stop, on building insurance, not close enough to the curb, or vending in front of the many New York City restricted streets. This enforcement can lead to expensive tickets, property confiscation, or even arrest. We never get the benefit of the doubt compared to more legitimate, quote, businesses. Business interests. For this to be fair legislation for all small businesses, we call on our city Council to make sure current vending spots are protected.

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The DCA application and permit explicitly state that any restaurant use the open space, quote, must accommodate any street vendor previously vending in the area used by their footprints. Thank you very much. I would also like to ask why there wasn't anybody from the Department of Consumer Affairs present at the meeting to help vendors through this process of integrating after COVID.

SERGEANT-AT-ARMS: Time expired.

SOPHIA LASKARIS: Thank you very much.

COMMITTEE COUNSEL: Thank you. I'd now like to call on Samantha DiStefano followed by Nate Adler, followed by Rosado. Samantha, you may begin your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time begins now.

SAMANTHA DISTEFANO: Hi. I'd like to thank everyone for letting me speak today. Thank you to the Chair Cohen, all of the Council members, and the Commissioners, and Antonio Reynoso for proposing this and being such a supportive hours. My name is Samantha DiStefano. I am the owner of Mama Fox. It is a restaurant in Bed-Stuy and I am an owner operator. I own one restaurant and I am an owner operator. I've been here on the grounds, if you want

to call it back, through this whole thing. Just to echo what our colleagues said earlier, Gabriel Stulman, this is our ventilator. We need CPR. We are dying. And when you're thinking of administering CPR in an emergency situation, you are not worrying about breaking someone's rims. That is like a secondary concern. Literally, letting us have sidewalks eating is make it or break it for us. It will be the difference of whether we can survive or not. This is my only source of income, as well as my 15 and 20 employees, full and part-time employees. We are members of this community. We have lived here. We know our neighbors. We are trusted by the SLA and the DOH to perform, you know, honorable business members and we will do the same with our sidewalks eating. It would be in no one's best interest-- We will stay within complying within the guidelines and the regulations. It is in our best interest to continue operating in our communities. Literally, zoning restrictions should not be an issue. And, just to echo what Andrew Ridgely said earlier is the, you know, give us the licensing. Give us the permits and letters. The good business members that we are and continue with the best

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practices that we do on a daily basis. Thank you for your time.

COMMITTEE COUNSEL: Thank you, Samantha. Next, I would like to call on Nate Adler followed by Celine Rosado followed by Caicedo Jesus. Nate, you can start your testimony when the Sergeant calls time.

SERGEANT-AT-ARMS: Time begins now.

NATE ADLER: Thank you for giving me the opportunity to testify today on behalf of the relief opportunity for all restaurants, or ROAR. My name is Nate Adler and I owe two restaurants. Gertie in Williamsburg and Huertas in the East Village. I am joined today by Christian Walker who operates and owns Fancy Nancy in Bed-Stuy. ROAR was created to support our industry and our workers during an unprecedented crisis to find creative solutions to save our city's most treasured jewels, New York City's restaurants. ROAR supports Intro 1957 and appreciates the Councils support in helping restaurants as we get back on our feet and tried to rebuild following this public health crisis. Thank you to my Councilmember Reynoso and Speaker Johnson for introducing this legislation and for your support

of New York City's restaurants. I would also like to acknowledge the partnership of the Department of Transportation and Consumer and Worker Protection in thinking through these issues. As a native New Yorker, restaurants have always been a central part of my life and I know I am not alone in feeling that way amongst my fellow New Yorkers. I got into the restaurant business because they have an extraordinary ability to create community. They are vital to our city neighborhoods and can be a real vehicle of culture, expression, and change. To do our part, when COVID hit, we transformed Gertie into a full-time soup kitchen and, over the course of the vast three months, we have succeeded in feeding over 12,000 New Yorkers. This was a way for us to not only to help the greater community, but I keep a small number of people employed. Our peers have tried everything to keep the lights on. Without in person dining, we will never be able to get a real number of people back to work. I'll kick it to Kristen to tell her story over in Bed-Stuy. Can you guys hear her?

[background comments]

NATE ADLER: What's that?

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UNIDENTIFIED: So you need the barriers?

You need the--

NATE ADLER: Hello?

CHAIRPERSON COHEN: We can hear you.

NATE ADLER: Okay. Well, I'll just go on.

Kristen was supposed to be on the same screen, but it looks like that didn't work out. Well, I will speak for because I have her notes. As you probably know, restaurants employed more than any other industry in New York. About half 1 million in the city alone.

As the largest private employer in New York, the restaurant industry here will be hit harder than any other industry in the state and we need to start getting our employees back to work in the wake of this unprecedented public health crisis. Restaurants find themselves an extremely precarious situation.

In the wake of this pandemic, restaurants of all sizes will need to be reimaged to accommodate the new reality of costly health and safety protocols for staff, social distancing for guests, loss of events, and catering revenue, increasing costs for [inaudible

02:51:02]

SERGEANT-AT-ARMS: Time expired.

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NATE ADLER: new fees for third party vendors, and potential future. Can I just finish since we got a little caught up there? Is that all right with you?

COMMITTEE COUNSEL: Go ahead.

NATE ADLER: Okay. Thank you. In the best case scenario, sales are projected to drop 50 percent over the last 12 to 18 months. Along with many other small restaurants have been impacted by COVID, Fancy Nancy has not been able to operate over the past three months. Their staff did not want to risk canceling their unemployment benefits and, therefore, we did not apply for the PPP we would not meet the state 7575 percent criteria. Having the loss of revenue for three months while still continuing to pay rent, electricity, water, and gas has left us even more vulnerable. The reopening process for restaurants is going to be slow and unsure, but the ability to extend our space outdoors could potentially help us with high rent and other rising costs. ROAR supports creative use of sidewalk and street space to allow dine in experiences while allowing for social distancing. We also support efforts to streamline the permitting process for

outdoor seating. This is why we were excited to see that the city is in the process of rethinking how public space is used to allow for many uses, walls making social distancing possible. Intro 1957 prisons an opportunity for public space, especially those that identified by the DOT open space to be used by restaurants in phase two of reopening. We're excited to see last night that Governor Cuomo move outdoor dining to phase two of reopening, leaving no more urgency in getting this bill passed. If passed, this measure will permit restaurants to set up tables and chairs in outdoor areas to serve guests, begin to generate revenue again, and, of course, higher back employees. These additional sales will be critically important as restaurants reopen on a reduced occupancy requirements and will have seating for customers to feel more comfortable in outdoor spaces. I personally have seen it firsthand in [inaudible 02:52:53] possibilities afforded to the newly opened streets. The street in front of Gertie has become alive and this presents a real opportunity for us to continue to begin welcoming guests again. That being said, even in the short period of time the street has been closed, the barriers have been destroyed,

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actually by Department of Sanitation truck multiple times, and there is no one actually holding up the open streets order. So, I agree that the barriers need to be stronger. More than anything, we as a community of restaurants, need to know how and when these spaces can be used. At Gertie, we have been operating safely through the entire crisis and have prided ourselves on the safety measures we have taken, but we are looking to the city government for guidelines on operating safely to ensure public health. And we need it quickly so that we can plan ahead.

CHAIRPERSON COHEN: Thank you very much.

NATE ADLER: Time is of the essence.

CHAIRPERSON COHEN: Thank you for your testimony.

COMMITTEE COUNSEL: Thank you, Nate.  
Was it Kris Chan that you wanted to testify alongside with?

NATE ADLER: Yes. It was.

COMMITTEE COUNSEL: Okay. Kris Chan.  
Can she unmuted, please?

KRIS CHAN: Hi. Thank you.

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COMMITTEE COUNSEL: Thank you.

SERGEANT-AT-ARMS: Your time begins now.

KRIS CHAN: Thank you. Thanks, Nate. We must applaud the counsel for coming up with a creative and streamlined approach to the permitting process for these spaces, however the current process for applying for a sidewalk café apartment is not only cumbersome, but also costly for a small neighborhood spot such as Fancy Nancy. Such additional costs are not sustainable at this time. Bed-Stuy is a strong and diverse community. My husband, who is Chinese-American and, and I have been proud residents of Bed-Stuy for 10 years and even prouder to have the opportunity to be business owners within our community for the past five years. Of our small staff of 12 employees, nine of them are Bed-Stuy residents and we hope to welcome them back in the near future. In the ability to extend our dining room beyond our four walls would hopefully bring that reality closer. Not only do we hope to continue employing residents of Bed-Stuy, but we also hope to continue feeding them. And, while two to three outdoor tables might not seem like much, for a small neighborhood spot as Fancy Nancy, it would equate to

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employing more staff and more opportunities to serve our community. We look forward to working with the Counsel to ensure that an equitable and streamlined process is in place that will allow us to start welcoming our guests back as soon as possible. Of course, there are a number of uses for street space and I think the Counsel for recognizing the importance of restaurants and dining experiences in this conversation. Thank you again for the opportunity to testify today and for your support of New York's restaurants and restaurant workers.

COMMITTEE COUNSEL: Thank you.

KRIS CHAN: Thank you.

COMMITTEE COUNSEL: I'd like to call on Celine Rosado followed by Caicedo Jesus followed by Ellen Bauer. Celine, you may begin your testimony after the Sergeant has called time.

SERGEANT-AT-ARMS: Your time begins now.

COMMITTEE COUNSEL: We will move on. Next, will call on Caicedo Jesus.

SERGEANT-AT-ARMS: Your time begins now.

COMMITTEE COUNSEL: Yes. We can hear you.

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CAICEDO JESUS: All right. Good afternoon. My name is Jesus Caicedo. I am the owner of Skal Brooklyn in Bed-Stuy. You know, like my café like many others has been impacted by the COVID-19. I had to let go of my staff and shutter my doors because of the coronavirus [inaudible 02:56:47] we had.

CHAIRPERSON COHEN: Hello?

COMMITTEE COUNSEL: We lost you. We will come back to you Caicedo. Next, I'd like to call on Ellen Baer.

SERGEANT-AT-ARMS: Your time begins now.

ELLEN BAER: Hello. My name is Ellen Baer. I'm the president of the Hudson Square Business Improvement district. As many of you may know, Hudson Square is located west of Soho, north of Tribeca, south of meatpacking. I'm here today in support of Intro 1957. Over the last decade, we transformed to Manhattan's former printing district into a hub for creative industries through the use of creative public-private partnership which are certainly called for today. There is no question we know that 70 to 80 percent of our retail businesses are temporarily shuttered and no there is no question

that food and beverage establishments are vital to the life of our wonderful city, they do not exist in a vacuum. Ground-floor uses are many and varied and restaurant opening is very much intertwined with these other uses. So, my first point is that any legislation that looks to ground-floor use must think about other uses of the ground-floor holistically, such as the use of sidewalks and curbside spaces that will simultaneously need to be used for circulation, queuing, and social distancing and increased bike ridership. Planning, of course, needs to be done on a neighborhood basis. We think Commissioner Trottenberg for her ambitious plan. It would certainly be inexcusable to see the bio goals of this bill drowned in a sea of red tape, so we ask that the Counsel immediately mandated the creation of an interagency task force to create exciting guidelines and a toolkit for streetscape elements that can be used in service of commerce. Businesses cannot wait. Self-certification by businesses in BIDs is essential. Moreover, the city is self-insured and should be a partner with us with respect to liability. Strong public-private partnerships trust and one another and willingness to think outside the

box are critical to our collective recovery. I do want to add that BIDs are not anti-vendor and we are strongly in support of developing fair and equitable guidelines for vendors which do not now exist and we believe that this should be done outside of Intro--

SERGEANT-AT-ARMS: Time expired.

ELLEN BAER: 1957. We can't let the complexity of vendors citing delay or watered-down this important bill. I am begging you to please don't let the best become the enemy of the good. Thank you.

COMMITTEE COUNSEL: Thank you, Ellen. I apologize for mispronouncing your last name. At this time, if your name is not been called and you wish to testify, please raise your hand using the Zoom raise and function. I'd like to try again with Caicedo Jesus. If your audio is working, we would like to try again to prepare your testimony. Please begin when the Sergeant calls time.

SERGEANT-AT-ARMS: Your time begins now.

COMMITTEE COUNSEL: Caicedo? It looks like we lost him. As I do not see any raise hands--

CAICEDO JESUS: Hello?

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COMMITTEE COUNSEL: Oh. Yes. We hear you.

CAICEDO JESUS: Can you hear me? Sorry about that. I had a really bad connection. I think my phone kept cutting off. Okay. So, let me go back to my-- So, good afternoon, guys. Thank you, again, for holding this meeting in regards to having outdoor space being held in Bed-Stuy. As I said earlier, I have a café called Skal Brooklyn. We host a weekly game nights for seniors and we have definite events, but right now, due to the COVID-19 corona, our life is been shifted upside down. And I'm very grateful the city Council is considering this new law that would give businesses like mine an opportunity to reopen. The outdoor space would not only allow community members to safely reconvene and get back to a sense of normalcy, but it would prevent my business from permanently shutting at stores. His bill is a lifeline for me and many of my neighbors. I am a small business and I don't have the money for lawyers or any fancy consultants. I have yet to receive any federal aid from the business and probably won't get much from the city. I ask that you make sure the barriers to allow outdoor dining are as low as

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possible, ensuring that many establishments can participate. Thank you, leadership Council and member Reynoso and city Council. And just to reiterate, that outdoor seating and parking spaces are very beneficial because it works all over the world and it creates more space and more bigger room and less chances of corona being contacted or being spread. So, I am hoping that you guys to write by us. We could have a great summer outdoor seating [inaudible 03:02:07]. Thank you so much for your time.

COMMITTEE COUNSEL: Thank you. As I see no raised hand, will turn it over to Chair Cohen for closing remarks.

CHAIRPERSON COHEN: Okay. Thank you, everybody. I really do want to thank the administration. Again, I think that the appearance of Commissioner Trottenberg and Commissioner Doris really illustrates their commitment to trying to resolve this expeditiously. So, again, I want to thank them. I want to thank the members of the public for being patient. And members of the industry. I really thought we had a very thoughtful balance discussion. I want to assure the vendor

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community that I know it was subtle, but the tension between the vendor community and the brick-and-mortar, we're committed to trying to see this through and come up with resolutions that work for everybody, whether it is in this bill or in subsequent legislation. We really need to get this resolved. The issues have been open and unresolved for too long. And I really want to thank all the staff. These hearings are incredibly complicated with an enormous amount of prep and technically challenging. So, thank you to everybody on the Council staff who has made this happen and made it go so smoothly. And it doesn't feel that different from actually being in City Hall, so I want to thank everybody makes that happen. And, with that, I'm going to conclude this hearing with my glass.

[gavel]

CHAIRPERSON COHEN: Thank you.

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 \_\_\_\_\_ June 15, 2020 \_\_\_\_\_