

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND WORKER
PROTECTIONS

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December 13, 2023

Start: 1:33 p.m.

Recess: 7:59 p.m.

HELD AT: COUNCIL CHAMBERS - CITY HALL

B E F O R E: Marjorie Velázquez, Chairperson

COUNCIL MEMBERS:

Shaun Abreu
Gale A. Brewer
Amanda Farías
Shekar Krishnan
Julie Menin

OTHER COUNCIL MEMBERS ATTENDING:

Carmen N. De La Rosa
Pierina Ana Sanchez

A P P E A R A N C E S

Ryan Merola, Deputy Commissioner for External Affairs at DSNY

Corinne Schiff, Deputy Commissioner for Environmental Health at the New York City Department of Health and Mental Hygiene

Carlos Ortiz, Assistant Commissioner for External Affairs at the Department of Consumer and Worker Protection

Erin Piscopink, co-chair of the New York City BID Association

Matthew Shapiro, Legal Director of the Street Vendor Project at the Urban Justice Center

Mohamed Attia, Managing Director of the Sheep Vendor Project

Mohamed Awad, food vendor and a Leadership Board Member of the Street Vendor Project

Cleotilde Juarez, food vendor and a Leadership Board Member of the Street Vendor Project

Helen He, street vendor from Flushing and a member of the Street Vendor Project Leadership Board

Vicente Veintimilla, street vendor

María Angélica Castillo Luna, street vendor and member of the Street Vendor Project

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

Rosa Baclima, street vendor

Armando Garcia, street vendor

Taisha McGriff, street vendor and member of the
Street Vendor Project

Guadalupe Sosa, street vendor

Annie Xie, Staff Attorney with the
Microenterprise Project at Volunteers Legal
Service

Jennifer Salgado, Lead Organizer at the Street
Vendor Project

Calvin Baker, street vendor

Li Wen Hong, street vendor

Won Hai Yu, street vendor

Jiang Li Jia, street vendor

Aye Wong Chin, street vendor

Ibra Diagne, street vendor

Mohammed Haque, street vendor

Fatoumata Camara, street vendor

Nazih Attia, street vendor

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

Ahmed Mourad, street vendor

Nova Felder, Lead Organizer for the Evolved Harlem Merchants Coalition, a member of the Street Vendor Project, and street vendor

Lucía Maldonado, street vendor

Adelaida Simon, street vendor

Karla De Jesus Rodriguez, street vendor

Sonia Bolaresco, street vendor

Ruth Palacios, street vendor

Mame Niang, West African Member Organizer at the Street Vendor Project

Gabriel Hernandez, Community Organizer of the Yemeni American Merchants Association

Emily Lam, street vendor

Junhui Yan, street vendor

Ni Jin Fang, street vendor

Shen Hu Wei, street vendor

Yan Lin, street vendor

Irene Arizaga, street vendor

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

Annie Ochoa, street vendor

Sandra Ramon, street vendor

Eliazar Campos, street vendor

Catherine Diaz, street vendor

Consuela Salazar, street vendor

Libia Jimenez, street vendor

Carina Kaufman-Gutierrez, Deputy Director at the
Street Vendor Project

2 SERGEANT-AT-ARMS: This is a microphone
3 check for the Committee on Consumer and Worker
4 Protection, recorded in Council Chambers on December
5 13, 2023, by Layla Lynch.

6 SERGEANT-AT-ARMS: Quiet in the Chambers,
7 please.

8 Good afternoon and welcome to today's New
9 York City Council hearing for the Committee on
10 Consumer and Worker Protection.

11 At this time, please silence all
12 electronic devices.

13 If you wish to submit testimony, you may
14 at testimony@council.nyc.gov.

15 Just a reminder, no one may approach the
16 dais at any point during this hearing.

17 There may be no clapping. If you wish to
18 voice your opinions, you may go like this.

19 If you're testifying, please stay on
20 topic. If not, we will have to remove you.

21 Thank you so much.

22 Chair Velázquez, we are ready to begin.

23 CHAIRPERSON VELÁZQUEZ: [GAVEL] Good
24 afternoon. My name is Marjorie Velázquez, and I'm the
25 Chair of the Committee on Consumer and Worker

2 Protection. Welcome to our hearing on street vending
3 in New York City.

4 I'd like to recognize my fellow Committee
5 Members, Council Member Menin, Council Member Abreu,
6 Council Member Sanchez, Council Member Brewer.

7 Street vendors have long contributed to
8 the vibrancy of New York City's streets and to the
9 City's food and retail landscape. Since the last
10 1800s, street vending has been an important entry-
11 level entrepreneurial opportunity for new immigrants
12 and has often been one of the only viable employment
13 options available to them. For as long as there have
14 been vendors hawking goods on city streets, there
15 have been complaints and concerns about vendors that
16 they create sidewalk congestion, sanitation problems,
17 and are unsightly and unfairly competing with brick-
18 and-mortar businesses. Compounding these issues,
19 street vending is regulated through a patchwork of
20 state and local laws and rules that have created
21 confusion for vendors, residents, businesses, and
22 enforcement officers alike.

23 In 2021, the Council passed landmark
24 legislation to increase opportunities to legally vend
25 in New York City as well as to bridge gaps in

2 enforcement. Local Law 18 of 2021 established a new
3 licensing and permitting scheme for mobile food
4 vending and enabled the city to issue 445 new mobile
5 vending permits each year for 10 years, increasing
6 the number of permits available for the first time
7 since 1983. Local Law 18 of 21 established the Office
8 of Street Vendor Enforcement, creating a specialized
9 unit with expertise in the City's complex vending
10 regulations as well as cultural competence to work
11 with the diverse vending population to be the primary
12 agency responsible for enforcement of vending
13 regulations. In addition, Local Law 18 of 2021
14 established the Street Vendor Advisory Board. A
15 multi-stakeholder body tasked with evaluating the
16 City's vending laws and making recommendations to the
17 Mayor and the City Council to address duplicity,
18 inefficiency, and burdensome regulations. The Street
19 Vendor Advisory Board released a report in May 2022
20 with 16 recommendations which seek to balance the
21 needs of street vendors, brick-and-mortar businesses
22 and consumers while expanding economic opportunity
23 and safety.

24 Over two years after the passage of Local
25 Law 18, the Council has concerns about its

2 implementation. As of September 27, 2023, the
3 Department of Health and Mental Hygiene has issued
4 just 14 out of 445 potential new mobile vending
5 permits for the first year's batch of applicants and,
6 less than two years after the Office of Street
7 Vending Enforcement was created in DCWP, Mayor Adams
8 moved the agency to the Department of Sanitation.

9 At today's hearing, we hope to hear about
10 how the Administration aims to improve its
11 implementation of the licensure and enforcement
12 schemes established by Local Law 18 of 2021.

13 The Committee will also hear six pieces
14 of legislation, two of which I sponsored, aimed at
15 further streamlining vending requirements, cutting
16 red tape, and increasing street safety while
17 eliminating criminal penalties for vending
18 violations. Many of these bills emerged directly from
19 the recommendations of the Street Vendor Advisory
20 Board.

21 Intro. 1060, sponsored by Council Member
22 Menin, would prohibit general vendors, mobile phone
23 vendors, and vendor-related activity from occupying
24 bicycle lanes.

2 Intro. 1062 sponsored by myself, would
3 allow mobile food vendors to display or store goods
4 on top of their carts, and it would simplify the
5 display requirements for general vendors. This bill
6 would also remove bookkeeping requirements for
7 general vendors and mobile food vendors.

8 Intro. 1188, also sponsored by myself,
9 would eliminate the requirement that individual
10 employees of mobile food vending carts or trucks each
11 have a New York State Certificate of Sales Authority.

12 Currently, the law requires vendors'
13 push carts to about the curb, endangering the safety
14 of vendors who must exit their carts onto the streets
15 and potentially into oncoming traffic. Intro. 1253,
16 sponsored by Council Member De La Rosa, would allow
17 vendors to place their push carts two feet from the
18 curb or as close as possible to an obstruction that
19 is in or on the sidewalk.

20 Intro. 1264, sponsored by Council Member
21 Krishnan, would remove all misdemeanor criminal
22 penalties for general vendors and mobile food
23 vendors. Individuals who violate vending requirements
24 would instead be subject to offense and civil
25 penalties.

2 A Proposed Introduction sponsored by
3 Council Members Brewer and Farias will prohibit
4 general vending and mobile food vending on a bridge
5 approach, restricting all vending on bridges to
6 elevated pedestrian walkways that have at least a 16-
7 foot clear pedestrian path and prohibit vending
8 within 20 feet of another vendor operating on a
9 bridge.

10 I look forward to hearing from the
11 Administration, street vendors, business and industry
12 representatives, advocates, and other stakeholders
13 about the state of vending in New York City as well
14 as these six bills.

15 I now turn it over to Council Member
16 Menin to make a statement.

17 COUNCIL MEMBER MENIN: Thank you so much,
18 Chair, for holding today's oversight hearing on
19 street vending in the city.

20 Last year, the Street Advisory Vendor
21 Board released a report with a series of
22 recommendations on street vending. This board, made
23 up of agency officials, street vendor advocates,
24 chambers of commerce, and small business
25 representatives underwent a thorough review of the

2 City's existing regulations for street vending.
3 Sixteen recommendations were issued ranging from
4 community vending marketplaces to repealing
5 bookkeeping requirements. That resulted in the Street
6 Vending Bill Package before the Committee today. My
7 bill, Intro. 1060, which has the support of the
8 Chair, prohibits vending or vendor related activity
9 in bicycle lanes. This is common sense and stemmed
10 from the Board's recommendation to clarify the
11 prohibition of vending in bicycle lanes. I thank all
12 of the Street Vendor Advisory Board members for their
13 hard work in getting this report done that has led
14 the City Council to again lead on legislation on this
15 important topic.

16 As the Board's report notes, state and
17 local laws can create a complex system for vending.
18 The bills proposed before the Committee today are a
19 critical step in ensuring we have a comprehensive and
20 robust system for street vending. I want to thank the
21 bill drafter, Sarah Swaine, and from my team, I want
22 to thank my Chief-of-Staff, Jonathan Szott; my
23 Legislative Director, Brandon Jordan; and Legislative
24 Aide John Mendez, and I thank the Chair for allowing
25 me to speak. Thank you.

2 CHAIRPERSON VELÁZQUEZ: Thank you, Council
3 Member Menin.

4 I'd like to recognize and allow Council
5 Member De La Rosa.

6 COUNCIL MEMBER DE LA ROSA: Thank you,
7 Chair Velasquez, for holding today's hearing and for
8 your leadership.

9 I am glad to join the Committee on
10 Consumer and Worker Protection today as we hear my
11 bill, Intro. 1253, a public siting bill that will
12 designate the distances from the curb in which
13 vendors are allowed to sell. New York City is
14 renowned for its diverse and dynamic street life with
15 vendors contributing to the unique character and
16 energy that defines our streets, specifically in my
17 beloved Washington Heights. Many of these vendors,
18 immigrants, faced with employment challenges and
19 economic realities of living in New York City, did
20 what they had to do, to hustle, laboring through
21 challenging weather conditions, taking a chance on
22 themselves when the world wouldn't, just to be able
23 to provide for their families. In Washington Heights,
24 a neighborhood that I am proud to represent, street
25 vending is a cultural staple of our community. It is

2 the engine that keeps the diversity of the heart of
3 the Heights. 181st Street is alive. As we currently
4 face the threats of displacement, the vendors remain
5 the last indicators that the soul of Uptown is still
6 intact. Once the habichuela con dulce lady is gone, I
7 fear our community will too. However, as we celebrate
8 the contributions of street vendors, it is crucial to
9 acknowledge the challenges that they face in their
10 daily operations. Constantly being targeted by
11 police, barriers to permitting and licensing, limited
12 public sighting, and loud resentment from small
13 businesses when street vendors are small businesses
14 too. I am proud to be part of the solution with my
15 Colleagues today as we collaborate on a Street
16 Vending Package that addresses public siting, the
17 repeal of criminal liability, vendor access to
18 business licensing, and advocating for the creation
19 of the Division of Street Vendor Assistance within
20 NYC SBS. I urge all stakeholders, vendors, business
21 owners, community members, and policy makers to
22 actively engage in today's discussion.

23 Today's hearing is an opportunity for us
24 to delve into the pressing issues surrounding street
25 vending, explore potential solutions and advocate for

2 legislative action that will shape the future of this
3 critical aspect of our community. I also hope to hear
4 from the Administration on the stagnation of issuance
5 of the 443 new licenses, and I thank you for being
6 here.

7 Let us embark on this journey of
8 dialogue, understanding, and positive change for the
9 street vending community in New York City. Thank you.

10 CHAIRPERSON VELÁZQUEZ: Thank you, and I'd
11 like to recognize Council Member Sanchez.

12 COUNCIL MEMBER SANCHEZ: Thank you so
13 much, Chair Velázquez, and thank you to the
14 leadership of the City Council and our Speaker for
15 having this hearing on street vending. Thank you for
16 allowing me to make opening remarks as well.

17 I just want to start by sharing the
18 framing concern that street vending in New York City
19 is broken. Vendors who are striving to earn an honest
20 living through hard work, they deserve our support as
21 policy makers and they deserve a fair chance, but,
22 unfortunately, the system that we have today lacks
23 effective regulation as has been mentioned despite
24 gains that we've made legislatively in the last
25 terms. And instead of fairness, it involves officers

2 confiscating goods from vendors who are just trying
3 to provide for their families. Across our city,
4 street vendors rise early and brave all weather to
5 make ends meet.

6 Neighborhood residents, however, small
7 businesses, and brick-and-mortar, they complain about
8 concerns with our vendors, and as street vendors work
9 to earn their living, they face unfair regulations
10 that also have others complaining across the City of
11 New York. We crush hard work of street vendors in the
12 city without giving them an opportunity to have a
13 license.

14 With that, I want to say that although
15 Intro. 1270 is not going to be heard today, I look
16 forward to our leadership in the City Council working
17 to hear and discuss solutions that are going to
18 address the fundamental problems with street vending
19 in the City of New York.

20 Thank you to my colleagues in the City
21 Council today. I'm proudly supporting the six bills
22 being heard today and look forward to further
23 discussion on street vending in the City of New York.
24 Thank you.

2 CHAIRPERSON VELÁZQUEZ: I'd like to
3 recognize Council Member Krishnan and allow him to
4 give his statement.

5 COUNCIL MEMBER KRISHNAN: Thank you so
6 much, Chair Velasquez, and good afternoon to everyone
7 here. Thank you to my Colleagues too for today's
8 critical hearing on a package of legislation that we
9 really highlighted the importance of last week with
10 the number of street vendors who joined us, the
11 number of advocates on an issue of vital importance
12 in our city.

13 My Colleagues, as Council Member Sanchez
14 just did, will speak to the different pieces of their
15 legislation. The one I wanted to address in
16 particular was my bill, Intro. 1264. Now in this
17 city, we know that our street vendors are our
18 smallest businesses. They sacrifice tremendously,
19 many of them recent immigrants, to provide for their
20 families, to pay their rent, to pay their child care
21 expenses. They do so while feeding the families of
22 our city, while feeding everyday New Yorkers, and
23 they've done so during the pandemic, long before and
24 long after. Yet our street vendors operate in a legal
25 system that is, at best, confusing, with a lack of

2 clear rules, regulations, organization, and at worst,
3 punitive, resulting in criminal summonses, arrests,
4 and the consequences that can come along with that,
5 not just limited to the criminal system, but the
6 immigration system, the housing system, and many
7 other ways.

8 A profession like street vending, our
9 vendors, our smallest businesses should not be
10 treated in a way that criminalizes them simply for
11 providing for their families. I don't know a single
12 New Yorker that believes that an immigrant mother
13 selling churros in the street to pay her rent to care
14 for her child should be arrested or go to jail. I
15 don't know a single New Yorker that believes that the
16 work that our street vendors do should be
17 criminalized simply for supporting their families.
18 Poverty in this city should not be criminalized.
19 However, the number of criminal summonses issued in
20 2019, the NYPD issued 377 criminal summonses for
21 street vending. In 2023, the NYPD from January to
22 September issued 127 criminal summonses.
23 Decriminalizing street vending and ensuring that our
24 street vendors are not subject to harsh punishment,
25 arrest, conviction, and all the collateral

consequences is not anything and should not be anything controversial. In fact, it was included as a unanimous recommendation from Mayor Eric Adams' Street Vendor Advisory Board, which included representatives from city agencies, street vendors, retail food stores, property owners, small businesses, and community organizations.

This bill, in particular, working with the Street Vendor Project and many other street vendors in our city, recognizes the truth that I mentioned before that should be obvious to many and has been far too long in being implemented, we cannot criminalize poverty. We cannot criminalize the work of those who are sacrificing so much to support our city and New Yorkers every single day, especially when many are immigrants from our communities, immigrants who are essential workers in our city, who power our city forward every single day. They are the lifeblood of our city, and so I am proud today to join my Colleagues, to join Chair Velasquez for this hearing on these critical bills around street vending in our city to provide an organized, regulated, enforceable system of vending and to ensure our

2 street vendors are not criminalized for their work.

3 Thank you.

4 CHAIRPERSON VELÁZQUEZ: Thank you, Council
5 Member. Now, Council Member Brewer.

6 COUNCIL MEMBER BREWER: Thank you very
7 much, Madam Chair, and also to the Speaker. By the
8 way, I love your hats. Those orange hats are
9 beautiful. I am talking about a Preconsidered Intro.
10 It doesn't have a number, that's how it works with
11 Preconsidered Intro. The issue is, under current law,
12 general vendors and mobile food vendors can vend
13 freely on pedestrian walkways, on bridges, and bridge
14 approaches. This Preconsidered Intro. would prohibit
15 vending on bridge approaches, restrict vending to
16 pedestrian walkways that have at least a 16-foot
17 clear pedestrian path, and prohibit vending within 20
18 feet of another vendor. It would take effect 30 days
19 after it becomes law if it does.

20 To say another way, like I said, the bill
21 would prohibit vending on a bridge approach. Vending
22 would only be allowed on elevated pedestrian walkways
23 where there's at least 16 feet of clear pedestrian
24 path and vendors must be at least 20 feet apart. You
25 should know that this is an alternative to the

2 Department of Transportation's proposal, which is an
3 outright ban on vendors on bridges. Obviously, the
4 best example of where this has become an issue is
5 Brooklyn Bridge, and the DOT had a hearing in
6 November on the topic. This Preconsidered Intro.
7 significantly limits the number of vendors and
8 ensures they operate where there's enough room to
9 accommodate pedestrian traffic.

10 I believe strongly that a full ban on
11 vendors is not necessary. There are spots on bridges
12 that are appropriate for vendors, and they are
13 identifiable and they can be enforced. Particularly
14 on Brooklyn Bridge, I don't know if it's more than
15 35,000 people walk on the bridge every weekend or
16 more, and, a result of all of that, to the credit of
17 DOT, they put in a bike lane. I know that tour
18 guides, they go up to see the views with visitors. We
19 want a lot of visitors, and some of these tour guides
20 realize that there are too many vendors, we know
21 that, but there are ways, and the tour guides know
22 this, to limit the vendors but include them and to
23 provide enforcement. This is a controversial issue
24 like everything else in New York City, but I feel
25 very strongly that there is an approach that includes

2 vendors with a different way of keeping people apart
3 on the areas of any bridge where there is room. Thank
4 you very much.

5 CHAIRPERSON VELÁZQUEZ: Thank you, Council
6 Member Brewer.

7 COMMITTEE COUNSEL SWAINE: Thank you,
8 Council Member Brewer, and thank you, Chair
9 Velazquez. Good morning and welcome.

10 Before we begin, I'd like to remind
11 everyone who is joining us via Zoom that you will be
12 on mute until you're called on to testify, at which
13 point you'll be asked to accept to be unmuted by the
14 host.

15 I will be calling on public witnesses to
16 testify after the conclusion of the Administration's
17 testimony and Council Member questions, so please
18 listen carefully for your name to be called.

19 Please note that Council Members will
20 have two minutes for questions and we will allow a
21 second round of questioning if needed. We will now
22 call on representatives from the Administration to
23 testify. We will be hearing from Carlos Ortiz,
24 Assistant Commissioner for External Affairs at DCWP;
25 Ryan Merola, Deputy Commissioner for External Affairs

2 at DSNY; and Corinne Schiff, Deputy Commissioner of
3 Environmental Health at DOHMH.

4 At this time, I will administer the
5 affirmation. Administration panelists, please raise
6 your right hands.

7 Do you affirm to tell the truth, the
8 whole truth, and nothing but the truth before this
9 Committee and to respond honestly to Council Member
10 questions? Thank you. You may begin.

11 ADMINISTRATION: (INAUDIBLE)

12 COMMITTEE COUNSEL SWAINE: Thank you. You
13 may begin.

14 DEPUTY COMMISSIONER MEROLA: Thank you
15 very much, Council, and thank you very much, Chair,
16 for having us. Good afternoon. My name is Ryan
17 Merola. I'm the Deputy Commissioner for External
18 Affairs at the Department of Sanitation. Thank you
19 again for the opportunity to offer testimony on
20 DSNY's role within the City's vending landscape.

21 In March of this year, Mayor Adams
22 announced the transition of the Office of Street
23 Vending Enforcement from the Department of Consumer
24 and Worker Protection to DSNY. Legal street vending
25 is a vital part of New York City's economy, and

1 compliance with vending rules is essential to keeping
2 our city clean.

3
4 In our capacity, as the City's primary
5 enforcement agency for street vending, we focus on
6 the infractions that affect communities the most,
7 things like obstructing sidewalks, curb cuts,
8 building and subway entrances, leaving equipment and
9 goods out overnight, and creating dirty conditions.
10 This is a compliance-first approach rather than a
11 license-check-first approach. When infractions are
12 observed, DSNY starts with warnings, which can take a
13 few forms. We post warnings in neighborhoods 24 hours
14 in advance of enforcement, or we directly engage with
15 vendors to explain the infraction that we observed.
16 Once we have warned, our enforcement actions run the
17 gamut from issuing a violation for an infraction to
18 confiscations of vending setups and product. Vending
19 setups and product from general vendors are stored at
20 our facility in East New York and are available for
21 retrieval. Any food that DSNY takes is either donated
22 to local food pantries or placed in DSNY composting
23 bins and brought to an organics processing site. We
24 have 30 local food pantries with whom we partner
25 citywide and who have received more than 100,000

2 pounds of produce since April 1st. The food that we
3 cannot donate is processed as organic material.

4 DSNY's vending enforcement unit is
5 comprised of 40 uniformed sanitation police officers
6 that operate citywide daily. Since OSV's transfer to
7 DSNY on April 1st, DSNY has conducted more than 5,000
8 inspections and issued 1,056 violations.

9 I would now like to turn to several
10 pieces of the legislation that are under
11 consideration today. Intro. 1060 would prohibit
12 vending or vending-related activity in bicycle lanes.
13 We agree with this legislation.

14 Intro. 1253 would allow street vendors to
15 vend on the sidewalk so long as vendors are within
16 two feet from the curb or within two feet from an
17 obstruction that blocks the curb. DSNY has concerns
18 about the current formulation of the legislation.
19 Today, the City's rules require that vending occur
20 within 18 inches of the curb. The proposed expansion
21 of the City's street vending siting rules, not to two
22 feet from the curb, but to two feet beyond an
23 obstruction, presents complications for sidewalk
24 usage. Siting changes must be part of a larger

2 conversation on how our public space is maintained,
3 and we'd like to be a part of that.

4 Intro. 1264 would remove all criminal
5 misdemeanor penalties from vending enforcement. DSNY
6 does not engage in criminal summons issuance. We only
7 issue civil violations for vending infractions. As
8 Commissioner Tisch stated earlier this year, DSNY
9 will only engage in civil summoning when conducting
10 vending enforcement.

11 At this, I'd like to thank you again for
12 the opportunity to testify and answer questions after
13 my colleagues have offered testimony too. Thank you,
14 Chair.

15 DEPUTY COMMISSIONER SCHIFF: Good
16 afternoon, Chair Velasquez and Members of the
17 Committee on Consumer and Worker Protection. I'm
18 Corinne Schiff, Deputy Commissioner for Environmental
19 Health at the New York City Department of Health and
20 Mental Hygiene. On behalf of Commissioner Dr. Ashwin
21 Vasan, thank you for the opportunity to testify today
22 on the Health Department's oversight of mobile food
23 vending and legislation before the Committee.

24 The Department's mission is to protect
25 and promote the health of all New Yorkers, including

2 by promoting the safety of food sold from food carts
3 and trucks. We do this by issuing permits to operate
4 a food cart or truck, issuing licenses to the people
5 who vend food, providing mandated training for
6 vendors on food protection, and conducting food
7 safety inspections.

8 I want to start by providing a brief
9 update on the Department's implementation of Local
10 Law 18, which expanded opportunities for street food
11 vending. Local Law 18 established a new mobile food
12 vending license called a supervisory license and a
13 new kind of permit, a supervisory license permit. The
14 mobile food vending license authorizes a person to
15 vend and a permit authorizes a food cart or truck to
16 be used for vending. A food cart or truck with a
17 supervisory license permit must be operated by a
18 person with a supervisory license. The Department is
19 charged with issuing 445 applications for a
20 supervisory license each year for 10 years as of July
21 2022.

22 Supervisory license applications are
23 issued to people on waiting lists in accordance with
24 the Local Law's detailed criteria and prioritization.
25 Vendors on the waiting list can track their progress

2 on the Department's new lookup tool available on our
3 website. Once a person has a supervisory license,
4 they are entitled to apply for a supervisory license
5 permit for a food cart or truck at any time. There is
6 no deadline to apply. We are now in year two of the
7 program, and the Department has issued all 890
8 supervisory license applications that were required
9 to be released by June 30, 2024. Of those, as of
10 early December, 342 vendors have applied for this
11 license, and the Department has approved all of the
12 applications, issuing 342 supervisory licenses. 108
13 of the 342 new supervisory license holders have
14 initiated the supervisory license permit process to
15 obtain authorization for a food cart or truck. The
16 Department has issued 50 of these permits, and the
17 other 58 supervisory license holders are completing
18 their permitting submissions. The other 234
19 supervisory license holders may apply for the
20 supervisory license permit at any time, and we are
21 standing by, waiting for their permit applications.

22 Since Local Law 18 changed the license
23 and permitting process, the Department has been
24 conducting outreach and education to help vendors
25 understand the new requirements. Before Local Law 18,

1 the cap and waiting lists were for permits, and there
2 was a deadline for a vendor called off the permit
3 waiting list to apply. The Council's new approach
4 under Local Law 18 sets a cap and waiting list for
5 the new supervisory license rather than the permit,
6 and there is a deadline for a vendor called off the
7 supervisory license waiting list to apply. Once the
8 vendor has their supervisory license, however, there
9 is no deadline to apply for the supervisory license
10 permit.
11

12 Turning to Introduction 1188, which would
13 eliminate the requirement that a person applying for
14 a mobile food vending license have a New York State
15 Certificate of Taxing Authority, limiting that
16 requirement to mobile food vending permittees and
17 supervisory licensees. This proposal will relieve
18 burden on the industry without compromising food
19 safety, and the Department has no concerns with the
20 bill but would like to work with the Council on the
21 effective date.

22 Thank you for the opportunity to testify.
23 I'm happy to take your questions, and we'll turn over
24 to my colleague.
25

2 ASSISTANT COMMISSIONER ORTIZ: Good
3 afternoon, Chair Velasquez and Members of the
4 Committee on Consumer and Worker Protection. I am
5 Carlos Ortiz, Assistant Commissioner of External
6 Affairs at the Department of Consumer and Worker
7 Protection. Thank you for the opportunity to testify
8 today on issues related to street vending.

9 The Department of Consumer and Worker
10 Protection issues general vendor licenses to those
11 who sell goods or services in a public place, such as
12 the street or sidewalk. There are currently about
13 1,900 licensed general vendors. The number of
14 licenses issued to non-veteran general vendors is
15 capped at 853 licenses, and the waiting list for non-
16 veteran applicants is currently closed. License
17 applications for general vendors are available to
18 veterans or the surviving spouses or domestic
19 partners of a veteran.

20 Introduction 1162 provides amendments to
21 general vendor and mobile food vendor regulations
22 covering display and bookkeeping requirements. The
23 Administration supports this legislation, which is
24 also recommended by the Street Vendor Advisory Board,
25 convened pursuant to Local Law 18 of 2021.

2 Thank you for the opportunity to testify
3 before the committee on issues and legislation
4 supporting some of our smallest small businesses, and
5 I welcome any questions you may have for further
6 discussion. Thank you.

7 CHAIRPERSON VELÁZQUEZ: How many new
8 general vendor licenses did DCWP issue in Fiscal Year
9 2023?

10 ASSISTANT COMMISSIONER ORTIZ: I'm not
11 sure I have the data for the Fiscal Year, but I know
12 generally at a license renewal period, or every year
13 we're issuing about 150 or so licenses. I think this
14 is a combination of non-veterans and folks who might
15 call off the waiting list and also veterans as well.

16 CHAIRPERSON VELÁZQUEZ: How long is the
17 wait list for the general vendor license?

18 ASSISTANT COMMISSIONER ORTIZ: The
19 waitlist for general vendors currently has 11,000
20 folks on it.

21 CHAIRPERSON VELÁZQUEZ: As of September
22 27, 2023, 151 supervisory license applications were
23 submitted to DOHMH, and DOHMH has issued 146
24 supervisory licenses. Can you provide updated
25 numbers?

2 DEPUTY COMMISSIONER SCHIFF: Yes. Those
3 updated numbers are in the testimony. We have issued
4 all of the applications for year one and two so that
5 is 890 that were required to be issued, and then
6 there was another 184 applications available due to
7 applications that were not turned in or permits that
8 we call legacy permits, permits from the prior system
9 that are no longer being used, so in total we have
10 issued 1,074 supervisory license applications in the
11 first two years of the program ahead of the June 30,
12 2024, deadline, and 342 people applied for those
13 licenses. We approved all of those applications and
14 have issued 342 supervisory licenses.

15 CHAIRPERSON VELÁZQUEZ: Why do you think
16 so many individuals who received the supervisory
17 license applications had not submitted the
18 applications to DOHMH?

19 DEPUTY COMMISSIONER SCHIFF: We've done a
20 lot of outreach and education to make sure that
21 vendors who are on the waiting list are aware of the
22 opportunity to apply for the license and understand
23 the new program that the Council set up. We have not
24 done a survey of those who do not apply to be able to
25 understand why they have not submitted the

2 applications. We did do a lot of outreach including
3 we have made phone calls so we've done a lot of
4 outreach, but we don't know.

5 CHAIRPERSON VELÁZQUEZ: You mentioned
6 phone calls. What kind of other outreach do you do?

7 DEPUTY COMMISSIONER SCHIFF: We've done
8 mailings. We've done emails. We had an information
9 session for the first cohort that were invited to
10 apply. Multiple languages were available for people
11 attending that information session. We've posted the
12 slides from that presentation in multiple languages
13 on our website so we really have tried to make sure
14 that vendors who are on the waiting list who have the
15 opportunity to apply for the supervisory license are
16 aware of that opportunity.

17 CHAIRPERSON VELÁZQUEZ: Do you work with
18 any advocacy groups for further outreach?

19 DEPUTY COMMISSIONER SCHIFF: I'm sure
20 you'll hear later from the Street Vendor Project.
21 We're in regular touch with them. You'd have to ask
22 them about the outreach that they do, but they ask us
23 for information and we provide that information to
24 them.

2 CHAIRPERSON VELÁZQUEZ: Perfect. Do you
3 follow up with vendors after they send a supervisory
4 license application? I know you said you make phone
5 calls, but is it before they submit, after submit, or
6 a combination of the both?

7 DEPUTY COMMISSIONER SCHIFF: I think the
8 phone calls are a combination of both, but I'd have
9 to get back to you. Let me get back to you about the
10 exact timing of the phone calls. There were also two
11 rounds of rulemaking, and it is very important to us
12 when we engage in rulemaking that stakeholders are
13 aware of the opportunity to comment and that also
14 provides another chance for us to alert the
15 stakeholder community that rules are coming and, then
16 when rules are finalized, we repeat that outreach so
17 we really have taken multiple opportunities to
18 conduct outreach to the community. As you noted in
19 your testimony, Local Law 18 was landmark legislation
20 making a big change, and so it was important to us
21 and continues to be important to us to make sure that
22 the vending community knows about the new system,
23 which is quite different so we've done a lot of
24 outreach and education.

2 CHAIRPERSON VELÁZQUEZ: What's the average
3 timeframe from receipt of an application for a
4 supervisory license to a supervisory license being
5 issued to an applicant?

6 DEPUTY COMMISSIONER SCHIFF: A typical
7 timeframe is about three weeks turnaround.

8 CHAIRPERSON VELÁZQUEZ: Three weeks? If a
9 vendor has questions about the process, where should
10 they go? Online? Calling you guys?

11 DEPUTY COMMISSIONER SCHIFF: They can do
12 either of those things. We have a lot of information
13 on our website. The information is available in
14 multiple languages. We typically translate our
15 materials for this community into 16 languages. We
16 also have a permits and licensing office which
17 engages in customer service regularly.

18 CHAIRPERSON VELÁZQUEZ: I had an
19 additional question when it came to the new lookup
20 tool available on your website. If I don't have
21 access to the internet, how can I access that
22 information?

23 DEPUTY COMMISSIONER SCHIFF: You can call
24 our office and somebody can help you with that.

2 CHAIRPERSON VELÁZQUEZ: Perfect. Can you
3 provide us with that number right now if you have it?

4 DEPUTY COMMISSIONER SCHIFF: I don't have
5 the number, but we can get you that number.

6 CHAIRPERSON VELÁZQUEZ: Perfect. I
7 appreciate it. At what point will you issue
8 additional supervisory license applications to make
9 up for the people who received one but never
10 submitted it?

11 DEPUTY COMMISSIONER SCHIFF: The local law
12 requires us to issue 445 applications each fiscal
13 year. As I noted, we have gone beyond that. We've met
14 that deadline already for Fiscal Year 2024 and have
15 gone beyond that.

16 What we're planning to do is issue
17 available applications on a cadence every few months
18 really to spread out the workload. It is only the
19 second year of the program, so exactly, whether we do
20 the same thing in year three, four, five, I don't
21 know yet. We're going to see how it goes and what the
22 uptake is. That will help us dictate the down the
23 line workload.

24

25

2 CHAIRPERSON VELÁZQUEZ: Okay. How many
3 individuals have moved from the old permit to the
4 Supervisory Licensing Permit Scheme?

5 DEPUTY COMMISSIONER SCHIFF: The system
6 that Local Law 18 sets out, as and you described in
7 your testimony, is that in 2032, so 10 years after
8 the launch of the program, all permits will be issued
9 under the Supervisory License System. I don't know
10 that any permittee renewing their, what we call a
11 legacy permit, which I think this is what you're
12 asking, whether any legacy permittee renewing has
13 sought to convert to a supervisory license permit.
14 We'll try to confirm that. I'm not aware of anyone.

15 CHAIRPERSON VELÁZQUEZ: How do legacy
16 permit holders learn about the new supervisory
17 license?

18 DEPUTY COMMISSIONER SCHIFF: Our outreach
19 materials were sent to everybody with a mobile food
20 vending license so they would have gotten that. They
21 don't need to convert to the supervisory license.
22 They can continue on the system that they are in
23 until 2032.

24 CHAIRPERSON VELÁZQUEZ: Is it in multiple
25 languages that's sent to them as well?

2 DEPUTY COMMISSIONER SCHIFF: Our education
3 and outreach materials are typically in multiple
4 languages.

5 CHAIRPERSON VELÁZQUEZ: Which agencies are
6 conducting outreach to legacy permit holders to
7 inform them of the new scheme and how many
8 individuals within that agency are doing this work?

9 DEPUTY COMMISSIONER SCHIFF: The Health
10 Department is doing this, and we have also been
11 working closely with Small Business Services. The
12 information session that I mentioned that was
13 specifically for the first cohort of those eligible
14 for the supervisory license was a session we held
15 with SBS, and we have been doing a series of
16 trainings, outreach and education information
17 sessions with SBS. I don't have the staffing numbers.

18 CHAIRPERSON VELÁZQUEZ: You mentioned
19 earlier a cadence of issuing the supervisory license
20 application so when do you plan to make the next
21 batch available?

22 DEPUTY COMMISSIONER SCHIFF: I don't know.
23 We can let your office know when we've settled on
24 that date.

2 CHAIRPERSON VELÁZQUEZ: How many will be
3 made available?

4 DEPUTY COMMISSIONER SCHIFF: I don't know
5 what the batching will be for how many we will issue
6 and on what timeframe.

7 CHAIRPERSON VELÁZQUEZ: Will the agency
8 provide notice in the same fashion as before?

9 DEPUTY COMMISSIONER SCHIFF: There is a
10 process that is dictated by rules that follow the
11 requirements of the Ad Code for how we call people
12 off of the waiting list, and that is the process.

13 CHAIRPERSON VELÁZQUEZ: During the
14 approximately two years that the Office of Street
15 Vendor Enforcement was in DCWP, the 14 vendors
16 inspectors conducted more than 25,000 inspections,
17 issued 2,800 vending-related summonses, and
18 authorized confiscations of vendor goods 37 times.
19 From the time that the Office of Street Vendor
20 Enforcement was transferred to DSNY on April 1, 2023,
21 through September 14, 2023, the Department's 40
22 employees devoted to vending enforcement conducted
23 1,568 inspections, issued 485 violations, and
24 authorized confiscations in 423 instances. Can you
25

2 detail how these approaches to street vendor
3 enforcement have been different between the agencies?

4 DEPUTY COMMISSIONER MEROLA: Thank you for
5 the question, Chair. When the Office of Street
6 Vending Enforcement was moved over to Sanitation, it
7 was moved over with the understanding that we would
8 have both a dedicated staff and one that could
9 effectuate any type of violation or confiscation
10 issuance on site. Previously, working with my
11 colleagues at DCWP, we would help at times engage in
12 confiscations, but it would be long planned as DCWP
13 didn't have the staff to do that type of work
14 immediately. The numbers you're seeing reflect the
15 change in agency and, of course, then the change in
16 type of position handling it.

17 ASSISTANT COMMISSIONER ORTIZ: I would
18 only add to that when the Office of Street Vendor
19 Enforcement was with our agency, we encountered a
20 number of legal and operational hurdles to perform
21 the work and to deliver I think results. For that
22 reason, I think the Administration identified that
23 Sanitation be the best agency and that's shown by
24 their work.

2 CHAIRPERSON VELÁZQUEZ: What factor does
3 DSNY take into account when authorizing confiscation
4 and how does that differ from considerations made by
5 DCWP and what accounts for the much higher rate of
6 confiscations under you guys?

7 DEPUTY COMMISSIONER MEROLA: When the
8 Department of Sanitation engages in a confiscation,
9 it's typically because we've encountered infractions,
10 we've seen the infractions not go away over a time
11 period, and then we are asking at that point in time
12 the vendor to show us whether or not they're properly
13 permitted to be there because our categories for
14 confiscations are unlicensed, unpermitted, and
15 abandoned setups. We have within the confiscation
16 numbers a breakout of abandoned setups, which is
17 quite significant and makes up about half of our
18 confiscation numbers.

19 ASSISTANT COMMISSIONER ORTIZ: In terms of
20 working through identifying confiscations, I don't
21 think our process is very different from what DSNY
22 has. It's simply that they have better legal and
23 operational capacity to do such work.

24 CHAIRPERSON VELÁZQUEZ: What types of
25 employees are involved in confiscation? For example,

2 are NYPD officers on site, are there representatives
3 from City agencies available to speak with
4 individuals in any of the designated citywide
5 languages, and our written materials provided to
6 someone whose property has been confiscated in all of
7 the designated citywide languages.

8 DEPUTY COMMISSIONER MEROLA: Let me start
9 last to first.

10 CHAIRPERSON VELÁZQUEZ: Yeah, that was a
11 lot. Sorry. Let me know if I need to repeat any of
12 them.

13 DEPUTY COMMISSIONER MEROLA: I need to
14 follow up with you, Chair, on just the languages that
15 are on the summonses. I need to bring that back to
16 you.

17 CHAIRPERSON VELÁZQUEZ: Okay.

18 DEPUTY COMMISSIONER MEROLA: On the
19 personnel and the languages we have when interacting
20 with vendors, it is only Sanitation police officers
21 that engage in this activity. Within the Department,
22 we have fluency of Spanish and Mandarin on our staff
23 themselves. We have a language service to call for
24 any translation needs and, when we post flyers, as I
25 mentioned in the testimony, in neighborhoods prior to

2 enforcement, the flyers are in five languages.
3 English, Mandarin, Cantonese, Spanish, Urdu. Online,
4 as part of what we inherited from our colleagues at
5 DCWP and DOHMH when Office of Street Vending
6 Enforcement moved over, we provide educational tips
7 and guidance on how to be in compliance with street
8 vending rules that are offered in 13 languages. I
9 don't have the group in front of me. If you were to
10 go to nyc.gov/vendingenforcement, you'd see those
11 guides in each of the languages available as a link.

12 CHAIRPERSON VELÁZQUEZ: How does DSNY
13 engage with unlicensed vendors prior to issuing a
14 violation to allow such vendors to correct
15 noncompliant activity?

16 DEPUTY COMMISSIONER MEROLA: This is part
17 of the warning first and compliance first approach
18 that we take. When we are first interacting with a
19 vendor with whom we see noncompliance, we are telling
20 them the infraction that we've seen. We're telling
21 them they need to correct it, and we come back at a
22 later date to see if it is corrected. Oftentimes, we
23 do not see it corrected, but many times we do, and we
24 have vendors on the streets who we have seen bring
25 themselves into compliance that then become an

2 inspection the next time and we move on. So that is
3 the type of interaction that we do to have folks
4 understand what needs to be fixed in order for them
5 to be on the street.

6 CHAIRPERSON VELÁZQUEZ: Do you perform
7 that in the various citywide languages?

8 DEPUTY COMMISSIONER MEROLA: This is what
9 I was saying before, Chair, and thank you for that
10 question. When we interact with a vendor, we
11 determine what language we need to speak with the
12 vendor. So we do that, typically speaking we're
13 encountering folks who need Spanish or some type of
14 Chinese, Cantonese, or Mandarin translation. We have
15 that. We've used our language services to make sure
16 that it actually comes to the person in their native
17 language because that has to come across.

18 CHAIRPERSON VELÁZQUEZ: The other
19 languages that are impacted in my district are
20 Albanian, Arabic, and French.

21 DEPUTY COMMISSIONER MEROLA: This is what
22 we have the translation service for.

23 CHAIRPERSON VELÁZQUEZ: Got it. Intro.
24 1264 would repeal misdemeanor criminal penalties for
25

2 general vendors and mobile food vendors. How would
3 this bill impact your enforcement approach?

4 DEPUTY COMMISSIONER MEROLA: Practically,
5 the bill wouldn't impact our enforcement approach
6 because we are not issuing criminal summonses. We
7 understand that this is a very significant issue and
8 has been debated through the Street Vendor Advisory
9 Board and other panels. The Commissioner, when we
10 took over Office of Street Vending Enforcement, made
11 a commitment that civil summonses only would be
12 issued by Sanitation. We've stuck to that commitment,
13 and that's how we'll be continuing.

14 CHAIRPERSON VELÁZQUEZ: We hear you and we
15 respect that, but as administrations change and so do
16 commissioners, and so the impact would be way beyond
17 us so understanding that, not just now, but for the
18 future, if we remove this, how would it impact your
19 enforcement approach if you did have a different
20 commissioner that did not believe in that.

21 DEPUTY COMMISSIONER MEROLA: As we have a
22 Commissioner that we have now, I can only speak to
23 that, Chair, but I'd also be very happy to say that
24 we would love to work with Council Member, yourself,
25

2 and follow up on this afterwards. This is an
3 important issue for us as well.

4 CHAIRPERSON VELÁZQUEZ: I appreciate that.
5 In the past year, how many 3-1-1 complaints about
6 street vendors have you received?

7 DEPUTY COMMISSIONER MEROLA: I am going to
8 come back to you with that answer, and I apologize I
9 do not have it at my fingertips today.

10 CHAIRPERSON VELÁZQUEZ: DCWP, how many in
11 the past did you receive?

12 ASSISTANT COMMISSIONER ORTIZ: I think,
13 with respect to this past year, I'm sorry.

14 CHAIRPERSON VELÁZQUEZ: No worries, take
15 your time, don't rush.

16 ASSISTANT COMMISSIONER ORTIZ: I'm just
17 trying to find the right number here.

18 CHAIRPERSON VELÁZQUEZ: We'll be here for
19 a while.

20 ASSISTANT COMMISSIONER ORTIZ: I think
21 between January and April, we had received around
22 2,000 vending complaints.

23 CHAIRPERSON VELÁZQUEZ: How many?

24 ASSISTANT COMMISSIONER ORTIZ: 2,000.

2 CHAIRPERSON VELÁZQUEZ: And how does the
3 City respond to these complaints?

4 ASSISTANT COMMISSIONER ORTIZ: Sorry. I
5 would just note that we received those complaints
6 when we were doing the enforcement.

7 CHAIRPERSON VELÁZQUEZ: It's the
8 transition here, y'all. It's April 1st right here.

9 DEPUTY COMMISSIONER MEROLA: I'm happy to
10 take the April 1st transition on that one. We use 3-
11 1-1 to guide us as to what neighborhoods we need to
12 put a presence in and see whether or not there are
13 conditions that need to be corrected. 3-1-1 is one
14 of, the data source is our primary tool for
15 determining like where we should be planning to go,
16 but we absolutely take community input. We receive
17 input from electives, from community boards, from
18 community groups. We take that into consideration as
19 well.

20 CHAIRPERSON VELÁZQUEZ: Thank you. In May
21 of 2022, the Administration announced that it was
22 taking actions to reform and modernize street vending
23 regulations for New Yorkers in response to the Street
24 Vendor Advisory Board's report. Can you tell us what
25

2 exactly those actions were and provide an update on
3 their rollout?

4 ASSISTANT COMMISSIONER ORTIZ: Yeah, I
5 think Council Member Menin provided a good summary
6 that we had 16 recommendations from the Street Vendor
7 Advisory Board. That was a very collaborative process
8 that we engaged in with multiple stakeholders that
9 were appointed from at the time Mayor de Blasio and
10 at the time Mayor Corey Johnson representatives from
11 all walks of life in the terms of the streetscape,
12 brick and mortar as well as street vendors. The
13 process that we had for that was allowing individuals
14 to identify issues that matter to them, that they're
15 interested in, bringing that for discussion to the
16 entire board, and then using a process of universal
17 consensus to deliver the board's recommendations. And
18 many of them are being brought up today in this
19 hearing, which is excellent. I'm very happy to see
20 that. I think that we provided our positions earlier
21 on those bills as well. I think there have been other
22 programming that's been put in place as well with SBS
23 and DOT, but I think the City's commitment to
24 supporting street vendors has been strong, and I also

2 like when I see that from our fellow council members
3 here.

4 CHAIRPERSON VELÁZQUEZ: It's been several
5 weeks since the Corona Plaza Vending Market Pilot
6 Break began. Can you give us updates on how's it
7 going?

8 DEPUTY COMMISSIONER MEROLA: That is
9 actually something I would like to refer to
10 colleagues who are not here and bring you an update
11 on. This pilot is being supported, of course, by
12 DOHMH, FDNY, DSNY, DCWP, DOT, and City Hall
13 colleagues are the primary folks running it, and
14 they'd be best to provide an update on that.

15 CHAIRPERSON VELÁZQUEZ: Would City Hall
16 colleague, Jake Capistran, like to respond to that
17 question? Okay. We'll skip those questions and we'll
18 provide them. However, I'll put it on the record to
19 have DOT respond to them going forward.

20 Recently, the City proposed a rule to
21 prohibit all street vending on bridges. Can you
22 explain the reasoning behind this proposed rule?

23 DEPUTY COMMISSIONER MEROLA: Again, Chair,
24 this is one that I would refer to my colleagues at
25 City Hall and DOT. I can offer that, as you know, in

2 the rulemaking process in the Statement of Basis of
3 Purpose, DSNY is supportive of the rule. Part of what
4 we've seen in our enforcement on the Brooklyn Bridge
5 is an incredible clogging of space, cleanliness
6 issues, usability for pedestrians. We do understand
7 and need to see some change there, and that is part
8 of why we have supported DOT's rulemaking process,
9 but we can't comment specifically on the rule or the
10 language there.

11 CHAIRPERSON VELÁZQUEZ: This actually came
12 from an experience from one of my Colleagues in their
13 District where we've heard that some business owners
14 and/or residents are charging, charging, I am saying
15 charging street vendors to use the sidewalk outside
16 of their buildings. What should a vendor do if
17 someone tries to charge them for the use of the
18 sidewalk? I know. I know. Some people have gotten
19 creative.

20 ASSISTANT COMMISSIONER ORTIZ: I think
21 it'd be valuable for us to be able to be put in touch
22 with that type of street vendor situation to
23 understand more details outside of the hypothetical.
24 I think there's a lot of that could be going on there
25 that could be looked into.

2 CHAIRPERSON VELÁZQUEZ: As my Colleague
3 Sanchez just indicated, it also has been happening at
4 parks as well so if we can collaborate and it's
5 something where we can do outreach to all street
6 vendors to make sure that they know their rights as
7 well when they apply for their licensing.

8 The additional questions I have is here,
9 in your testimony, you had said you post warnings in
10 neighborhoods 24 hours ahead of enforcement. Is that
11 posted in all citywide languages or just in English?

12 DEPUTY COMMISSIONER MEROLA: Those were,
13 Chair, in the five languages that I had mentioned
14 before which are, forgive me, let me just pull them
15 up so as not to do it wrong, English, Mandarin,
16 Cantonese, Spanish, and Urdu.

17 CHAIRPERSON VELÁZQUEZ: In your testimony
18 you also stated that you've issued about 1,056
19 violations, but how much in total value dollars?

20 DEPUTY COMMISSIONER MEROLA: I'll have to
21 come back to you with that.

22 CHAIRPERSON VELÁZQUEZ: Can you give me an
23 example of what happens to a vendor that does receive
24 enforcement? Just guide me through it. You're saying
25 you come to the community, issue a warning. You find

2 someone to your statement that is unlicensed,
3 unpermitted, and also unavailable. What happens next?

4 DEPUTY COMMISSIONER MEROLA: What we first
5 find, if I may, Chair, is a compliance issue. Whether
6 there's multiple tables, things bolted to the
7 sidewalk, we see that there are dirty conditions
8 around a vending setup. We look for that. We talk to
9 the vendor first. We explain what the problem is. We
10 give vendors a chance to get into compliance too in
11 those circumstances. We have many instances in which
12 our sanitation police will see within 30 minutes or
13 an hour or two hours, did the vendor take the
14 instruction and come into compliance, but that comes
15 after we have had a warning exchange first, whether
16 it be posting in the neighborhood where the postings
17 say infractions have been observed, you need to be in
18 compliance with all vending rules, or direct
19 engagement like I discussed too. We have that. When a
20 vendor cannot come into compliance then, our issue is
21 determining what violation are we looking at and what
22 summons to issue at that point. When we come to the
23 point where we see the occurrence is unpermitted or
24 unlicensed, yes. At that point, after those steps and
25 those interactions that I described, you will have a

2 confiscation, and at that point, we give out a
3 summons if the person is there. If the person has
4 left their setup and it's abandoned, we do take it,
5 but it is all retrievable. The person just has to
6 come down to 59 Maiden Lane to ask for property. As
7 long as they can describe it, we can do this then.

8 CHAIRPERSON VELÁZQUEZ: How much do you
9 charge them to get their property out? The storage
10 fee if it's with us for more than 48 hours
11 afterwards, I think is something around, and I'm
12 going to get you the exact number after, I apologize.
13 16 dollars a day, but I need to check on that. So let
14 me come back to that.

15 CHAIRPERSON VELÁZQUEZ: Do you think that
16 cost is too high for folks, especially if a table is
17 worth about 15 to 16 bucks.

18 DEPUTY COMMISSIONER MEROLA: We do not
19 expect everyone to come back and retrieve property.

20 CHAIRPERSON VELÁZQUEZ: So what do you do
21 with the properties if they are not retrieved?

22 DEPUTY COMMISSIONER MEROLA: Right now,
23 it's still in storage with us. We are formulating an
24 asset forfeiture process. It hasn't been finalized,
25 and we haven't asset forfeited anything yet.

2 CHAIRPERSON VELÁZQUEZ: When do you think
3 you would have it finalized?

4 DEPUTY COMMISSIONER MEROLA: I don't have
5 an estimate on that, but when we do, we will come
6 back to the Committee, and we will be speaking with
7 our partners in the advocacy groups.

8 CHAIRPERSON VELÁZQUEZ: I appreciate that.
9 I will now turn it to Council Member De La Rosa who
10 has several questions.

11 COUNCIL MEMBER DE LA ROSA: Thank you,
12 Chair, and thank you to the Administration for being
13 here today.

14 First, I wanted to just clarify. DSNY,
15 Ryan, thank you for being here. In your testimony
16 around Intro. 1253, which is the bill that I'm
17 introducing, I just wanted to clarify that the
18 legislation that we're presenting today doesn't say
19 two feet from an obstruction. It's as close as
20 possible to that obstruction as possible, and it also
21 does not amend the 12 feet pedestrian crossing that
22 already exists in law.

23 DEPUTY COMMISSIONER MEROLA: Thank you for
24 that clarification, Member. And one, I'm sorry if
25 there was any mischaracterization on my part. I

1 appreciate that. Two, what you just said as the
2 second part was unclear to us, and that's part of
3 what we'd like to talk to you about in the process of
4 going through this.

5
6 COUNCIL MEMBER DE LA ROSA: Great. We're
7 happy to talk about clarifying. It is an important
8 legislation because we want to make sure that there's
9 clarity as to where vendors can vend and we also
10 don't want people so close to the curb where they are
11 in harm's way. As many of these thoroughfares, we
12 walked 181st together, we saw what happens there in
13 my District, and we want to make sure that vendors
14 are safe as well.

15 I wanted to ask some questions around
16 siting. Has there been a study on the siting rules at
17 this point from any agency, a new study, updated
18 study, in recent history in terms of where vendors
19 can vend, any of those type of studies?

20 DEPUTY COMMISSIONER MEROLA: Not since
21 we've taken over Office of Street Vendor Enforcement,
22 but I'd like to turn this to my colleagues as well
23 from Street Vendor Advisory Board days and before.

24

25

2 ASSISTANT COMMISSIONER ORTIZ: No, I don't
3 believe there's a comprehensive study on terms of
4 siting in streets, no.

5 COUNCIL MEMBER DE LA ROSA: Okay. That
6 would be an important suggestion. I think that one of
7 the things we often hear is how impossible, how
8 difficult it is to find a legal spot to vend, and so
9 making sure that people who are able to vend at this
10 time or in the future are able to easily find places
11 where they can vend.

12 I also wanted to ask about, oh, time's
13 up. Okay, I'm just going to ask one more question
14 about how complex the siting rules are. Have you all
15 engaged vendors, coalition members around education,
16 around siting rules at this time during this
17 Administration?

18 ASSISTANT COMMISSIONER ORTIZ: I would say
19 when we were in charge of the Office of Street Vendor
20 Enforcement, we certainly engaged with stakeholders
21 and did outreach often in person directly in business
22 corridors. We also collaborated very closely with
23 Small Business Services. I think some of the
24 checklists that my colleague mentioned that provide
25 guidance on what the siting rules are, and I also

2 note that on the landing page that my colleague
3 mentioned too regarding siting that the City has
4 provided maps to New Yorkers to understand where they
5 are allowed to vend depending on what type of license
6 they have in hand.

7 COUNCIL MEMBER DE LA ROSA: Great. Just to
8 reiterate, I know myself, I know a lot of my
9 Colleagues who are here today, we want to be part of
10 the solution, we want to help streamline and make
11 those apps or tools better and more user-friendly for
12 our community, language access continues to be a
13 challenge for us, and so please see us as a resource
14 and as part of the solution in this problem. We know
15 it's a difficult conversation, but we are not afraid
16 of difficult conversations, and I think, as I stated
17 in my opening statement, these vendors are the heart
18 and soul of our communities. We want to make sure
19 that vendors are thriving, that they're recognized as
20 small businesses, and we know that conversation also
21 has to happen in our communities with brick-and-
22 mortar small businesses as well so thank you so much
23 for being here today.

24 CHAIRPERSON VELÁZQUEZ: Council Member
25 Brewer.

2 COUNCIL MEMBER BREWER: Thank you very
3 much. I hope I'm clear that NYPD is not involved at
4 all anymore. Is that correct? Because most people
5 don't know who to call so if they're complaining,
6 they just call NYPD.

7 DEPUTY COMMISSIONER MEROLA: Council
8 Member, the NYPD still has a role in vending
9 enforcement, and I'd like to break that out real
10 quick.

11 COUNCIL MEMBER BREWER: If you could.

12 DEPUTY COMMISSIONER MEROLA: The Office of
13 Street Vending Enforcement has Sanitation, as
14 inheriting it from Department of Health and DCWP,
15 doing the civil enforcement around general and mobile
16 food vending. That does not include when we encounter
17 counterfeit goods. That does not include when we find
18 contraband or drugs. Those are things that we do, of
19 course, refer over to the Police Department. The
20 Police Department also still has the authority to
21 enforce any civil and criminal law on the books in
22 the city. While it does not have the Office of Street
23 Vending Enforcement, it is not the primary vending
24 enforcement arm, it still has the authority to engage
25 in vending enforcement.

2 COUNCIL MEMBER BREWER: Okay. Because I
3 know the vendors complain that they see a lot of
4 NYPD. NYPD doesn't get involved then unless you let
5 them know that there is something that's illegal, or
6 what would be the other instance? I don't quite
7 understand.

8 DEPUTY COMMISSIONER MEROLA: NYPD can
9 observe, as they do through their precincts,
10 conditions throughout the precinct catchment areas.
11 It is something that is still, of course, like what
12 precinct officers would do. Look for conditions on
13 the street and address. I can't speak for the PD and
14 how they operate that.

15 COUNCIL MEMBER BREWER: Okay.

16 DEPUTY COMMISSIONER MEROLA: I can say
17 that in terms of what you see with DSNY and the NYPD,
18 we have that partnership on contraband and
19 counterfeit, because it's not us, and we shouldn't
20 have that.

21 COUNCIL MEMBER BREWER: No, I understand
22 that part. It's the other part of confusion for the
23 public, but let's leave it at that. I just think
24 that's something that has to be worked on.

1 Number two, just bricks and mortar,
2
3 because obviously we all have a lot of them. Is there
4 education, because they always complain there's a
5 fruit vendor outside when I am selling fruit. That's
6 the normal complaint. It seems to me that, first of
7 all, there may be room for both. At the same time, I
8 don't want to hurt the bricks and mortar, so is there
9 an ongoing discussion with the BIDs and with others
10 who represent them, Chambers of Commerce, about
11 vending? Who would take that on, would it be
12 Consumer, you, Health, who?

13 DEPUTY COMMISSIONER MEROLA: Member, as
14 the Commissioner stated at a prior hearing, DSNY is
15 not the primary outreach and education agency for
16 vending.

17 COUNCIL MEMBER BREWER: It was all one
18 Administration last I checked.

19 DEPUTY COMMISSIONER MEROLA: We say that
20 only because on the enforcement mechanism that we do,
21 we stick to working on compliance and enforcement. We
22 partner with Small Business Services, DCWP, and
23 DOHMH, as Small Business Services in particular has
24 led on doing work in communities with BIDs and
25 Chambers of Commerce and vending.

2 COUNCIL MEMBER BREWER: Okay, so they're
3 supposed to be the lead agency on education for those
4 two entities.

5 DEPUTY COMMISSIONER MEROLA: They have a
6 very big role in that, ma'am.

7 COUNCIL MEMBER BREWER: Okay. Finally
8 obviously, the bill that I was talking about, the
9 Preconsidered, it's to prohibit street vending on
10 bridges. That's what, DOT, I know you're not DOT, but
11 do you have any knowledge, can you explain why they
12 would propose no vending on bridges, and do you have
13 any opinion on what we're considering, which is
14 limited vending with certain qualifications?

15 DEPUTY COMMISSIONER MEROLA: I'd like to
16 tackle your last question first, Member. We don't yet
17 have an opinion. We haven't had a chance to sit down
18 and assess what the Intro. was that came to us, which
19 we will be doing after this. As I stated before with
20 the Chairperson, when the rulemaking process was
21 begun, it was DOT, but with stakeholders like DSNY
22 and NYPD supporting it after what we had seen as
23 major congestion, usability, cleanliness issues on
24 the bridge. It is something that we have enforcement
25 out every day because the bridge, at points of it, is

2 just not passable and just not usable. We take this
3 concern very seriously for that reason.

4 COUNCIL MEMBER BREWER: So you look at the
5 Preconsidered Intro. and let us know? Okay.

6 Thank you very much, Madam Chair.

7 CHAIRPERSON VELÁZQUEZ: Council Member
8 Sanchez.

9 COUNCIL MEMBER SANCHEZ: Thank you so
10 much, Madam Chair. First, I just want to thank the
11 Street Vendor Project for all of your advocacy.
12 [SPEAKING SPANISH] The street vendors who take their
13 time to be here and listen and advocate for their
14 conditions. I want to ground my questions in that
15 instance, my mom sent me a video just last week of an
16 enforcement action on Broadway in the Bronx that was
17 truly heartbreaking. It was a street vendor who had
18 her fruits and vegetables confiscated. She had a
19 crying baby next to her. She looked like she was at
20 the verge of tears, and it's just heartbreaking
21 because she wants to do the right thing, but clearly
22 that situation still occurred so in the context of
23 just understanding how DSNY is using these goods, you
24 mentioned in your testimony 100,000 of produce since
25 April 1st have been donated to food pantries. Out of

2 what denominator? What is the amount of fresh goods
3 that have been confiscated?

4 DEPUTY COMMISSIONER MEROLA: Council
5 Member, thank you for that question. Let me try and
6 do a denominator for you correctly just by combining
7 the pounds of produce, 100,000, about 108, 000, and
8 the 2.9 tons of food that we have put into the
9 organic stream. That's the total of it. The vast
10 majority of the weight we're getting is, of course,
11 untouched produce, because you can't donate if it's
12 not untouched, but I don't know how to say compare
13 the two then, except that, know that if it is cooked
14 food, we are making sure it gets into the organic
15 stream in some way, but it's a large amount that's
16 been donated, and I can provide very happily the list
17 of food pantries we've been working with citywide,
18 and we're always open to more if they're in the
19 community that you'd like to make us aware of.

20 COUNCIL MEMBER SANCHEZ: Thank you. Thank
21 you so much. The second question is you describe a
22 warning first and enforcement second approach. So
23 just understanding what exactly that means, what are
24 you warning folks about? Is it just citing
25 regulations? What about food safety? What exactly are

2 you saying to folks? Second, related to a question
3 that our Chair asked on language accessibility. Do
4 folks speak the language that our vendors are
5 speaking?

6 DEPUTY COMMISSIONER MEROLA: On the second
7 question first, ma'am, as I said before, we have
8 fluency on our sanitation police staff in Spanish and
9 Mandarin. We do use a language service call
10 translation service to make sure that if we encounter
11 someone who doesn't speak either of those languages
12 or English, we can communicate with them in their
13 native language.

14 On the warning to enforcement approach
15 that was described before, yes, we do warnings in one
16 of two ways. Some is a posting in the neighborhood
17 before we come in for an enforcement action, which is
18 24 hours before. Some is direct engagement. When it's
19 direct engagement, which is what I believe you were
20 particularly asking about, we explain what the
21 infraction is that we're seeing, and we give vendors
22 notice that we will come back and look for
23 compliance. If we come back and don't see compliance
24 still, at that point in time, we engage, and that's
25 when often we find out about licensed versus

2 unlicensed. If we encounter unlicensed in that
3 situation, we do engage in a confiscation. I believe
4 that was where you were trying to have me just spell
5 that out. I want to make sure I spelled it out for
6 you.

7 COUNCIL MEMBER SANCHEZ: No, that is
8 helpful. Chair, if I may, but enforcement of what,
9 right? There's so many rules and regulations related
10 to vending. What are you looking for as a Department
11 of Sanitation?

12 DEPUTY COMMISSIONER MEROLA: Everything
13 that could apply to a general vendor, a mobile food
14 vendor on the street in terms of how they are
15 supposed to be cited and how they're supposed to be
16 operating. I will offer that you had mentioned
17 sanitary conditions before. Some things did not come
18 to us, such as my colleague, Corinne, can speak to
19 that. We're not qualified to say what is a sanitary
20 cooking situation versus not. Department of Health
21 does food inspections for that. I'm talking about the
22 rules around how a cart or apparatus is supposed to
23 be sited and operated generally.

24 COUNCIL MEMBER SANCHEZ: Okay. If I may,
25 the last question is a multipart-er. Thank you,

2 Chair. A broad question for the three of you as
3 representatives of the entire Administration. Do you
4 believe that our street vending regulation system is
5 fair today? And part two is, given that there are an
6 estimated at least 20,000 street vendors in the City
7 of New York by a 2015 estimate, we know that number
8 is higher, but given that there are over 20,000
9 street vendors in New York City today, and Local Law
10 18 of 2021 would increase the number of permits by
11 4,000 permits, not getting us near to the amount of
12 street vendors that we have out in the street, what
13 do you believe that the impact of implementation of
14 Local Law 18's increase in permits will accomplish by
15 2032, and what else do you think we need to do?

16 DEPUTY COMMISSIONER SCHIFF: That was a
17 complicated question and an important question. I
18 know, Council Member, that you have a bill addressing
19 lifting of the cap and implicit in your question are
20 issues that are related to your bill, and we are
21 reviewing and are not prepared to comment on that
22 now. In terms of whether the regulatory system works
23 from the perspective of food safety, I would like to
24 say to the vending community that's here and to New
25 Yorkers that we do see good compliance with food

2 safety rules, and you've all commented on vendors
3 provide a variety of foods for all of us, and we do
4 see good compliance with food safety requirements.

5 DEPUTY COMMISSIONER MEROLA: Member, I
6 would offer that the enforcement scheme is the
7 enforcement scheme, and we're beholden to it to do
8 that. As changes come down to it, we will adapt, of
9 course, and we'll make sure those regulations are
10 updated online, but our role is to make sure that if
11 it's on the books, we're looking at that. I don't
12 have a comment on licensing or whether that would
13 increase or not. I don't think I'm the right person
14 or DSNY is the right agency to comment. We continue
15 to engage in enforcement as we do.

16 COUNCIL MEMBER SANCHEZ: Thank you. I
17 don't think it's fair. I think we need to lift the
18 cap, and I look forward to more conversation on that.
19 New York City is, as folks have heard me say, New
20 York City is the only jurisdiction that regulates
21 street vendors with a cap system the way that we do.
22 It's not working for us. Nobody else does it. I just
23 look forward to more conversation on moving street
24 vending forward in New York City. Thank you, Chair.

2 CHAIRPERSON VELÁZQUEZ: Council Member
3 Farías.

4 COUNCIL MEMBER FARÍAS: Thank you so much.
5 Chair. Just to piggyback a little bit off of Council
6 Member Sanchez's questions. Has the agency or the
7 administration, any of the agencies in front of us,
8 ever looked at different ways to collaborate or to
9 create opportunities, cooperatives, etc., from the
10 street vending community. If there has been almost a
11 decade, if not more, of efforts to not lift the cap,
12 what are the ways that the Administration has done to
13 create opportunities in this community?

14 DEPUTY COMMISSIONER MEROLA: I think a
15 good example of this is perhaps the Community Vending
16 Marketplaces proposal that was in the Street Vendor
17 Advisory Board report and which I feel is being
18 implemented by our partners at DOT at Corona Plaza. I
19 think this is an innovative way to figure out how we
20 can maximize public space while also keeping in mind
21 that we want to make sure that food safety
22 regulations are there, that public safety through
23 regulations are there but that we're working
24 collaboratively with our street vendor advocate
25 partners and local community-based organizations.

2 COUNCIL MEMBER FARIÁS: Sure. In that
3 report, there were also different responses on what
4 reform and modernization of street vending
5 regulations look like. Can you tell us any more other
6 than this one example or any updates on the rollout?

7 DEPUTY COMMISSIONER MEROLA: I think many
8 of them were legislative and I think are a part of
9 this package today. Generally, I think what we found
10 a lot of consensus on from brick-and-mortar and from
11 street vendor advocates was that there are
12 unnecessary burdens. There are bookkeeping
13 requirements that are not fair, so to speak. There
14 are limitations on being able to have an umbrella out
15 on a hot day. These are the considerations that I
16 think we were able to find consensus on in the street
17 vending landscape, and I think, as you heard from
18 myself and my colleagues, these are certainly
19 proposals that we support or are open to engage with.

20 COUNCIL MEMBER FARIÁS: Okay. I just
21 wanted to do just a quick check on some of the
22 logging of how we do a compliance check and the
23 warning. When do we identify what language needs to
24 be responded to in case we need to go back for an
25 enforcement action, like how are we assuring that the

2 enforcement action is going readily with people that
3 speak the language that were given the warning.

4 DEPUTY COMMISSIONER MEROLA: Member, when
5 the interaction between the sanitation police
6 officers and the vendor occur, so in that, when we're
7 doing a direct engagement, we've spoken with the
8 vendor first, we know, and we'd know when we come
9 back. If we've posted a warning in the area and we're
10 coming back to do enforcement, if we see infraction
11 still at that point, that is the first touch that we
12 have a translation for, and I appreciate the point
13 and the question on that, and I will come back to you
14 with a little more on that.

15 COUNCIL MEMBER FARIÁS: Okay, great,
16 because I just want to know does that mean that we
17 say Spanish speaker here in case we have to go back,
18 we go back to that original log and make sure we
19 assign a person that actually speaks that language,
20 or do we end up in a situation where we have a
21 language barrier and an enforcement action?

22 DEPUTY COMMISSIONER MEROLA: Member,
23 forgive me, even if I don't have the person on the
24 team who's fluent in that, everyone has the language
25 services application to be using.

2 COUNCIL MEMBER FARIÁS: Got it.

3 Respectfully, as someone that uses language
4 translation for local government, not always great so
5 that's why I'm just trying to ask.

6 My last question. In DSNY's testimony
7 around Intro. 1264, you stated that you folks only
8 issue civil violations for vending infractions and
9 will only engage in civil summoning when conducting
10 vending enforcement. I guess my question is around
11 removal of the criminal misdemeanor penalties. You
12 folks received now the regulatory measures or the
13 jurisdiction of street vending, are you saying to me
14 that all of the previous misdemeanor penalties are
15 now waived and you're starting new or (INAUDIBLE). In
16 response to that, how do we then backdate misdemeanor
17 penalties or ensure that they can be waived or
18 removed through DSNY now?

19 DEPUTY COMMISSIONER MEROLA: I don't know
20 how to answer that question, and I'm going to have to
21 come back to you with that. I appreciate it. I don't
22 know if there is a backdating or waiving for things
23 that had happened previously. I do know that from the
24 date we took over on April 1st, no more criminal
25

2 summoning was going to be issued by OSV for that.

3 Let me come back to you, Member.

4 COUNCIL MEMBER FARÍAS: Okay.

5 DEPUTY COMMISSIONER MEROLA: Thank you.

6 ASSISTANT COMMISSIONER ORTIZ: A quick
7 clarification on that. We did not issue any criminal
8 summonses either when we had the Office of Street
9 Friendly Enforcement.

10 COUNCIL MEMBER FARÍAS: Okay, so the
11 criminal summonses come from where? NYPD?

12 DEPUTY COMMISSIONER MEROLA: I think that
13 was referenced earlier.

14 COUNCIL MEMBER FARÍAS: (INAUDIBLE) could
15 they not impede on an applicant?

16 They could, correct, like impede on an
17 application for someone in the future for their
18 license?

19 DEPUTY COMMISSIONER MEROLA: I'm not sure
20 I understand the question.

21 COUNCIL MEMBER FARÍAS: If I was a street
22 vendor that was not vending with a license, I got an
23 NYPD criminal misdemeanor penalty, will that impede
24 on my future application of receiving a license?

2 DEPUTY COMMISSIONER MEROLA: A license
3 generally? I think licenses that we have authority
4 over at the Department of Consumer Worker Protection
5 just the mere fact of having misdemeanor will not
6 necessarily impede you or limits you from having
7 access to a license.

8 COUNCIL MEMBER FARÍAS: Okay. I'd like to
9 talk more about that just because if we're seeing
10 over 20,000 applications and there's going to be a
11 variety of people with different resumes on what
12 they're applying for doing the same type of job
13 versus who has a civil penalty, who does not, we want
14 to assure that everyone has equal access and
15 opportunity to those. Thank you for the questions.
16 We'll talk offline on the additional followups, and
17 thank you, Chair, for the additional time.

18 CHAIRPERSON VELÁZQUEZ: Council Member
19 Brewer.

20 COUNCIL MEMBER BREWER: Thank you. I have
21 a broader question about the future. The generators.
22 That's an issue. I'm trying to think of all those
23 ways that brick-and-mortar constituents can support
24 the vendors more holistically, and one of the issues
25 are that people don't like other generators. How can

2 we help, maybe with funding, the vendors have green
3 generators that are cleaner and not something that
4 would cause a 3-1-1 call.

5 DEPUTY COMMISSIONER SCHIFF: It's an
6 interesting and important question. Vendors are
7 allowed to use generators. It might be a question to
8 pose to vendors who are here, what they need.

9 Okay, so you haven't thought about that
10 at all? As an administration.

11 DEPUTY COMMISSIONER SCHIFF: As my
12 colleagues have expressed, we are here to implement
13 the requirements that the Council has enacted.

14 COUNCIL MEMBER BREWER: Alright, thank
15 you. You'll see a bill on this in the future. Thank
16 you.

17 CHAIRPERSON VELÁZQUEZ: Council Member
18 Sanchez.

19 COUNCIL MEMBER SANCHEZ: Chair, thank you
20 so much for your indulgence. I honestly really
21 appreciate it.

22 I just want to state on the record, too,
23 that I just love and respect the three of you. You
24 are excellent partners in government. You were former
25 colleagues, and I just appreciate you and your roles

2 and how much you love the city. I know that I,
3 personally and a lot of us here, Members, have a lot
4 of strong feelings about this and where it should go,
5 but love that we get to have the argument with you so
6 thank you.

7 CHAIRPERSON VELÁZQUEZ: Thank you. It's
8 been a pleasure and an honor working with you guys.
9 Going to miss you.

10 COMMITTEE COUNSEL SWAINE: Thank you,
11 Chair. We'll give the Administration an opportunity
12 to collect their things, and we will turn to public
13 testimony.

14 If you are here in person, please come up
15 and take a seat at the table, and you may begin once
16 the Sergeant has notified you that time started.
17 Remember to push the button on the microphone before
18 you begin. You will have two minutes to testify, so
19 please begin once the time starts.

20 Our first panel will be Erin Piscopink,
21 Matthew Shapiro, Helen He, Mohamed Attia, Mohamed
22 Awad, and Cleotilde Juarez. This panel requires
23 Spanish and Mandarin interpretation.

24 CHAIRPERSON VELÁZQUEZ: Folks, before you
25 testify, just be mindful I'm going to ask you to put

2 the mics a little bit closer just because it will be
3 translated so we want to make sure that it is done
4 correctly. Thank you so much.

5 Thank you everyone for your patience.
6 Give us a little bit more time.

7 New York City is very diverse, and we
8 have multiple languages being translated today, which
9 is excellent so just bear with us a little bit more
10 so that way everyone has access to what is going on.
11 Thank you so much.

12 All right. Seems like we're rocking and
13 rolling. Once again, thank you everyone for your
14 patience. It's going to be a long one. I started off
15 with a bang, and we're going to end off with a bang.
16 How about that? Go ahead Sarah.

17 COMMITTEE COUNSEL SWAINE: Erin, you can
18 begin.

19 ERIN PISCOPIK: Good afternoon, Chair
20 Velázquez and Members of the City Council. My name is
21 Erin Piscopink, and I'm the co-chair of the New York
22 City BID Association. The Association is comprised of
23 the 76 Business Improvement Districts across the city
24 that are as diverse as the city itself. We understand
25 that New York City has always had street vendors,

2 small entrepreneurs who are trying to make a living
3 and support their families. The same motivation
4 drives our storefront businesses including the small
5 shops and restaurants that make our communities
6 unique. We welcome commonsense changes to laws that
7 will make it easier for the street vendors to make a
8 living, but only in conjunction with enforcement of
9 siting criteria and other regulations meant to ensure
10 things like clear path for pedestrians and distance
11 from storefront businesses.

12 I'll comment on each of the bills. We
13 support Intro. 1060 and Preconsidered bill 4381,
14 which would limit vending on bike lanes and bridges.

15 We also support Intro. 1062 and 1188,
16 which provide greater flexibility to street vendors
17 in their display of goods, bookkeeping requirements,
18 and employees. While we generally support the
19 decriminalization of street vending, we do want to
20 ensure that agencies have the appropriate tools to
21 enforce sighting, health, and other critical
22 regulations. We therefore request further
23 conversation on Intro. 1264.

24 We have significant concerns about Intro.
25 1253, which would allow for vendors to operate in

2 front of obstructions. Obstruction is undefined, but
3 we understand it to include bike racks, planters,
4 bollards, and other street furniture. We believe that
5 this significant change without consideration of
6 clear path requirements, visual clutter, and the
7 usability of street furniture would be unwise. We
8 hope that key agencies, BID leaders, and other key
9 stakeholders will be consulted and that the impact of
10 this legislation would be further studied before any
11 action is taken. We've submitted slightly longer
12 testimony and look forward to working together.

13 CHAIRPERSON VELÁZQUEZ: Thank you.

14 MATTHEW SHAPIRO: My name is Matthew
15 Shapiro, and I'm the Legal Director of the Street
16 Vendor Project at the Urban Justice Center. I'm
17 pleased that many of the bills being discussed today
18 will start to correct the double standard that has
19 long existed in regards to the regulation of street
20 vendors compared with other small businesses.

21 For example, we strongly support Intro.
22 1062, which would repeal the requirement that vendors
23 produce their records of daily sales, purchases, and
24 expenses. Other businesses are not subject to such a
25 requirement and there's no reason that vendors should

1 either. Intro. 1062 also repeals the confusing
2 language about general vendor stands and clarifies
3 that general vendors can use umbrellas to protect
4 themselves from the sun and the rain. Finally, Intro.
5 1062 amends 17-315(c) of the Admin Code to allow
6 vendors to store items on their carts. The original
7 intent of this law was to ensure that vendors do not
8 occupy excessive sidewalk space, and this bill will
9 ensure that.
10

11 Intro 1188, which is also extremely
12 important, we strongly support. It requires only
13 vendors who receive a permit or a supervisory license
14 obtain a sales tax certificate of authority and tax
15 clearance certificate. Currently, there are many
16 vendors who obtain a license who are just workers,
17 who have nothing to do with paying the sales tax of
18 the business. They should not be required to obtain a
19 sales tax certificate of authority. Currently, they
20 are required to, and they're required to file their
21 sales tax returns, putting zero because they're not
22 paying the sales tax for the business as an employee,
23 and, if they forget to file, which happens fairly
24 often, they're subject to late fines and fees. This
25 bill should go a step further and also amend Admin

2 Code 17-310 to ensure that only vendors who renew a
3 permit or supervisory license are required to provide
4 a tax clearance certificate, not just in their
5 original application.

6 We support the intent of the
7 Preconsidered Intro. to regulate vending on city
8 bridges. We're concerned about the 20-foot distance
9 between vendors. There used to be a law many, many
10 years ago in 1977 that required 20 feet of space
11 between vendors on the sidewalk. This law was struck
12 down as unconstitutionally vague so we're willing to
13 work with the Council Member to come up with some way
14 to make sure that vendors can exist on the Brooklyn
15 Bridge but without the problematic language that It's
16 probably unconstitutional.

17 Thank you all for this important work.
18 It's so good to see legislation coming out of the
19 Council about this. Thanks.

20 MOHAMED ATTIA: Good afternoon, Chair
21 Velázquez, Members of the Committee. Thank you for
22 the opportunity to testify. I'm Mohamed Attia. I'm
23 the Managing Director of the Sheep Vendor Project.
24 The Sheep Vendor Project is a member-led organization
25 with 2,900 Sheep Vendor members. We organize with the

1 vendors community, we advocate for a fair and just
2 system, and we provide essential services that the
3 street vendors community desperately needs. For
4 centuries, street vending has been a platform for
5 thousands of New Yorkers, immigrants, people of
6 color, military veterans, entrepreneurs who are
7 seeking a chance for upward economic mobility for
8 themselves and their families.
9

10 However, for decades in our city, we have
11 been dealing with an unfair and unjust system and
12 arbitrary laws. The bills before you today are
13 essential to move us forward towards a fair system
14 where vendors are not treated as criminals and to a
15 place where they are not fined for minor nonsense and
16 possible to follow rules.

17 I want to thank Council Member Krishnan
18 for introducing Intro. 1264 to reduce the criminal
19 liability on street vending violations. It's a bill
20 that we believe is important to make sure that we are
21 treating vendors as small businesses, not as
22 criminals. As a former vendor myself, I received
23 several criminal tickets for very minor violations
24 such as not wearing my food vendor license while I'm
25 working.

1
2 Also, I'd like to thank Council Member De
3 La Rosa for introducing Intro. 1253 that will create
4 safer space for vendors and to make sure that they
5 are close to the curb of the sidewalk but in a
6 reasonable manner.

7 And we can't really discuss street
8 vending without highlighting the fact that we are
9 dealing with an outdated system that prevents vendors
10 from accessing license and permits. Decades ago, the
11 City placed caps on the number of license and
12 permits, and that has been preventing the vendors
13 from operating their business in a lawful way. The
14 cap on merchandise vending licenses is set to 853
15 licenses, which is one of the most arbitrary numbers
16 that the government can ever come up with. Look here
17 at these waiting lists. More than 10,000 names on
18 each waiting list. According to the rate that DCWP is
19 going with, the person at the end of the general
20 vendor license waitlist, their name is Shamjet Taj
21 (phonetic), they are likely going to receive a
22 license in 75 years from now, towards the end of the
23 century. Probably their grandchildren will receive
24 that letter from DCWP. The City has tremendously
25 failed in regulating street vending, and I think that

2 right now we have an opportunity to step up, do the
3 right thing, reform the system, and make sure we have
4 a fair system for everyone.

5 I want to thank Council Member Sanchez
6 and Council Member Fariás so much for introducing
7 Intro. 1270 and hopefully having a hearing on it in
8 the near future. Thank you.

9 CHAIRPERSON VELÁZQUEZ: Thank you.

10 MOHAMED AWAD: Thank you, Madam Chair, for
11 the opportunity to testify today. My name is Mohamed
12 Awad. I am a food vendor and a Leadership Board
13 Member of the Street Vendor Project. I have worked as
14 a vendor since 2010, the same year I emigrated from
15 Egypt. Since I started working as a vendor, I learned
16 that the vending system is so difficult, it's
17 impossible to get a permit from the city, and some of
18 the rules are impossible to follow.

19 First off, I want to thank Council Member
20 Krishnan for introducing the Intro. 1264 to reduce
21 the criminal liability because we are small
22 businessowners. We are hard-working New Yorkers. We
23 are not criminals and we shouldn't be treated as
24 such. And this issue, as a person, for me as back in
25 2010, I was arrested, yes, I was arrested because I

2 forgot my license at home and I didn't have it on me
3 when a police officer asked me for that so I was
4 detained and I had to spend a whole day in the
5 criminal court jail and I was arrested as a criminal
6 justice because I forgot my license.

7 Also, I want to thank Council Member De
8 La Rosa for introducing Intro. 1253 to clarify the
9 curb rule and allow the vendor to sit up two feet
10 from the edge of the sidewalk. It's really difficult
11 to find legal location on our sidewalks, and
12 sometimes we receive tickets from many minor
13 violations like this and, for our safety as a street
14 vendor, it's very tiny room for someone who can spend
15 hours working in the same spot.

16 Finally, I want to talk about the fact
17 that after being a vendor for 13 years, I don't have
18 my own permit. I have to deal with the underground
19 market to rent somebody's permits and pay for cash
20 under the table, and the City knows about that, and
21 they're not offering any help doing anything about
22 that. Now after Local Law 18 passed two years ago, I
23 finally have a chance to be on the waitlist, and my
24 wait list number is 2,846.

2 CHAIRPERSON VELÁZQUEZ: Thank you. I'm so
3 sorry for that, but I'd like everyone to be mindful.
4 There are about over 80 people testifying today. I
5 think we all want to get home at some point. I'd love
6 for you to submit that to us in written form so we do
7 include it in today's hearing, and thank you so much
8 for coming out and explaining your experience. We
9 appreciate it. Thank you.

10 Once again, thank you so much, everyone,
11 for your patience. Five languages is amazing.

12 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

13 INTERPRETER: Good afternoon. My name is
14 Cleotilde Juarez. I am a mother of three minors, ages
15 between from 8 to 14 years old. I am part of a
16 Director Board of the Vendors of the Street Vendors
17 Project, and, before all, I have been an entrepreneur
18 of the Mexican gastronomy in Queens for more than 20
19 years. My chalupas are so unique that they've been
20 recognized by the media, such as Eater, New York One,
21 Resy, etc.

22 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

23 INTERPRETER: We believe that a true
24 reform is indispensable. Let us remember that it has

2 been more than 30 years since the city has not worked
3 on a fair reform.

4 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

5 CHAMBERS: [APPLAUSE]

6 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

7 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

8 INTERPRETER: I would like to thank the
9 Committee for hosting this hearing and listening to
10 the discussion regarding bills 1253 and 1264, and I
11 want to give a round of applause to my brave
12 colleagues who came to testify today. We would have
13 really liked to have heard about Intro. 1270 because
14 we believe that real reform is imperative. Let's
15 remember that it 30 years since the City has actually
16 worked on a fair reform. We look forward to a hearing
17 that includes the above bill as soon as next year.

18 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

19 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

20 CLEOTILDE JUAREZ: [SPEAKING SPANISH]

21 INTERPRETER: Okay. It is absurd...

22 CHAIRPERSON VELÁZQUEZ: Sorry. Sorry to
23 interrupt, Diane. I know you got... [SPEAKING SPANISH]
24 Please submit your testimony, because I know you
25 didn't get to finish, so thank you.

2 Go ahead, ma'am.

3 INTERPRETER: Should I translate?

4 CHAIRPERSON VELÁZQUEZ: Yeah, you should
5 translate up to where she got to.

6 INTERPRETER: It is absurd that a city
7 like this does not have a well-structured system in
8 place that educates, trains, and provides tools as
9 basic as a license or a permit to start a business. I
10 would like to open a local shop. While I love being a
11 street vendor, I don't like being chased by the City,
12 harassed by the agencies in charge, much less being
13 treated like a criminal. For many years, I have
14 received criminal fines for simply wanting to run a
15 food business. I have gone to criminal court, and I
16 am afraid that this will hurt me in the future. That
17 is why I am here today, to express my support for
18 Bill 1264 that would decriminalize street vending.
19 Again, I thank you for listening to my testimony and
20 for your time.

21 CHAIRPERSON VELÁZQUEZ: Thank you. I
22 think going forward if you have the written
23 testimony, let them say it all, and you get your full
24 two minutes, and then you spend the two minutes
25 translating, if you don't mind just so that we could

2 be consistent and be a little bit more efficient with
3 timing. Thank you so much. Go ahead.

4 HELEN HE: [SPEAKING MANDARIN]

5 CHAIRPERSON VELÁZQUEZ: Thank you.

6 INTERPRETER: Thank you, Chairwoman

7 Velázquez, and thank you to the Committee for the
8 opportunity to testify today. Hello, everyone, I am
9 Helen He. I am a street vendor from Flushing and a
10 member of the Street Vendor Project Leadership Board.
11 I'm here today to express my strong support for bill
12 number 1264.

13 I have two children. One is 8 years old
14 and is in elementary school and the other one is 18
15 and is going to college this year. I live with my 84-
16 year-old mother. As you can see, I have a family that
17 depends on my work to get by. My options for work are
18 limited. What job is there for me so that I have time
19 to pick up the children and take care of my elderly
20 mother? Tuition fees need to be paid, bills need to
21 be paid. In order to reduce family expenses, my
22 children cannot go to the school that they want to go
23 to, the more expensive schools.

24 In addition, it's a crime for us to be
25 vendors. We sell goods to make an honest living, and

1 to top it off, we face criminal fines. I feel extreme
2 depression and frightened by all this. We go out no
3 matter what the weather is, whether it is freezing or
4 scorching hot. We're just people who are trying to
5 make a living doing honest work. What crime have we
6 committed? We are vendors who contribute to our
7 community and are supporting our current economic
8 downturn, and now you're using a large police force
9 to suppress us small vendors. I've seen with my own
10 eyes that robbers can rob from less than 10 meters
11 away from the police in broad daylight while the
12 police would come to raid us every hour, and I
13 believe this is black and white in terms of the law.

14 I believe she ended here.

15 CHAIRPERSON VELÁZQUEZ: I have a couple of
16 questions. Erin, if you could come back and join us.
17 Thank you.

18 My first question, Street Vendor Project.
19 Can you tell me when you first started and how many
20 street vendors have come under your purview?

21 MOHAMED ATTIA: Sure. The Street Vendor
22 Project was founded back in 2001 and, since 2002, we
23 started recruiting street vendors as members. We have
24 a bit more than 2,900 members.
25

2 CHAIRPERSON VELÁZQUEZ: Of that 2,900
3 vendors, how many have you facilitated licensing for?

4 MOHAMED ATTIA: That's a great question
5 for our Legal Director but will likely take us some
6 time to get you the numbers.

7 MATTHEW SHAPIRO: Yeah, I don't have the
8 exact numbers today, although we recently have been
9 keeping spreadsheets of all of our legal and small
10 business services, but facilitating licensing for
11 general vendors is extremely difficult and often
12 doesn't happen because there's a cap on general
13 vendor licenses.

14 For food vendors, it's much more common,
15 and we help vendors frequently, many, many times a
16 month apply for food vendor licenses.

17 CHAIRPERSON VELÁZQUEZ: Do you have the
18 number in front of you as to what the food vendor
19 would be?

20 MATTHEW SHAPIRO: I can get it for you.

21 CHAIRPERSON VELÁZQUEZ: Yeah, please let
22 us know. Of that, how many of them are the green
23 cart, fresh cart licenses that came out this year?

24 MATTHEW SHAPIRO: Yesterday I helped
25 someone apply for a green cart license. He's here,

2 Ahmed Murad, right there. A green card permit, sorry.
3 The problem with the green card permits is you can't
4 just sign up and get one whenever you want. Even
5 though they're available, the Health Department has
6 an extensive waitlist scheme so you can only get on
7 the waitlist when the Health Department opens it.
8 This is a problem. The waitlist should just be open
9 because there are permits available. It's the only
10 kind of permit or one of the only kind of permits
11 that you can actually get so there should be some
12 changes to that program.

13 CHAIRPERSON VELÁZQUEZ: What changes do
14 you think?

15 MATTHEW SHAPIRO: If a vendor wants to get
16 a green card permit and the number of permits are
17 available, which they are, you should just be able to
18 go get one. You shouldn't have to wait until the
19 Health Department opens the waiting list was only
20 happens every three or four or five years, and it's
21 only open for a limited amount of time. If you don't
22 get on or you don't know about it, then you're not
23 able to get a permit.

24

25

2 CHAIRPERSON VELÁZQUEZ: Do you keep a
3 track of the folks that do come in and are part of
4 that waitlist so when it is open, you notify them?

5 MATTHEW SHAPIRO: Yes, we have a list. We
6 keep track now of everyone that comes in and what
7 they talk to us about, but it's very rare, honestly,
8 that the green card waiting list is open. It's every,
9 I don't know, every four, Health Department should
10 know every four or five years maybe.

11 CHAIRPERSON VELÁZQUEZ: What's your
12 collaboration with not only the Health Department,
13 but certainly now when we're talking about the shift
14 between DCWP with enforcement to DSNY? What has that
15 shift looked like for you guys, and the outreach with
16 your vendors and notifying them of that change?

17 MOHAMED ATTIA: Starting with the Health
18 Department, our relationship has been I would say
19 tricky in a way because we have been reaching out to
20 them since the passage of Intro. 1116, Local Law 18,
21 trying to get a timeline and a sense of the
22 implementation of the Law. However, we were never
23 given any information before the announcement about
24 the public hearing that took place 24 hours before
25 the implementation date assigned by the local law,

2 which happened on June 30, 2022. We have requested a
3 lot of information about the process. However, we
4 have not received that, but afterwards, every time we
5 reach out to them, we have to file, like submit a
6 FOIA request for any information we would like to
7 get. So that's DOHMH.

8 In terms of DSNY, we have a pretty good
9 relationship in terms of communications,
10 understanding the processes, and especially in the
11 first several months, we have been in constant
12 communication with them and thankfully that was very
13 helpful for us to explain to our members what they
14 should expect and anticipate in terms of the
15 enforcement shift, especially that a lot of the
16 questions were unanswered for several months from the
17 agency itself.

18 CHAIRPERSON VELÁZQUEZ: And your
19 relationship with DCWP?

20 MOHAMED ATTIA: Since the transition of
21 enforcement, it's been pretty limited. Probably we
22 interact only in the Street Vendor Advisory Board,
23 which has met only once since the report was released
24 back in May 2022, and sadly, this meeting was pretty
25 short because we had one agenda item to evaluate

2 something that did not exist, which was the rollout
3 of the new supervisory licenses. We had a meeting
4 with all the board members, and the conversation was
5 about the rollout, and the rollout hadn't happened by
6 the time we had the meeting so there was nothing to
7 discuss, and that ended at that.

8 CHAIRPERSON VELÁZQUEZ: When we're talking
9 about collaboration with DOT, especially when today's
10 conversation with the Brooklyn Bridge component, and
11 certainly with Council Member Brewer's and Farías'
12 bill, what kind of conversations have you had with
13 DOT on that?

14 MATTHEW SHAPIRO: Yeah, we've talked to
15 DOT several times about the Brooklyn Bridge. I
16 personally went to the bridge with DOT folks and
17 walked up and down it, that was maybe last year, and
18 we talked about it. We testified against the proposed
19 ban. We're thankful to Council Member Brewer for her
20 Introduction and want to talk more with her office
21 about how we can make that happen.

22 CHAIRPERSON VELÁZQUEZ: When we're talking
23 about a clear path requirement giving the expanded
24 areas granted by 1253. What do you think about that?

2 MATTHEW SHAPIRO: The 16-foot clear path
3 requirement?

4 CHAIRPERSON VELÁZQUEZ: Yes.

5 MATTHEW SHAPIRO: Yeah, we need to go back
6 and measure many spots on the bridge. We did it once
7 before, but we want to make sure that there's enough
8 spots that are at least 16 feet in width. We
9 acknowledge that there needs to be regulation there.
10 Something that the city could also do is increase
11 enforcement on the general vendor size rules. General
12 vendors are only allowed to occupy eight by three
13 feet of space. There are a lot of vendors that are
14 taking more than the allowable space, and that's
15 what's contributing to the crowding. If more
16 enforcement was directed to that, then that would
17 solve a lot of the problems.

18 CHAIRPERSON VELÁZQUEZ: What's the proper
19 form of enforcement, and who should be the right
20 agency in enforcing?

21 MATTHEW SHAPIRO: It should be a civilian
22 agency. It depends, right? For food safety, it should
23 be the Health Department. Are you asking whether I
24 think the Sanitation Department is the right agency?
25

2 CHAIRPERSON VELÁZQUEZ: I'm just asking in
3 a perfect world when we're talking about enforcement
4 for street vendors. Not only the right agency, but
5 how would you see a proper enforcement looking like
6 for each type of vendor when we're talking about food
7 and/or general?

8 MOHAMED ATTIA: Sure. Thanks, Chair, for
9 the question. In terms of food and food safety, it
10 makes all the sense that DOHMH is the appropriate
11 agency to oversee that. I don't think we have any
12 problem with them being the main agency here.

13 In terms of other vending rules, in terms
14 of time, place, and manners, in terms of all of the
15 other siting rules, it makes sense for a civilian
16 agency to be in charge, but the only problem we have
17 is that regardless which agency is taken over, as
18 long as the system is impossible to comply with, it
19 won't matter much.

20 I'll be very honest and very frank here.
21 Of course, we don't want to send police officers with
22 handcuffs and firearms to interact with the vendors.
23 We don't see that in the restaurant industry. I've
24 never seen a cop walking into a brick-and-mortar and
25 asking the manager to hand over their ID or write

2 them a criminal ticket or arrest them for any
3 violation. Sadly, that happens with the vendors, so
4 we don't want to see that kind of enforcement taking
5 place within the vendors community as workers, as
6 small businesses, but also as long as the system
7 itself is not functioning, the rules themselves are
8 impossible to follow, any sort of enforcement coming
9 out will be very excessive and very punitive towards
10 the street vendors community.

11 CHAIRPERSON VELÁZQUEZ: Matt, earlier when
12 we were talking about, it was Intro. 1253, in regards
13 to obstructions, when we were talking about the
14 bollards and putting yourself in front so that was
15 what I meant. In regards to that, what do you think
16 is the proper spacing?

17 MATTHEW SHAPIRO: I think the bill is as
18 good as it's written. I feel like vendors need to
19 have some adequate distance allowable from the curb.
20 It's also to clarify the rule, because right now it
21 doesn't say that vendors must abut the curb. It says
22 that vendors have to be on the part of the sidewalk
23 that abuts the curb. No one really understands
24 exactly what that means. If they wanted to say abut
25 the curb, they could have just written that, but they

2 didn't so there was something else going on there.
3 OATH, the administrative tribunal sometimes
4 interprets it to mean 18 inches. Two feet is a good
5 distance. However, there are lots of obstructions on
6 the sidewalks often. Sometimes there are planters
7 placed on purpose sometimes by building owners to
8 kick out vendors. There are bollards placed for
9 security. In those instances, especially when vendors
10 had been there before the obstruction which happens a
11 lot, we don't want vendors to lose their spots
12 because it's very, very difficult to find a legal
13 spot 10 feet from every crosswalk, 20 feet from every
14 building door. You can't vend in a bus stop, which
15 sometimes makes whole blocks off limits. We want to
16 give vendors a little bit extra space so if there's
17 an obstruction, they should be as close as possible
18 as they can to the obstruction. They shouldn't vend
19 in the middle of the sidewalk. They shouldn't vend up
20 against the brick-and-mortar's property. They need to
21 be on the part of the sidewalk that abuts the curb,
22 but more clarity, either two feet or as close as
23 possible.

24 CHAIRPERSON VELÁZQUEZ: When you're
25 talking about these, are you considering pedestrians

2 or even pedestrians that have either mobility issues
3 or even when we're talking about like parents with
4 strollers?

5 MATTHEW SHAPIRO: Yeah, absolutely. I'm a
6 parent with a stroller. I live in Jackson Heights so
7 I know all about it. I think absolutely. There needs
8 to be enough space for pedestrians. We think the 12-
9 foot sidewalk width requirement along with the rule
10 that you have to be near the curb is enough.
11 Remember, we're not talking about the whole sidewalk
12 here. We don't live in the suburbs. We live in New
13 York City. You're walking down the sidewalk. There's
14 going to be lots of stuff, there's going to be
15 scaffolding, there's going to be bike racks, there's
16 going to be Citi Bike, there's going to be planters,
17 there's going to be all sorts of things. There's also
18 going to be spots where there's maybe 8 feet or 10
19 feet of space occupied by a vendor so for that space,
20 yes, the sidewalk will be narrowed for that 8 or 10
21 feet. That's a reality of the city we're living in.
22 We want to make sure that vendors aren't in the
23 middle of the sidewalk. They need to be by the curb,
24 but there are other things on the sidewalk besides
25 pedestrians, and those other things, like all the

2 stuff I mentioned, are really important for the city
3 just like vendors.

4 CHAIRPERSON VELÁZQUEZ: Okay. Right now,
5 how much space does DOHMH require right now from the
6 curb?

7 MATTHEW SHAPIRO: I'm not exactly sure.
8 Different agencies have different interpretations of
9 that curb rule. OATH has interpreted it as 18 inches.
10 Once I heard that the Police Department said one
11 foot. I don't really know, which leads to this bill
12 to try to make it clear to give a distance so I don't
13 know what DOHMH requires. We'd have to ask them.

14 CHAIRPERSON VELÁZQUEZ: Okay, and then I
15 think back to my enforcement question, just because I
16 want to know what works in your experience, and so
17 what do you think is a fair but effective enforcement
18 and what does it look like for your vendors?

19 MOHAMED ATTIA: Probably something that
20 might be surprising to some people here that a lot of
21 our members are supportive of fair enforcement. They
22 don't want to say we want to have a free for all.
23 They don't want to say the enforcement should never
24 exist. Enforcement and compliance is something that
25 our members advocate for. The only problem we have in

2 our city is that you have a set of rules that are
3 impossible to follow. For example, the lack of
4 license is the biggest piece. I can't obtain a
5 license from the City to operate my business in a
6 lawful way. However, the same city, probably the same
7 city agency, is sending an inspector or an officer at
8 the same day giving me 1,000-dollar fine for not
9 having the license that they are not providing.

10 MATTHEW SHAPIRO: Just to add on that,
11 perfect world.

12 CHAIRPERSON VELÁZQUEZ: Perfect world.

13 MATTHEW SHAPIRO: Perfect world.

14 CHAIRPERSON VELÁZQUEZ: Give me an
15 example.

16 MATTHEW SHAPIRO: Licenses and permits are
17 available. Vendor is vending without a license. They
18 get a ticket, and the inspector says go apply for
19 your license and the ticket will be thrown out. That
20 would be a perfect world.

21 CHAIRPERSON VELÁZQUEZ: That's fair and
22 effective to both of you, you would say?

23 MATTHEW SHAPIRO: Yeah. As long as the
24 licenses are available.

2 CHAIRPERSON VELÁZQUEZ: Beyond that, I
3 have a license already. Let's say that's the perfect
4 world. I already got my license and I, two worlds,
5 one scenario I screw up, I'm sorry, my bad, and then
6 in the other world, I keep on screwing up, my bad,
7 and my bad up to when is enough.

8 MATTHEW SHAPIRO: Right, so there's an
9 escalating fine schedule which I think exists for
10 other types of business regulations, and vendors who
11 are violating those rules, we should cut them some
12 slack in the beginning if they don't know or it's
13 their first time or there's something that's
14 preventing them.

15 CHAIRPERSON VELÁZQUEZ: Yeah, that's
16 right. In a perfect world, there'll be like two,
17 right? There's one who like screws up and like, kind
18 of to DSNY's point, and this is where I'm getting at,
19 the first time offense, they work through it, they
20 have the conversation, but when someone continues to
21 do it, after they know better how do you see proper
22 enforcement in that example?

23 MATTHEW SHAPIRO: Right. We don't have an
24 issue with the current fine structure that exists.
25 There's a multiple offense schedule that starts and

2 goes up to 500 dollars in penalties for a certain
3 number of violations. There's not a problem with that
4 schedule. The problem is with the rules itself. If
5 the rules were fair, and we have opinions on a lot of
6 the rules that aren't addressed in these bills here,
7 but if the rules were fair to the vending community
8 and you were knowingly violating the law, then those
9 civil penalties should apply.

10 CHAIRPERSON VELÁZQUEZ: To my last point
11 here, confiscation of goods afterwards.

12 MOHAMED ATTIA: I would like just to add
13 regarding enforcement, which is something that
14 already exists and taking place, and sometimes we
15 actually have to go and fight it that at certain
16 point with repeated violations or license and
17 permits, the City agencies will sue the vendor and
18 revoke their license or permit, and that should
19 address that concern. If there is a perfect world and
20 folks can obtain the license and permit and they can
21 be in compliance but they choose to break the laws,
22 at certain point the agencies will revoke their
23 permit or license and put them out of business.

24 CHAIRPERSON VELÁZQUEZ: And that to you is
25 fair and effective?

2 MATTHEW SHAPIRO: Right. As long as it's
3 fair. There's a double standard that exists.

4 CHAIRPERSON VELÁZQUEZ: No, that's why I
5 said fair and effective.

6 MATTHEW SHAPIRO: Yeah, you bring up a
7 very good point. So let's talk about the Health
8 Department revoking permits, the difference between
9 restaurants and food vendors. The law, as it's
10 written right now, gives the power to revoke a
11 restaurant's Health Department permit for serious and
12 repeated violations. They can bring a proceeding
13 before OATH and revoke their food service
14 establishment permit. Right now, for vendors, the
15 Health Department has the power to revoke a vendor's
16 permit for one violation of the Administrative Code.
17 It's a huge, huge double standard. We want to see the
18 same standard apply, we want to see the same standard
19 apply for restaurants and vendors so that's the
20 difference.

21 CHAIRPERSON VELÁZQUEZ: I think to DSNY's
22 final point, where I think we really want to work
23 with you on here, confiscation of goods. What has
24 your experience been like with your street vendors,
25 how have you worked with your street vendors in

2 obtaining their goods, and then lastly, what's a fair
3 and effective way, in your perfect world, of getting
4 those items back and what would be a fair rate as
5 well?

6 MOHAMED ATTIA: I think going back to the
7 confiscation of goods, it is something that sadly
8 very detrimental to the vendors as business owners,
9 as hard workers who probably put everything they own
10 in that little table or that little stand that
11 they're making a living off. However, when they are
12 in compliance with all the siting rules, keeping the
13 right measurements, making sure they are in a legal
14 vending location, for the lack of license or permit,
15 they are still subject to those fines and to the
16 property seizures. At a certain point, they might
17 pile up fines that are way higher than their capital
18 that has been invested in that tent, table,
19 merchandise, etc., and there is no way around it
20 unless we reform the system and bring these people
21 into the system and making sure they have a license
22 or a permit. It is very challenging, and we
23 understand how it could be difficult for DSNY to
24 enforce the law right now, but that's something we
25 heard from former inspectors at DCWP. They said we

2 can't enforce the law on unlicensed vendors. If
3 somebody doesn't have a license, there is no
4 enforcement that takes place. We walk to them and we
5 ask them to shut down and leave. That has been the
6 enforcement mechanism by DCWP inspectors in the past,
7 which hasn't been really effective as we are seeing
8 because people need to go out and make a living. So
9 how can we find a way where enforcement can actually
10 work? Because right now, it cannot.

11 CHAIRPERSON VELÁZQUEZ: In your perfect
12 world, confiscation of goods, where would you see a
13 fair and effective way?

14 MOHAMED ATTIA: If somebody, a vendor, is
15 intentionally breaking the law and creating a safety
16 hazardous situation, they should be held accountable.
17 This is something that all our members agree on.

18 MATTHEW SHAPIRO: DSNY says they mostly
19 confiscate goods when the vendor is unlicensed are
20 unpermitted, so if the vendors were licensed and
21 permitted then that would take care of I think a
22 large majority of the confiscations.

23 CHAIRPERSON VELÁZQUEZ: Do you think the
24 fines that they have now, when they said the storage
25

2 fee of about 16 dollars per day, do you think that's
3 fair?

4 MATTHEW SHAPIRO: I don't think they
5 should have to pay an additional fine. They're
6 already paying a fine for the ticket so we don't
7 think there should be additional fines. The fines
8 were set by the Council as proportional to the
9 offense, right? That's what we believe in our society
10 so to have an additional fine on top of that we don't
11 think is fair.

12 CHAIRPERSON VELÁZQUEZ: Alright, thank
13 you. Now on to my Colleagues.

14 COUNCIL MEMBER FARÍAS: Just a couple
15 questions for NYC BID if possible. I'm sorry, can
16 you, I don't see it here in your testimony. Can you,
17 oh, here it is. Your title is co-chair, correct? Did
18 you help draft this statement and approve it?

19 ERIN PISCOPIK: Correct, so I am the
20 executive director of the Grand Street BID in
21 Williamsburg, and then serve as the co-chair of the
22 New York City BID Association, which is a volunteer
23 run organization.

24 COUNCIL MEMBER FARÍAS: Got it. Over the
25 last I guess eight years or so, NYC BID and you folks

2 on the board have worked with the Administration in
3 what ways regarding street funding?

4 ERIN PISCOPIK: Sure. It's an issue
5 that's important to a lot of our membership, and the
6 way we see street vending has evolved over time. I
7 think most recently it's important to point out that
8 we participated in the Street Vendor Advisory Board
9 and support the shared recommendations that came out
10 of that and expressed.

11 COUNCIL MEMBER FARÍAS: Okay, and in those
12 shared recommendations, how would you best work on
13 the licensing issue, as you called it here, premature
14 at best. What would your recommendations be?

15 ERIN PISCOPIK: Regarding 1270?

16 COUNCIL MEMBER FARÍAS: Yes.

17 ERIN PISCOPIK: I don't feel comfortable
18 speaking to that today. We have a working group on
19 vending, and the co-chairs of that working group
20 could probably speak to that better than I can.

21 COUNCIL MEMBER FARÍAS: We'd love to get a
22 followup testimony.

23 ERIN PISCOPIK: Absolutely.

24 COUNCIL MEMBER FARÍAS: You folks have
25 seven days to submit something after the hearing date

1 on better use recommendations or better use of
2 language in this testimony. I'm pretty offended by
3 the statement of this bill being premature at best
4 when really a lot of work has to be done on this
5 issue and as we've seen almost close to a decade,
6 there has been no improvements or very little
7 improvements to actually expanding our permits and
8 licensing, and so I resent the fact that you're
9 saying this is premature at best when we are here to
10 help people every single day and move this policy
11 forward and if you didn't come here with a
12 recommendation or a set of recommendations from the
13 folks that drafted this statement, this language, in
14 my opinion, should not have been used.

16 COUNCIL MEMBER SANCHEZ: Thank you, Chair.
17 I just want to join in all of Council Member Farías'
18 words here. It is extremely disrespectful given
19 everything that Council Member Farías says but also
20 the expertise that there has been and exists in the
21 City Council, in me, in Council Member Farías as
22 Council Members that represent impacted Districts,
23 but I aged 1116. I personally have been involved in
24 this legislation at City Hall, working with DCWP for
25 years so don't come here if you want to be productive

2 and call our legislation premature, okay? Please take
3 that back and yes, in seven days, we'd love to see
4 follow up that is substantive. Thank you.

5 ERIN PISCOPIK: We'll submit additional
6 testimony. Thank you.

7 CHAIRPERSON VELÁZQUEZ: Thank you,
8 everyone.

9 COMMITTEE COUNSEL SWAINE: Thank you. Our
10 next panel will be in person. It will require a
11 Spanish interpreter. Irene, María Castillo, Vicente
12 Veintimilla, Armando Garcia, and Rosa Baclima
13 (phonetic). Please come up to the table.

14 CHAIRPERSON VELÁZQUEZ: So once again, I'm
15 going to ask every participant [SPEAKING SPANISH]
16 alright, and that way we get no, no clapping, but
17 yeah, there we go. [SPEAKING SPANISH]

18 VICENTE VEINTIMILLA: [SPEAKING SPANISH]

19 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

20 INTERPRETER: Good afternoon. My name is
21 Vincente Ventimiglia. I am a vendor, Fordham Road in
22 the Bronx. I've been in this unofficial business
23 market, trade market for 46 years, and I want to
24 thank God and Chair Velázquez and this very relevant
25 Committee for allowing us to give our testimony. It

2 is unavoidable that these bills 1264 and 1253 are
3 approved with urgency.

4 Wait a minute, sorry. I lost myself.

5 Okay. When the first one is approved, all
6 the sanctions will be de-penalized and they will
7 become violations of a civil character, and the
8 second, allowing to open new places for the vendors.
9 In the personal, I am very discontented, and I do not
10 want to transform this unhappiness or discontentment
11 into a frustration, and this is due to the fact that
12 we were expecting that the proposals or the bills
13 1270 and 1268 will be prioritized and we expect it to
14 be integrated with the Department of Small
15 Businesses, and these proposals are key.

16 CHAIRPERSON VELÁZQUEZ: Thank you. He will
17 submit it and we will include it in the testimony.
18 Thank you so much for your patience.

19 [SPEAKING SPANISH]

20 MARÍA ANGÉLICA CASTILLO LUNA: [SPEAKING
21 SPANISH]

22 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

23 MARÍA ANGÉLICA CASTILLO LUNA: [SPEAKING
24 SPANISH]

25

2 INTERPRETER: Good afternoon. My name is
3 María Angélica Castillo Luna. I am a member of the
4 Street Vendor Project, and I have been a vendor for
5 12 years. I sell cut fruits on 23rd and 6th Avenue in
6 Manhattan. I have always sold with my mobile food
7 vendor license. I ask you today, why won't the city
8 allow me to get a permit to formally enter the
9 industry? I have always worked in fear of the police.
10 I have always thought that the police exist to take
11 care of us, not to be afraid of them, but
12 nevertheless, I work in fear when I see an officer
13 because I don't know if they'll give me a ticket or
14 arrest me. Twelve years ago, the police came after me
15 just for working and took me to jail, got (INAUDIBLE)
16 for just working and they did take me to jail. I
17 wasn't let out until the next day. I have two
18 children who are now in college, but 12 years ago,
19 when they were little, they didn't know if their mom
20 was going to make it home, or if she wouldn't be home
21 until the next day because a cop took her and
22 arrested her. That is why today I am here to ask the
23 decision makers, my elected officials who make
24 decisions for our entire city, who hold your position
25 to protect everyone in the city, including me. To

2 this day, decisions have not been made with me and my
3 fellow street vendors in mind. We have not been
4 protected, but left out of the laws.

5 COMMITTEE COUNSEL SWAINE: Thank you so
6 much.

7 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

8 ROSA BACLIMA: [SPEAKING SPANISH]

9 CHAIRPERSON VELÁZQUEZ: Gracias, and we
10 did it in under two minutes.

11 INTERPRETER: Good afternoon, my name is
12 Rosa Baclima, and I am a street vendor. I have been a
13 street vendor for more than 20 years. I sell tamales,
14 rice, milk, and all kinds of breakfasts in Corona,
15 Queens. Through my job, I keep my family in Ecuador
16 and support my family in Ecuador, and I thank Council
17 Member Marjorie Velázquez and the Committee for this
18 opportunity to be able to testify. I support the
19 bills 1264 and 1253, but in all the years that I've
20 been in this country working as a street vendor, I've
21 paid my taxes. I got a license to sell food and when
22 finally I have saved enough to rent a permit in the
23 black markets, 25,000 dollar, the pandemic arrived,
24 and I want to get up again. I had to stop renting the
25 permit, and that is why I'm here, to support bill

2 1270, to demand that the Council organizes a hearing
3 including 1270, the sooner the better, and this
4 proposal is going to help to accelerate the waiting
5 list in which thousands of us street vendors are
6 included.

7 Again, I thank you for accepting my
8 testimony, and I hope that you take into account my
9 suggestion.

10 CHAIRPERSON VELÁZQUEZ: Thank you so much.

11 ARMANDO GARCIA: [SPEAKING SPANISH]

12 CHAIRPERSON VELÁZQUEZ: Gracias.

13 INTERPRETER: Good morning, my name is
14 Armando Garcia. I am a vendor in the Bronx, and I've
15 been for more than 20 years doing this activity that
16 has helped me to educate my children in my country. I
17 have kidney deficiency and I receive dialysis ever
18 since seven years ago, and this year I lost a leg. I
19 come here once again, only God knows if it would be
20 the last, and we ask for a change in the legislation
21 that provides permits and licenses for the vendors as
22 an act of justice to those who have given parts of
23 our lives to the street. Probably I won't be able to
24 see the changes, I don't want to be pessimist, but
25 every time my health is deteriorating more and more

2 but nevertheless to know that I was part of these
3 valiant fighters makes me feel proud. I want to end
4 my days next to this great family, not in a hospital,
5 alone, abandoned. The streets have been our second
6 home and the streets will see me leave. Thank you.

7 CHAIRPERSON VELÁZQUEZ: Thank you.

8 COMMITTEE COUNSEL SWAINE: Our next panel
9 will be in person. Taisha McGriff, Guadalupe Sosa,
10 Dan Rossi, Annie Xie, Jennifer Salgado, and Calvin
11 Baker.

12 Alright, we're going to start off with
13 Taisha McGriff.

14 TAISHA MCGRIFF: Good afternoon. My name
15 is Taisha McGriff. I'm also a member of the Vendor
16 Project and I'm also a small business owner of Tiny's
17 Kitchen, all you need is a tiny's taste, and I want
18 to thank you guys for allowing me to testify today.

19 I'm here not to disrupt, interfere,
20 clutter, or assault you in front of any local
21 establishment within my community. I want to be able
22 to stand proudly alongside my fellow small business
23 owners to provide a good service to my community with
24 my delicious food. It's been 15 years since I applied
25 and sent in documentation for my vendor's license,

2 also for my merchandise. It's been 15 years, only to
3 be told that they don't have no recollection of me
4 even applying 15 years ago after I waited so long to
5 say that I never did because they only give to
6 veterans, and if I'm not a veteran, that is
7 impossible for me to have submitted those
8 documentations, which was very disappointing and
9 depressing. I'm here because it's so frustrating when
10 I take the proper steps to get the permit, get the
11 license, and do everything to only be told that there
12 is no way you can even achieve it. I need to be able
13 to obtain the tools that I need to be a sufficient
14 vendor on the street, and I'm just so passionate
15 about it because I just didn't wake up overnight and
16 say, okay, I'm just going to go sell food on the
17 street. I went through the proper channels.

18 CHAIRPERSON VELÁZQUEZ: Thank you. Sorry
19 about that.

20 TAISHA MCGRIFF: No problem.

21 CHAIRPERSON VELÁZQUEZ: I'm really trying
22 to stick to the two minutes.

23 No problem.

24 CHAIRPERSON VELÁZQUEZ: I'm trying to give
25 everybody the same grace. I appreciate it. If you

2 want, we're still taking written testimony through
3 the next 72 hours.

4 COMMITTEE COUNSEL SWAINE: 72 hours, you
5 may submit written testimony to
6 testimony@council.nyc.gov.

7 TAISHA MCGRIFF: Thank you.

8 GUADALUPE SOSA: Good afternoon, everyone.
9 My name is Guadalupe Sosa, I've been a street vendor
10 for more than 12 years. Today I'm here to support not
11 only me but my colleagues in this never-ending battle
12 against us street vendors. Like many others, I have
13 suffered being discriminated, humiliated, and many
14 other never-ending names. It is time we finally get
15 recognized as the smallest business owners that we
16 are. We deserve getting properly orientated,
17 educated, and guided in order to do the proper things
18 the state and the city requires. We also here to talk
19 about the amount of time we get criminal fines for
20 vending in the street and the lack of permits and
21 licenses New York City has a cap on till this day. We
22 aren't criminals, just vendors trying to bring bread
23 to our table. Also, my father was one of those who
24 got arrested for selling in the street when I was a
25 minor. It was a dramatizing experience to see my

2 father get taken away from me with handcuffs all
3 because he was vending and, ever since then, people
4 look at you like you're a criminal and not a vendor
5 and not a proper resident of New York City. We do
6 everything legal and we try to do everything legal,
7 but there's always a limit. It's time for us to get
8 heard and be seen. Thank you.

9 ANNIE XIE: Good afternoon. My name is
10 Annie Xie, and I'm a Staff Attorney with the
11 Microenterprise Project at Volunteers Legal Service,
12 or VOLS. I would like to thank Chair Velazquez and
13 the Committee for the opportunity to testify today.
14 VOLS is a legal services non-profit, and the VOLS
15 Microenterprise Project provides free legal services
16 to small business owners and entrepreneurs.

17 For many New Yorkers, entrepreneurship is
18 an effective path out of poverty and into financial
19 stability and independence. Entrepreneurship takes
20 many forms, including street vending which provides
21 crucial economic opportunities, particularly for
22 immigrants, minorities, and veterans. The repeal of
23 misdemeanor criminal penalties for food and
24 merchandise vending will help ensure that street
25 vendors do not face the threat or fear of arrest as

1 they seek to provide for themselves, their families,
2 and their communities.

3
4 At VOLS, we hear from all types of
5 entrepreneurs, including street vendors, about the
6 challenges of navigating what seems like a regulatory
7 maze. In our work, we recently learned about a
8 licensed fruit vendor who had hundreds of dollars of
9 produce thrown out by the Department of Sanitation,
10 which issued two violations that the fruit vendor
11 could not understand in part due to language
12 barriers. Another fruit vendor, a black U.S. Navy
13 veteran on Social Security, recently approached VOLS
14 in frustration because his food cart permit decal was
15 stolen and he could not access any information on
16 what to do next. He filed a police report but
17 received two tickets for operating without a permit.
18 These examples highlight the hurdles that street
19 vendors encounter in addition to potentially facing
20 criminal penalties. Beyond considering the
21 decriminalization of street vending, we believe that
22 expanding access to licensing, as outlined in Intro.
23 1270, will allow street vendors to formalize and grow
24 their businesses under a fair regulatory system.
25 Street vendors are among the smallest of New York

2 City's small businesses, and yet they form an
3 integral part of our communities and our local
4 economies.

5 Thank you for accepting our testimony,
6 and for supporting the needs of New York City's
7 street vendor entrepreneurs.

8 CHAIRPERSON VELÁZQUEZ: Thank you.

9 JENNIFER SALGADO: Hello. Thank you for
10 providing the space to testify before you this
11 afternoon. My name is Jennifer Salgado, a proud
12 Bronxite and the lead organizer at the Street Vendor
13 Project. SVP is a member-led organization with more
14 than 2,900 members who are working to create a vendor
15 led movement for permanent change.

16 Although I am here to voice my overall
17 support for all the bills presented today, I am here
18 to speak on the absolute need to move forward Intro.
19 1264, a bill sponsored by Council Member Shekar
20 Krishnan that will decriminalize street vending
21 across the city. Over the past two years, I have been
22 working with vendors in Fordham Road up in the Bronx,
23 where folks have been the victims of constant
24 harassment from the local precincts. Many of these
25 vendors have received criminal tickets, which forced

1 them to go to criminal court, simply for not having a
2 license or a permit. I come to this work not only
3 because I believe in social justice, but because I
4 draw from my own experience as a daughter of a former
5 street vendor. When my mother arrived to this country
6 30 years ago, there weren't many avenues she could
7 have pursued to secure a job and sustain my sisters
8 and I so she turned to street vending as her father
9 in Mexico had taught her. Being a vendor granted her
10 the agency to be her own boss and therefore be more
11 available and present for us, her children. In 2014,
12 on Valentine's Day, she along with other vendors,
13 guess where? If you guessed Fordham you're right. She
14 and the other vendors present were harassed by the
15 local precincts and later arrested. Her crime?
16 Selling flowers and bears without a license. She and
17 the other mothers sat in a cold cell for 24 hours
18 before seeing a judge until they were finally
19 released. This is what outdated laws do to
20 hardworking mothers. I want us to take a second to
21 recognize that this incident happened almost 10 years
22 ago and we are still seeing the criminalization of
23 vendors today in the same neighborhoods. I hope that
24

2 the City Council takes actionable steps that moves
3 legislative reform forward. Thank you.

4 CALVIN BAKER: My name is Calvin Baker,
5 and while I serve as a deacon under the Apostolic
6 Faith, I'm a dad, I'm a grandfather, I'm a
7 restorative justice leader at Faith in New York, but
8 today I come to you as a street vendor, and I am here
9 to ask the City to consider a number of bills to make
10 sure that me and the vendors like me have a just
11 vending system in New York City that treats us with
12 dignity, respect, and the opportunity to live the
13 American dream to have my own vendor business. The
14 current waiting list is so long and with this
15 priority to certain population does not currently
16 give me and the brothers and sisters I work alongside
17 with hope. This is why I endorsed the access to
18 business license, which will open the doors for me as
19 it is drafted and supported expanding the amount of
20 vending licenses to 1,500. So that's why Street
21 Vendor Project and dozens of other organizations are
22 asking for street vendor reform. We are asking the
23 City to stop criminalizing vendors, and any
24 infractions should be civil and not criminal cases.
25 This city has been built on the backs of blacks and

2 brown people, people who have migrated here,
3 willingly did the jobs no one else wanted to do
4 during the pandemic. Let's not criminalize them. We
5 ask that you support the bill to decriminalize
6 vending. Vendors want to be well, and we ask that
7 the Small Business Services train and educate us to
8 be the best vendors we can be. We asked that SBS
9 create a division to create such an office.

10 Lastly, vendors want to operate safely
11 and we propose the reform public setting rule to
12 allow us to place our stands within two feet from
13 where the sidewalk meets. Thank you very much.

14 CHAIRPERSON VELÁZQUEZ: Thank you. And
15 like I said before please, please, please if there's
16 additional information that you did want to share,
17 please submit the written testimony. You have 72
18 hours for that so thank you for that.

19 I did actually want to follow up a
20 question you had said about street justice, and what
21 does just mean for you, a just street vending program
22 mean to you?

23 CALVIN BAKER: What does a just street
24 vending program means to me? For me not to feel

2 criminalized when I come out to try to make money for
3 my family and to pay my bills.

4 CHAIRPERSON VELÁZQUEZ: Earlier we had
5 DSNY testify that they are not issuing any criminal
6 violations. They're only civil fines. Have you
7 experienced otherwise, and this is from April because
8 they took over enforcement in April. Have you heard
9 of anybody receiving any penalties other than civil?

10 CALVIN BAKER: Yes, I have. Even though
11 they may not be issuing it, they have police officers
12 that are with him that are issuing it so what makes
13 them separate? They're coming together.

14 CHAIRPERSON VELÁZQUEZ: To my point. Thank
15 you.

16 CALVIN BAKER: You're welcome.

17 CHAIRPERSON VELÁZQUEZ: Miss Salgado. You
18 had mentioned your mom had gone through this
19 situation 10 years ago. Have you had street vendors
20 since April approach the Street Vendor Project about
21 any criminal penalties that they have received?

22 JENNIFER SALGADO: Yes. As I mentioned, I
23 have been working with the vendors on Fordham Road
24 for the past two years, and it is a constant threat
25 that actually we had to create a whole pilot program

2 just for Fordham so that vendors can operate safely
3 because they were under constant harassment by the
4 local precincts.

5 CHAIRPERSON VELÁZQUEZ: So it was just
6 harassment, but no real penalties, or did they
7 receive penalties?

8 JENNIFER SALGADO: When I say harassment,
9 probably should be more explicit, but they're getting
10 criminal summons, they're getting their items
11 confiscated by the local precinct, not by DSNY, who
12 is in charge of vending since, as you mentioned,
13 April 1st.

14 CHAIRPERSON VELÁZQUEZ: How many
15 violations have you heard of, specifically the
16 criminal ones that they've received?

17 JENNIFER SALGADO: In the summer, we had..

18 CHAIRPERSON VELÁZQUEZ: And since April? I
19 just want to correlate the (INAUDIBLE)

20 JENNIFER SALGADO: In the summer, we had
21 several vendors approach us. It was on a weekly
22 basis. We had to approach the local Council Member
23 who has been very supportive of the issue, but
24 creating a pilot program is not the end all be all
25 solution. There needs to be legislative reform.

2 CHAIRPERSON VELÁZQUEZ: Are you tracking
3 this as well?

4 JENNIFER SALGADO: We are tracking.
5 Unfortunately, our organization cannot represent
6 vendors in criminal court. Unfortunately, we do tell
7 them this is the process that you need to take. We
8 try to encourage folks to go to criminal court
9 because we know that the City has worked to create
10 safer laws for folks to do but there is still a great
11 fear from all types of vendors to go to criminal
12 court.

13 CHAIRPERSON VELÁZQUEZ: Thank you for
14 sharing.

15 Earlier you had discussed about
16 submitting your application over 15 years. Do you
17 remember the agency that you submitted it to and
18 which application you applied to?

19 TAISHA MCGRIFF: I just know it was on
20 Broadway by the Bull. That's how I relate to that
21 building, right across the street from the Bull.
22 That's the building where I applied for both my full
23 vendor license and merchandise, they advised me to do
24 both, because she said I might as well do both at the
25 same time. I'm not sure what the address to the

2 building is, I don't remember, but I just know
3 anytime I go to the building, it's right across the
4 street from the Bull.

5 CHAIRPERSON VELÁZQUEZ: And you never got
6 any of those licenses?

7 TAISHA MCGRIFF: No, I did receive a
8 letter about probably like two, three years into that
9 stating where I was on the waiting list, and then a
10 couple of years after that when I went to inquire
11 again, that's when she told me they have no
12 recollection of me ever applying at all, and that I
13 must be mistaken because they're only letting those
14 that are veterans apply, so the miscommunication and
15 misleading of the same people that I'm supposed to
16 get my documentation from, it's just very
17 frustrating, very confusing. Because if they tell me
18 one thing and then do another, what am I supposed to
19 do?

20 CHAIRPERSON VELÁZQUEZ: What has been your
21 recent communication with either DOHMH because you
22 have a food license or DCWP because you did apply for
23 food and you did apply for a general.

24 TAISHA MCGRIFF: Okay, what I did was try
25 to contact the Health Department, which I did, and

2 even they said that they don't have no recollection
3 of nothing except for my food handling license that I
4 had since 2007, so I don't know after the pandemic,
5 what happened after that, but it's just like
6 everything is lost and all the hard work that I did
7 and all the steps that I took, all the classes I
8 attended to, to work towards my license, it just went
9 down the drain.

10 CHAIRPERSON VELÁZQUEZ: Thank you so much.
11 I appreciate it. Thank you for sharing. Thank you.

12 COMMITTEE COUNSEL SWAINE: Thank you. Our
13 next panel will be in person. It will require a
14 Mandarin interpreter. It will be Win Long Li
15 (phonetic), followed by Aye Wong (phonetic) followed
16 by Lu Xian Shan (phonetic) followed by Jiang Li Jia
17 (phonetic) followed by Li Wen Hong (phonetic). Thank
18 you.

19 INTERPRETER: Sorry, excuse me. He has a
20 speech impediment. Is there any way that he can get a
21 little bit extra time?

22 I don't know if he has a speech, but in
23 that case, it might be easier for me to just
24 interpret after.

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2 LI WEN HONG: [SPEAKING MANDARIN]

3 INTERPRETER: Hello, everyone. My name is
4 Li Wen Hong. I came from China on July 16th. I was a
5 college student there.

6 LI WEN HONG: [SPEAKING MANDARIN]

7 INTERPRETER: I have a disability because
8 when I was born, there was a lack of oxygen to the
9 brain, so I has cerebral palsy

10 LI WEN HONG: [SPEAKING MANDARIN]

11 INTERPRETER: In China, I graduated with
12 my BA and I applied for graduate school and I came
13 here.

14 LI WEN HONG: [SPEAKING MANDARIN]

15 INTERPRETER: My father had passed away in
16 2007 due to heart disease.

17 LI WEN HONG: [SPEAKING MANDARIN]

18 INTERPRETER: My mother was diagnosed
19 breast cancer in 2020. I have a younger sister going
20 to college in China.

21 LI WEN HONG: [SPEAKING MANDARIN]

22 INTERPRETER: So here, I'm going to school
23 part time and also working part time. I also need to
24 send part of my savings back to China.

25 LI WEN HONG: [SPEAKING MANDARIN]

2 INTERPRETER: After I came here, I tried
3 to find a part-time job. I tried for two weeks, but
4 nobody would hire me.

5 LI WEN HONG: [SPEAKING MANDARIN]

6 INTERPRETER: The reasons I gave are all
7 the same. They said that it is out safety concerns,
8 out of concern that I might affect them in some way.

9 LI WEN HONG: [SPEAKING MANDARIN]

10 INTERPRETER: And so I didn't have a
11 choice but turn to vending for my life expenses, for
12 my tuition, and for my family.

13 LI WEN HONG: [SPEAKING MANDARIN]

14 INTERPRETER: I very much hope that I
15 could complete my studies in this country and also
16 obtain my job that I prefer.

17 LI WEN HONG: [SPEAKING MANDARIN]

18 INTERPRETER: So if I have no opportunity
19 to do this job, what is the purpose of me obtaining
20 higher education?

21 LI WEN HONG: [SPEAKING MANDARIN]

22 INTERPRETER: I wish I could, with my own
23 two hands, bring happiness to my family.

24 LI WEN HONG: [SPEAKING MANDARIN]

25

2 INTERPRETER: So I wish the government
3 would support us vendors to be able to vend legally.

4 LI WEN HONG: [SPEAKING MANDARIN]

5 INTERPRETER: Because at this point in my
6 life, this is the only job that I could think of that
7 could sustain my life and my family.

8 LI WEN HONG: Thank you.

9 INTERPRETER: Thank you.

10 CHAIRPERSON VELÁZQUEZ: Did he want to
11 continue a little bit more?

12 LI WEN HONG: [SPEAKING MANDARIN]

13 INTERPRETER: I can continue.

14 CHAIRPERSON VELÁZQUEZ: I'll give you 30
15 seconds if that's okay. If you can speak to either
16 your personal experience with street vending and/or
17 the bills in front of you.

18 LI WEN HONG: [SPEAKING MANDARIN]

19 INTERPRETER: Thank you.

20 LI WEN HONG: [SPEAKING MANDARIN]

21 INTERPRETER: In August when I was
22 vending, there was a person who came seeking
23 protection money. If I didn't give it, would take all
24 my things away and even beat me up.

25 LI WEN HONG: [SPEAKING MANDARIN]

2 INTERPRETER: I reported many times to the
3 police, but when the police came, this person would
4 not be there, would have run away, so there was no
5 arrest made up to this point.

6 LI WEN HONG: [SPEAKING MANDARIN]

7 INTERPRETER: And it was my fellow Chinese
8 who every time this person came would protect me, and
9 then later on, this person no longer came to harass
10 me.

11 LI WEN HONG: [SPEAKING MANDARIN]

12 INTERPRETER: Thank you.

13 AYE WONG CHIN: [SPEAKING MANDARIN]

14 INTERPRETER: Hello everyone. My name's
15 Aye Wong Chin.

16 AYE WONG CHIN: [SPEAKING MANDARIN]

17 INTERPRETER: I'm 71 years old this year.

18 AYE WONG CHIN: [SPEAKING MANDARIN]

19 INTERPRETER: During the pandemic, I
20 didn't have any means of making a living, so I
21 thought about vending.

22 AYE WONG CHIN: [SPEAKING MANDARIN]

23 INTERPRETER: Through vending. I hope to
24 have some ways of making my livelihood for rent, for
25 food, and just some spending money.

2 AYE WONG CHIN: [SPEAKING MANDARIN]

3 INTERPRETER: I don't need much.

4 AYE WONG CHIN: [SPEAKING MANDARIN]

5 INTERPRETER: But through these last few
6 years of vending, the police has just been watching
7 me, supervising me, robbing me.

8 AYE WONG CHIN: [SPEAKING MANDARIN]

9 INTERPRETER: And sometimes when I get
10 scared, I my heart has illness and then I have heart
11 disease.

12 AYE WONG CHIN: [SPEAKING MANDARIN]

13 INTERPRETER: And then I get dizzy and the
14 police would see me and then would say, oh why don't
15 we get an ambulance for you, and I would say no.

16 AYE WONG CHIN: [SPEAKING MANDARIN]

17 INTERPRETER: I don't want to bring any
18 inconvenience or trouble to the U.S.

19 AYE WONG CHIN: [SPEAKING MANDARIN]

20 INTERPRETER: I don't need the U.S.
21 government to give me any subsidies.

22 AYE WONG CHIN: [SPEAKING MANDARIN]

23 INTERPRETER: While my health is still
24 good, vending allows me to pay my rent, for my
25 shelter, for my food, and that's it.

2 AYE WONG CHIN: [SPEAKING MANDARIN]

3 INTERPRETER: And today, the government
4 has been so gracious to us, those of us on the bottom
5 of society, so respectful. Thank you very much.

6 CHAIRPERSON VELÁZQUEZ: Thank you.

7 WON HAI YU: [SPEAKING MANDARIN]

8 INTERPRETER: Good afternoon, everyone. My
9 name is Won Hai Yu. I have been a vendor in Flushing
10 since the pandemic no matter if it's raining or
11 snowing.

12 WON HAI YU: [SPEAKING MANDARIN]

13 INTERPRETER: Before pandemic, there's no
14 fear, but now when I ever see the police, it makes me
15 extremely nervous, and then I am so fearful when I
16 hear the police, I feel that they're going to take
17 away all my things.

18 WON HAI YU: [SPEAKING MANDARIN]

19 INTERPRETER: I'm 50 years old. I used to
20 be a nail technician, but then my eyesight is not
21 good anymore, and then I also used to be a sewer, but
22 I can't do that job either. I'm also a single mother
23 of three, and so I really just wish you to give me
24 the opportunity to work legally.

25 WON HAI YU: [SPEAKING MANDARIN]

2 INTERPRETER: Whenever I see the police, I
3 get really scared, and so I just want to have a legal
4 means of working just to make enough for me to have a
5 life.

6 WON HAI YU: [SPEAKING MANDARIN] Thank
7 you.

8 INTERPRETER: Thank you.

9 JIANG LI JIA: [SPEAKING MANDARIN]

10 INTERPRETER: Hello everyone. My name is
11 Jiang Li Jia. I've been working as a vendor since the
12 pandemic in Flushing. After the pandemic, I didn't
13 have a job, so I started vending.

14 JIANG LI JIA: [SPEAKING MANDARIN]

15 INTERPRETER: During the pandemic, my
16 husband lost his job.

17 JIANG LI JIA: [SPEAKING MANDARIN]

18 INTERPRETER: I also have an 8-year-old I
19 need to support, so we do vending because we have no
20 other choice.

21 JIANG LI JIA: [SPEAKING MANDARIN]

22 INTERPRETER: It used to be we made enough
23 for rent, for electricity, enough for our child, but
24 ever since then, recently, the Flushing police every
25 day comes to monitor us, comes to issue these big

2 fines, and then we would run and chase us, and so
3 every day we would be running.

4 JIANG LI JIA: [SPEAKING MANDARIN]

5 INTERPRETER: We are really hard-working
6 people. We go out no matter the weather, if it's
7 rainy or windy. We have family to support, but the
8 police would every day come to chase us to give us
9 these big fines and take away our things. We're
10 really hard-working people, and we want a legal means
11 to work, but we're not able to get the license and
12 all we want is just to be living not as a criminal.

13 JIANG LI JIA: [SPEAKING MANDARIN]

14 INTERPRETER: We are really hard-working
15 people. We need this job, and we'd like to work this
16 job in security. We need you guys to give us a
17 license for us to do that, for us to live in this
18 beautiful country.

19 JIANG LI JIA: [SPEAKING MANDARIN]

20 INTERPRETER: Thank you very much.

21 CHAIRPERSON VELÁZQUEZ: Thank you. So I've
22 just given the translators some questions to
23 translate for you all so you can all take your turn.
24 If we can move one mic closer to the young lady at
25 the end. So she's going to ask you questions, okay?

2 INTERPRETER: [SPEAKING MANDARIN]

3 LI WEN HONG: [SPEAKING MANDARIN]

4 INTERPRETER: Flushing.

5 JIANG LI JIA: [SPEAKING MANDARIN]

6 INTERPRETER: Main Street.

7 AYE WONG CHIN: Flushing and Roosevelt.

8 WON HAI YU: [SPEAKING MANDARIN]

9 INTERPRETER: Me too, on Roosevelt.

10 AYE WONG CHIN: [SPEAKING MANDARIN]

11 INTERPRETER: And 39th Avenue.

12 CHAIRPERSON VELÁZQUEZ: The first question

13 that they just responded to is where do you current

14 currently vend?

15 The next question is what do you sell?

16 INTERPRETER: [SPEAKING MANDARIN]

17 LI WEN HONG: [SPEAKING MANDARIN]

18 INTERPRETER: I sell some Chinese-made

19 hats, mittens, wallets.

20 WEN HAI YU: [SPEAKING MANDARIN]

21 CHAIRPERSON VELÁZQUEZ: Wait, we're gonna

22 need you to put the mic. Okay. Thank you.

23 INTERPRETER: I also sell mittens and

24 scarves

25 WEN HAI YU: [SPEAKING MANDARIN]

2 INTERPRETER: Hats, mittens, scarves.

3 JIANG LI JIA: [SPEAKING MANDARIN]

4 INTERPRETER: I sell clothes.

5 AYE WONG CHIN: [SPEAKING MANDARIN]

6 INTERPRETER: I sell clothes.

7 CHAIRPERSON VELÁZQUEZ: The next question
8 is when did you apply for a license?

9 INTERPRETER: [SPEAKING MANDARIN]

10 LI WEN HONG: [SPEAKING MANDARIN]

11 INTERPRETER: Well, because I just came
12 here shortly before, I have not applied for a license
13 yet.

14 WEN HAI YU: [SPEAKING MANDARIN]

15 INTERPRETER: Well, I've been really
16 frightened because they were really strict in March,
17 and then so I stopped working for six months and so
18 only starting in November for the last month I
19 started working there again.

20 CHAIRPERSON VELÁZQUEZ: Okay, so she
21 hasn't applied for her license?

22 INTERPRETER: [SPEAKING MANDARIN]

23 WEN HAI YU: [SPEAKING MANDARIN]

24 INTERPRETER: I have not applied for my
25 license.

2 CHAIRPERSON VELÁZQUEZ: Okay.

3 JIANG LI JIA: [SPEAKING MANDARIN]

4 INTERPRETER: I applied for it during the
5 pandemic, but they already closed it.

6 AYE WONG CHIN: [SPEAKING MANDARIN]

7 INTERPRETER: I did not apply.

8 CHAIRPERSON VELÁZQUEZ: Okay. Have you
9 been put on a waitlist? I guess you're the only one
10 who applied. Have you been put on a waitlist?

11 INTERPRETER: [SPEAKING MANDARIN]

12 JIANG LI JIA: [SPEAKING MANDARIN]

13 INTERPRETER: No, it was closed.

14 CHAIRPERSON VELÁZQUEZ: Okay. What has
15 your experience been with enforcement?

16 INTERPRETER: [SPEAKING MANDARIN]

17 JIANG LI JIA: [SPEAKING MANDARIN]

18 INTERPRETER: My vending, the first time I
19 was doing it on the street, and then I saw the police
20 came over. There were three of them I wanted to
21 leave, but they were pressing me down not allowing me
22 to leave.

23 CHAIRPERSON VELÁZQUEZ: When was this?

24 INTERPRETER: [SPEAKING MANDARIN]

25 JIANG LI JIA: [SPEAKING MANDARIN]

2 INTERPRETER: This year around April, no,
3 beginning of May, beginning of May.

4 JIANG LI JIA: [SPEAKING MANDARIN]

5 INTERPRETER: In May, I was issued with
6 this really outrageous amount of fine. It was 1,000
7 dollars.

8 JIANG LI JIA: [SPEAKING MANDARIN]

9 INTERPRETER: Since then, I was too afraid
10 to go out to do it, but I still needed money to buy
11 things for my child, to buy food, and so I would go
12 around 4 or 5:00 p.m. and then sell secretly for an
13 hour or two hours.

14 JIANG LI JIA: [SPEAKING MANDARIN]

15 INTERPRETER: But very unfortunately, I
16 was again, arrested.

17 JIANG LI JIA: [SPEAKING MANDARIN]

18 INTERPRETER: I'm sorry, interpretation,
19 it should be I was again found and then issued with
20 another 1,000-dollar fine.

21 CHAIRPERSON VELÁZQUEZ: How much have so
22 how much have you paid in penalties or fines?

23 INTERPRETER: [SPEAKING MANDARIN]

24 JIANG LI JIA: [SPEAKING MANDARIN]

25

2 INTERPRETER: That fine, it was handled by
3 the Vendor Association for me, so there was the
4 attorney who fought it for me.

5 JIANG LI JIA: [SPEAKING MANDARIN]

6 INTERPRETER: Very fortunately, there was
7 the Vendor Association, there were attorneys who were
8 helping us.

9 JIANG LI JIA: [SPEAKING MANDARIN]

10 INTERPRETER: But then in May for the
11 third time, I was again issued with a fine and all my
12 merchandise taken away.

13 JIANG LI JIA: Every time I see the
14 police, I would cry but then it doesn't matter. The
15 police will ignore your tears, ignore your state, and
16 then when I go home, I felt really helpless, very
17 frightened of the police.

18 JIANG LI JIA: [SPEAKING MANDARIN]

19 INTERPRETER: There is nothing we could do
20 about it. We just hope that the police don't harm us
21 excessively because we're not bad people.

22 JIANG LI JIA: [SPEAKING MANDARIN]

23 INTERPRETER: I see people stealing,
24 robbing, but the police is not taking care of those
25 promptly, but for us vendors, they are controlling or

2 monitoring us constantly. I feel like they could
3 spend their time and energy better elsewhere.

4 JIANG LI JIA: [SPEAKING MANDARIN]

5 INTERPRETER: I hope that you can help us
6 vendors, help us obtain a license so that we could
7 live legal lives so that we do not live in fear every
8 day.

9 JIANG LI JIA: [SPEAKING MANDARIN]

10 INTERPRETER: So last month when I was
11 vending, it was a raining day, so I had covered my
12 merchandise and I wasn't selling, I didn't sell
13 anything, but very unfortunately, the police came
14 again.

15 JIANG LI JIA: [SPEAKING MANDARIN]

16 INTERPRETER: I told the police that my
17 merchandise was covered. I did not sell any item, and
18 the police will not listen to me at all, still had
19 issued me a fine of 250.

20 JIANG LI JIA: [SPEAKING MANDARIN]

21 INTERPRETER: I find it so hard to look
22 like this every day, feel really depressed.

23 JIANG LI JIA: [SPEAKING MANDARIN]

24 INTERPRETER: I used to be a really
25 positive person, very optimistic, but through these

2 experiences with the police, it's made my life so
3 hard, so depressing.

4 JIANG LI JIA: [SPEAKING MANDARIN]

5 INTERPRETER: I really, strongly hope that
6 you can help give us vendors some help.

7 JIANG LI JIA: [SPEAKING MANDARIN]

8 INTERPRETER: Thank you so much.

9 CHAIRPERSON VELÁZQUEZ: Thank you. Thank
10 you all for your testimony.

11 COMMITTEE COUNSEL SWAINE: Thank you all.
12 Our next panel will be in person. It will require a
13 Wolof and Bangla interpreter. It will be Ibra Diagne,
14 M. D. Rahman, Mohammed Haque. Please come to the
15 table.

16 CHAIRPERSON VELÁZQUEZ: Once again, I
17 kindly ask to bring the mic close.

18 I just want to ask, do you have a written
19 statement? He does have a written statement? Okay
20 since he has a written statement, we'll give him two
21 minutes to read his statement, and then two minutes
22 then you will translate that statement.

23 MOHAMMED HAQUE: [SPEAKING BANGLA]

24 INTERPRETER: My name is Mohamed Haque. I
25 live in Queens Ozone Park. I sell peanuts at the

2 cart, and it's on 33rd Street and 7th Avenue. I have
3 wife and four children. No one else works in the
4 family. I'm a member of the Urban Justice Center
5 Street Vendor Project.

6 MOHAMMED HAQUE: [SPEAKING BANGLA]

7 INTERPRETER: I work between 7th and 8th
8 Avenue on the 33rd Street. I've been working in
9 Manhattan for many years, but they don't let me work
10 there anymore. One Penn Plaza security and police
11 were after me.

12 MOHAMMED HAQUE: [SPEAKING BANGLA]

13 INTERPRETER: Although that spot that I
14 work at is open and I have a license permit, but I'm
15 still facing difficulty. Please let me sit and use
16 that spot. I request that to Chair Velázquez and City
17 Council Members and 1264 or and 1253 to pass that
18 bill. Hope I get support in doing it and I hope that
19 you will sign this bill for me. Thank you, Chair
20 Velázquez and Committee.

21 CHAIRPERSON VELÁZQUEZ: Thank you so much.
22 Does he have a written statement?

23 Okay, a little different. Let him read
24 his entire statement and then you follow up with
25 that. Each of you will have two minutes.

2 SERGEANT-AT-ARMS: I'm sorry. One second.

3 [SPEAKING SPANISH]

4 IBRA DIAGNE: [SPEAKING WOLOF]

5 CHAIRPERSON VELÁZQUEZ: Thank you. If he
6 has any additional points that he'd like to submit,
7 he has 72 hours to do that.

8 INTERPRETER: [SPEAKING WOLOF] My name is
9 Ibra Diagne. Firstly, thank you, Chair Velázquez and
10 the Committee, for giving me the opportunity to
11 testify today. I want to start by saying that I have
12 been a vendor in Lower Manhattan for 15 years. I live
13 in Harlem and work in Lower Manhattan since I first
14 migrated to the United States back in October 2005. I
15 am part of a very low-income family that relies on me
16 to survive. I have a wife and eight children, my
17 youngest being 17 years old who is still in school
18 and relies on his dad for his education, food and
19 stability. My dream is to get my own general vendor
20 license so that I can work without fear. In fact, I
21 have been on the waitlist for six years to get my own
22 license. My number is 7,642 on the waiting list.
23 There are over 7,000 fellow New Yorkers before me who
24 have the same dream. And even though I'm trying to do
25 everything right to get my own license and run my own

2 business, I have been arrested many times just for
3 being a vendor. I want to be clear, even though we
4 are often stereotyped, I have not once sold any
5 illicit or counterfeit merchandise. I have been
6 arrested for not having the very license I'm on the
7 waiting list to get. Each time my merchandise is
8 confiscated, I lose money and it makes it harder to
9 support my family.

10 Why did I choose to become a vendor?
11 Because I'm old. I'm not strong enough to do many
12 jobs. So when the choice is vending or being
13 homeless, I choose to work. I pay my taxes. I
14 contribute to the United States economy. I'm hoping
15 that the Intro. 1264 will eliminate criminal
16 penalties for food and general vendors passes because
17 we vendors are worried about how it would impact our
18 immigration status. I'm currently looking for an
19 immigration attorney, and I'm concerned that when I
20 want to change my status this will come back to
21 bother me. I fervently hope that this bill is passed
22 so that arrests can end and people will not be
23 detained any longer.

24

25

2 CHAIRPERSON VELÁZQUEZ: Thank you so much.
3 Once again, please submit the written testimony
4 within 72 hours.

5 Right now, we're going to call on a break
6 because I think we all need a good stretching so
7 we're going do a 10-minute break for everybody, 10-
8 minute break, so if you need to use the restroom, get
9 some snackity snacks, we'll be back. Thank you.

10 SERGEANT-AT-ARMS: [SPEAKING SPANISH]

11 CHAIRPERSON VELÁZQUEZ: All right,
12 everyone. Did we all get our snackity snacks and
13 stretch out? All right, let's do this. Instead of
14 applauding, what do we do? There we go. All right.

15 I have received word that our folks that
16 need to leave, and so if you need to leave, you can
17 do so but please, if you have written testimony,
18 please give it to any of these Sergeants-at-Arms,
19 Sergeant-at-Arms if we could wave to them, those guys
20 right there and the gentleman in the back right there
21 so you've got four Sergeants-at-Arms right here at
22 your disposition so feel free to give your written
23 testimony to them if you have to leave.

24 If you want to join me and stick around,
25 then you're more than welcome to. Thank you.

2 COMMITTEE COUNSEL SWAINE: Thank you,
3 Chair. Our next panel will be a Zoom panel. It will
4 require a French interpreter. Fatoumata Camara. You
5 may unmute yourself.

6 FATOUMATA CAMARA: [SPEAKING FRENCH]

7 INTERPRETER: My name is Fatoumata and I'm
8 doing the job of the street vendor from 2006. I'm a
9 member of the Street Vendor Project. So having this
10 bill in front of you, it means a lot because vending
11 represent for us a lot of thing because it help us to
12 get some more money, it help us to, let's say, to buy
13 food, to live well, to pay the rent, to pay the
14 bills, to think about the future off our kids. The
15 problem off the street vendors is having access of a
16 license, and we want to work without having a fear of
17 the police.

18 CHAIRPERSON VELÁZQUEZ: Tell her thank
19 you.

20 INTERPRETER: [SPEAKING FRENCH]

21 COMMITTEE COUNSEL SWAINE: Thank you. Our
22 next panel will be an in-person panel. It will
23 require an Arabic interpreter. Will be Nazih Attia,
24 Ahmed Mourad, Nova Felder, and Ahmed Albal Ghaffar.

2 NAZIH ATTIA: Thanks for the opportunity
3 to testify today. My name is Nazih. I am a food
4 vendor for many years in New York City. I sell
5 breakfast and lunch in Hudson Yards. I'm here to
6 support Intro. 1264 that will reduce the criminal
7 liability. We are a small business owners, not
8 criminals. We hope that the Council passes this bill
9 very soon.

10 Also, I want to support Intro. 1253 to
11 change the curb rules. It's very difficult to find a
12 legal location and we receive a lot of tickets.

13 Finally, I want to share that I don't
14 have my permit. I am waiting for a permit for many
15 years. I hope that the Committee move Intro. 1270
16 very soon. Thank you so much, everyone.

17 CHAIRPERSON VELÁZQUEZ: Thank you for
18 sharing. Next.

19 NOVA FELDER: Thank you, Chair Velasquez
20 and the Committee for the opportunity to testify
21 today. Good afternoon or early evening. My name is
22 Nova Nana Asari Felder. I am a father, a social
23 entrepreneur, a first-generation New Yorker from
24 Queens that vends in Harlem. My mother is an
25 immigrant from East Africa. My father and his mother

1 were migrants from South Carolina that escaped Jim
2 Crow apartheid and economic and racial inequalities
3 of the South. I'm also the Lead Organizer for the
4 Evolved Harlem Merchants Coalition, a member of the
5 Street Vendor Project, and I am also a street vendor.
6 Many laws, policies, and ideas in the history of this
7 country have been used to enshrine classism, sexism,
8 and racism. In that same vein, the law in particular,
9 led by the divine wisdom of the U.S. Constitution,
10 has been used to turn those inequities on their head
11 with a little encouragement of the voice of the
12 masses. The bills proposed to overhaul New York
13 City's vending system, or lack thereof, is a step
14 toward changing economic inequities and inequalities
15 in doing business that tend to adversely affect
16 black, brown, and immigrant populations in this city.

18 I, myself, have been a street vendor in
19 New York City in some capacity since 1986, having
20 experienced all levels of inequity and insecurity as
21 a street vendor. I've been arrested, had my goods
22 taken, been ticketed and intimidated by the NYPD over
23 the years in so many ways and times that I cannot
24 count. Being merchants and running markets for me and
25 my people is a matter of our culture, and we've done

2 it for thousands of years in Africa and now in the
3 United States. To criminalize a people that were once
4 considered property in this country for selling their
5 own culture or simple goods that are not deemed
6 illegal by the law is nonsensical. A city such as New
7 York that was built on the idea, this idea of the
8 hustle, and it's sustained by getting a good deal,
9 which is usually found with street vendors, and its
10 unique culture has to acknowledge the smallest of
11 small businesses that in many respects are integral
12 part of the lifeblood of this city.

13 I support these bills because they
14 legalize and make sense and bring common sense to
15 what has been inequity. It is a shame that in a city
16 that is such a great city, have so many great people
17 and ideas and has led in so many different ways that
18 we have been pushed to the margins consistently while
19 big businesses are allowed to flourish in this city
20 and allowed to push us to the margins when we want a
21 small table, 8 by 3 feet, 5 feet high to sell nominal
22 goods and provide services to peoples. This is why I
23 support all the bills. Thank you.

24 CHAIRPERSON VELÁZQUEZ: Thank you. Once
25 again, if there is part of your testimony that you

2 still would like to submit, you have 72 hours to
3 submit it to us. I appreciate it. Thank you. Go
4 ahead, sir

5 Since your testimony is written, we are
6 going to give you two minutes to read your whole
7 testimony, and then the translator will take an
8 additional two minutes to translate your whole thing,
9 but we just need your translator next to you, okay?

10 AHMED MOURAD: Okay.

11 CHAIRPERSON VELÁZQUEZ: Thank you so much
12 for your patience.

13 AHMED MOURAD: [SPEAKING ARABIC]

14 CHAIRPERSON VELÁZQUEZ: Thank you. Wait
15 for us to put the time and then just to brief you as
16 to what happened before you came here, if you have a
17 written testimony and you did not finish, you could
18 submit it to us, and we'll accept it within the next
19 72 hours. We also allowed you about two minutes, and
20 then she's going to translate for you everything.
21 Thank you so much for coming. I appreciate it.

22 AHMED MOURAD: [SPEAKING ARABIC]

23 INTERPRETER: [SPEAKING ARABIC]

24 CHAIRPERSON VELÁZQUEZ: Also can we be
25 kinder neighbors and shut our phones off or let's put

2 them on silent, please. Thank you. You may begin,
3 ma'am.

4 INTERPRETER: My name is Ahmad Mourad. I'm
5 one of Astoria's Arab people, and I'm a member in the
6 vendors organization since 2011. I can see that there
7 is a lot of double standards happening because the
8 police should be there to protect us and provide us
9 safety, but what I can see is that they can only
10 always issue us tickets, arrest us without any prior
11 notice while they protect people if a client actually
12 was against us or cause us a problem, they don't do
13 anything to the customers even when we complain while
14 not the same fairness happening when they treat us.
15 We always get lots of tickets. We go to prison. I
16 will never be able to manage or my own business
17 because I don't have a permit, and I also don't want
18 to go with the underground permits. I will always be
19 working for someone because for me to be able to get
20 a permit I have to pay 20,000 so I will always have
21 to work for someone. I don't see I don't see any
22 complete fairness or equality in what's happening.
23 Actually, I'm right now on a waiting list. I have to
24 wait for my permit, and I'm now on a waiting list and
25 my turn is 1,221. My turn in the waiting list. We are

2 not criminals. We are small business owners and we
3 deserve to be protected. I wanted to thank Ms. De La
4 Rosa for the new project of permitting the law 1253
5 for the space from the sidewalk.

6 I can also use the paper he said here. I
7 will translate quickly also what he mentioned here.
8 He said I've been a food vendor since 2012 since I
9 emigrated from Egypt. I've been working as a food
10 vendor. I learned how to sell, how to be a vendor.
11 It's impossible for me to get any permits from the
12 City, and I will never be able to have my own
13 business because it's very difficult to have a work
14 permit in a legal way. Now, after Local Law 18 that
15 was issued two years ago, I was able finally to be on
16 the waiting list, and my number is 2,297 in the
17 waiting list among the city. Now I will never be able
18 to get my work permit for the coming 10 years, and
19 even after issuing the supervisory licenses that
20 reach the number of 1,000 licenses, I will not even
21 now be able to have mine.

22 I want also to express my support to the
23 Proposed 1264 which is helping to minimize the
24 criminal accusation against the vendors violations.
25 And as we said always, we are not criminals, we are

2 small business owners, we are one of New York City
3 people, residents, and we don't deserve to be treated
4 as criminals or to be sent to the criminal courts.

5 I wanted to thank Council Member Krishnan
6 for proposing to passing this bill. Also, I wanted to
7 thank Council Member De La Rosa for also her proposal
8 1253 for changing the two feet distance from the
9 sidewalk. It's very hard to find the legal status for
10 me as a street vendor and also at the same time to
11 let space for the pedestrians without being fined and
12 pay for violations. Thank you for this opportunity
13 and let me witness my word today. Thank you.

14 CHAIRPERSON VELÁZQUEZ: Thank you. Just a
15 quick question. Wanted to follow up. How much have
16 you paid in enforcement fees? And that question goes
17 to all three of you. Who has issued you enforcements,
18 have you had any since April, and what are the total
19 amounts you've paid to date? Thank you.

20 INTERPRETER: [SPEAKING ARABIC]

21 AHMED MOURAD: [SPEAKING ARABIC]

22 INTERPRETER: You mean since April?

23 AHMED MOURAD: I don't take any ticket
24 since April.

2 INTERPRETER: He didn't get any tickets
3 since April.

4 CHAIRPERSON VELÁZQUEZ: Before April?

5 INTERPRETER: [SPEAKING ARABIC]

6 AHMED MOURAD: Before April, yes, I take
7 some.

8 CHAIRPERSON VELÁZQUEZ: How much.

9 INTERPRETER: [SPEAKING ARABIC]

10 AHMED MOURAD: I think 100, 150, something
11 like this.

12 CHAIRPERSON VELÁZQUEZ: And this was
13 through NYPD or DSNY? Who gave you the violation?

14 INTERPRETER: [SPEAKING ARABIC]

15 AHMED MOURAD: Actually, sometime we don't
16 we don't know. [SPEAKING ARABIC]

17 INTERPRETER: [SPEAKING ARABIC]

18 AHMED MOURAD: Yeah, but no, sometimes we
19 forget from where, what's going on.

20 INTERPRETER: [SPEAKING ARABIC]

21 AHMED MOURAD: [SPEAKING ARABIC] When you
22 come to renew your license, you go to take the
23 clearance. In this clearance, you said you must pay
24 like 250, but sometimes you don't remember from
25 where, but I think this is from Health Department.

2
3 INTERPRETER: When we go for renewing our
4 license or renewing our permit for us to get the
5 clearance, we have to pay for so many fines so
6 normally we forget exactly who issued us the fine,
7 but I think that it's the Health Department.

8 CHAIRPERSON VELÁZQUEZ: Thank you. You,
9 sir? So the questions again just in case, prior to
10 April, have you received any enforcement actions,
11 what have they been, who issued it, and the total,
12 and then after April.

13 NOVA FELDER: Understood. So prior to
14 April, yes, I've been fined, and as I've stated in my
15 statement...

16 CHAIRPERSON VELÁZQUEZ: Not just fines.
17 Any enforcement.

18 NOVA FELDER: Oh, definitely. Most notably
19 NYPD. As I said, my dad was a vendor so I vended with
20 him and then started vending on my own with him, but
21 the fines I would say primarily at that time came
22 from NYPD and the intimidation. It wasn't just
23 necessarily about being fined, just the mere fact
24 that you go out to make a living, to do something
25 that's honest, we're not selling goods that are

2 illegal, and then, because you can't, mostly I'm a
3 First Amendment vendor, because I usually do
4 periodicals and books at that time. Usually NYPD
5 would leave you alone, but every few weeks, people
6 would come and just intimidate you in so many
7 different ways. And the fines can range, I remember
8 paying fines upwards to 300, 400 dollars a time,
9 going to criminal court right here at 100 Center
10 Street, even being arrested one time over ten years
11 ago for just simply vending and then, of course,
12 having our goods taken away, but since April I've
13 taken a leave of absence a little bit, but the months
14 that I have been out, I have not had any run-ins with
15 DSNY, but I do know the area in which I've been,
16 which is in Harlem on 125th Street across the street
17 from the Apollo, many people have said DSNY has come
18 by, has issued them not necessarily warnings, but
19 guidance on the rules and regulations, but it didn't
20 seem like they were under any pressure, but still
21 just that inherent fear that you can't really do what
22 you need to do without somebody breathing down your
23 neck and, as has been talked about previously, other
24 businesses don't go through that type of enforcement

2 so sometimes it's degrading and it's very difficult
3 to do.

4 CHAIRPERSON VELÁZQUEZ: Thank you for
5 sharing your experience.

6 NOVA FELDER: You're welcome.

7 NAZIH ATTIA: Yeah, I have my partner
8 here. He got a couple of tickets before he can talk
9 about it.

10 CHAIRPERSON VELÁZQUEZ: I'm sorry?

11 NOVA FELDER: I think he said somebody is
12 here that has gotten a lot of tickets.

13 INTERPRETER: Yeah, one of my one of my
14 co-workers here got a couple of tickets.

15 COMMITTEE COUNSEL SWAINE: They'll come in
16 the next panel.

17 CHAIRPERSON VELÁZQUEZ: In the next panel.

18 NAZIH ATTIA: He spoke already. [SPEAKING
19 ARABIC]

20 INTERPRETER: He already spoke, but he
21 wanted to add more information about two tickets.

22 CHAIRPERSON VELÁZQUEZ: Oh, he was on the
23 previous panel. Okay, yeah. That's fine. If he was on
24 the previous panel, he could. He was, like, on the

2 first panel. Thank you for being, and, yeah, no, he
3 was, like, legit the first panel.

4 Go ahead, sit down. Welcome. We're all
5 friends. We're going to be here for a while, guys.
6 It's totally fine.

7 MOHAMED AWAD: Ma'am, I believe from the
8 beginning of the summer, we never receive any
9 criminal tickets from our side. We've been vending at
10 the Hudson Yards, but always the cops using the
11 criminal as a threat, like next time I'm going to
12 write you a criminal, but he did not. Okay.

13 CHAIRPERSON VELÁZQUEZ: But it's used
14 more, and from all three of your experiences, it's
15 been used as something that has been brought up to
16 try to mitigate your vending.

17 MOHAMED AWAD: Yes.

18 CHAIRPERSON VELÁZQUEZ: Okay.

19 MOHAMED AWAD: But we're still receiving
20 tickets. This is the issue. We're not complaining
21 about the ticket. The process for the ticket, like
22 the customer in the line and they found out the cops
23 came and start talking. Like you talking about in the
24 beginning about the perfect style, I believe the
25 civilian in civilian department can take care of this

2 because we feel very shame when the cops are showing
3 up and asking me for something and the customer look
4 like did I kill someone or did I steal someone, you
5 know what I mean, so if any civilian department can
6 take care of us, I believe we're going to be better
7 than this.

8 CHAIRPERSON VELÁZQUEZ: And this was prior
9 to April. Since April, have you had any police
10 officer showing up?

11 MOHAMED AWAD: I believe nobody since last
12 summer receive any. I am talking about our side, we
13 didn't get any criminal. We're threatened by, but we
14 didn't get a criminal in our hand.

15 CHAIRPERSON VELÁZQUEZ: And then how much
16 in the past, prior to April, did you pay in
17 enforcement, in violations if you had to guess and
18 put all.

19 MOHAMED AWAD: Every Department have a
20 style. Health Department, they start from up 800
21 because of food safety...

22 MOHAMED AWAD: How much did you pay so far
23 though? Combining everything that you've ever
24 received, enforcement violations, whether it's DOHMH
25 or DCWP, how much do you think you've spent?

2 MOHAMED AWAD: Our situation is very
3 complicated a little bit because we are vending at
4 the Hudson Yard and I believe it's people, listen
5 about what happened at the Hudson Yards. The Hudson
6 Yard street vendor received last year more than
7 25,000 from the Parks Department.

8 CHAIRPERSON VELÁZQUEZ: This is why I'm
9 asking you these questions.

10 MOHAMED AWAD: Yes, 25,000 from the Parks
11 Department. We paid 90 percent from this amount, and
12 our attorney, Mr. Matt, is right here. He can explain
13 that if he wants. Yes. We did more than 25,000 this
14 year, 2023.

15 CHAIRPERSON VELÁZQUEZ: Thank you for
16 sharing. Thank you, everybody, for participating. Oh,
17 did you want to add something? I'm so sorry. Forgive
18 me. I'm sorry.

19 INTERPRETER: One last thing. Ahmed wanted
20 to add that he is a journalist in Arab Astoria in a
21 newspaper, and that was missed when translating, and
22 also he has one more question. You asked me since
23 April, is there any changes took place since April.
24 That's why you asked me about April.

2 CHAIRPERSON VELÁZQUEZ: Yes, there was a
3 transition in enforcement from DCWP, the first
4 agency, to now DSNY, which is Sanitation so
5 Department of Consumer Worker Protection transitioned
6 the enforcement to the Department of Sanitation.

7 INTERPRETER: [SPEAKING ARABIC]

8 AHMED MOURAD: [SPEAKING ARABIC]

9 INTERPRETER: Now the police cannot issue
10 us any tickets?

11 CHAIRPERSON VELÁZQUEZ: The police could
12 still issue tickets, and that's the reason why
13 Krishnan's bill is here so that's why we're talking
14 about Council Member Krishnan's bill to understand
15 the impact of the change of how it would affect you,
16 and so far you've had a couple of people explain that
17 certain police officers still use that as a way to
18 tell them to enforce without really actually issuing
19 the ticket, but then there's also the Department of
20 Sanitation today testified that the Commissioner of
21 Sanitation does not want to pursue any criminal
22 penalties so far for general vending. Obviously, if
23 you're selling counterfeit, that's counterfeit, but
24 like general vendor is generally vending, but their
25 focus is to just do civil fines and so we want to

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2 make sure that we're having a conversation of if it
3 is still being applied so thank you so much for that.
4 I'm sorry, that was a lot. Sorry. I didn't stop.

5 Next panel.

6 COMMITTEE COUNSEL SWAINE: Thank you. The
7 next panel will be in person and will require a
8 Spanish interpreter. Lucía Maldonado, Adelaida Simon,
9 Carla De Jesus Rodriguez, Sonia Diana Guali, Ruth
10 Palacios.

11 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

12 I'm going to translate my own self, is
13 that okay? That's what I was going to say. [SPEAKING
14 SPANISH] Sorry guys. Man, my Spanish and my English
15 is all mixed up right now. [SPEAKING SPANISH]

16 CARLA DE JESUS RODRIGUEZ: [SPEAKING
17 SPANISH]

18 INTERPRETER: Good afternoon. My name is
19 Carla De Jesus Rodriguez. Thank you to the Municipal
20 Council to allow me to be here and listen to me.

21 I am here due to what is happening. I
22 sell food in Westchester on White Plains Road, Bronx
23 New York 1866. I'm a mother to my family. I have two
24 kids, Denise and Cesar. I am a vendor. I sell sweet
25

2 food. It's only dry food. Just a second. [SPEAKING
3 SPANISH]

4 CARLA DE JESUS RODRIGUEZ: [SPEAKING
5 SPANISH]

6 INTERPRETER: [SPEAKING SPANISH]

7 CARLA DE JESUS RODRIGUEZ: [SPEAKING
8 SPANISH]

9 INTERPRETER: Okay. I sell tortas,
10 (INAUDIBLE) and...

11 CARLA DE JESUS RODRIGUEZ: [SPEAKING
12 SPANISH]

13 INTERPRETER: Okay, and the name of my
14 business is Carla's. I sell dry food, and I want you
15 to approve these proposals that we've been having
16 throughout the day. I am here because I want to get
17 justice for all of us, and I hope that you help me in
18 the most appropriate way. According to what's been
19 happening, I have not been able to work, and that
20 affects my family, and that affects me because I'm a
21 single mother. I pay for everything. I pay for the
22 food, I paid for rent, and for to support my family.
23 I don't have any other way or means of help. Only my
24 job, that it is this job to be a street vendor
25 selling food on the streets. This is urgent and we

2 require the licenses that are pertinent to us and the
3 permits. I am sad. I belong to the group Westchester
4 Avenue and Bronx New York, I want to add.

5 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

6 INTERPRETER: I represent that group.

7 CHAIRPERSON VELÁZQUEZ: No, I said it's my
8 District.

9 INTERPRETER: [SPEAKING SPANISH]

10 RUTH PALACIOS: [SPEAKING SPANISH]

11 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

12 INTERPRETER: Good afternoon. Before
13 anything, I want to thank the Municipal Council for
14 allowing me to have this hearing and for listening to
15 us.

16 My name is Ruth Palacios, and I've been
17 selling as a street vendor for 10 years. I sell
18 Mexican cravings, or antojitos mexicanos. I sell
19 elotes, esquites, and fruits, fruit salads, at 37 and
20 Junction Boulevard. I come here to provide my
21 testimony because of the reason that we are working
22 honorably to be able to provide for our families, and
23 lately, it's been very difficult to have a stable
24 income because of the simple reason that our city is
25 treating us like criminals. On June of 2021, I was

2 charged with a fine of 1,000 dollars because I was
3 vending on the streets and I was doing it without a
4 permit, and that's way too much money. Personally, I
5 believe my work, it helps me to provide for my two
6 daughters and for my husband. It helps me to pay for
7 my daughter's schooling, and she's studying to be a
8 doctor, which is a very long and expensive career. My
9 other daughter, which is working and is studying too,
10 she's a single mother of a six-year-old boy. At the
11 same time, I want to be able to provide for my
12 husband who has been diagnosed with three tumors on
13 his brain. I am one of the many vendors that are
14 fighting to get our permits and our licenses so we
15 are able to sell and to vend without harming anyone,
16 and I wish that you are able to support us. Thank you
17 very much for listening to me today.

18 CHAIRPERSON VELÁZQUEZ: Just to reiterate,
19 you will have four minutes because you'll be
20 translating in mid-sentence, okay? [SPEAKING SPANISH]

21 ADELAIDA SIMON: [SPEAKING SPANISH]

22 INTERPRETER: Good afternoon, I'm from the
23 group of Johnson Boulevard. So today I haven't really
24 had time to actually write my own testimony, but I

2 come here before you today to be able to provide my
3 personal experience.

4 ADELAIDA SIMON: [SPEAKING SPANISH]

5 INTERPRETER: As equally to all the street
6 vendors that we go out every day to sell and to vend,
7 we even have to be early birds, we have to wake up
8 very early in the mornings, and actually we are very
9 respectful towards one another, and we respect the
10 vending community, and we do that every day.

11 ADELAIDA SIMON: [SPEAKING SPANISH]

12 INTERPRETER: We're very respectful with
13 our spaces and we try to keep everything tidy and
14 clean. We sweep because we don't want to raise the
15 attention or to bring the attention of the
16 authorities to us.

17 ADELAIDA SIMON: [SPEAKING SPANISH]

18 INTERPRETER: I speak personally for
19 myself. I've been a hardworking mother. I'm a fighter
20 or a warrior, and we've been working as hard workers
21 to be able to provide.

22 ADELAIDA SIMON: [SPEAKING SPANISH]

23 INTERPRETER: On November 30th at 3...
24 [SPEAKING SPANISH]

25 ADELAIDA SIMON: [SPEAKING SPANISH]

2 INTERPRETER: At 3:36, when I was working
3 at my own space.

4 ADELAIDA SIMON: [SPEAKING SPANISH]

5 INTERPRETER: At that time when I was
6 vending at my own spot, my daughter was kidnapped,
7 and I was trying along with my husband to raise money
8 to get money, to make a living, to pay for rent.

9 ADELAIDA SIMON: [SPEAKING SPANISH]

10 INTERPRETER: I want to let you know that
11 I don't even have any words to be able to describe
12 this. As a mother, I want to tell you that I feel
13 very frustrated because I don't have any permit to be
14 able to vend and do my work at my workplace.

15 ADELAIDA SIMON: [SPEAKING SPANISH]

16 INTERPRETER: Psychologically, as vendors
17 and myself, we're sort of traumatized, and I feel
18 scared because I feel like the City is going to come,
19 it's going to come into our spaces.

20 ADELAIDA SIMON: [SPEAKING SPANISH]

21 INTERPRETER: On top of that, I want to
22 show you this because yesterday the City came to us
23 and took all of my belongings so I bring this to show
24 this to you.

25 ADELAIDA SIMON: [SPEAKING SPANISH]

2 INTERPRETER: So I want to say on behalf
3 of myself and on behalf of all of the parents that
4 provide for their families and on behalf of all of
5 the street vendors I want to tell you this.

6 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]
7 I'm going to translate myself. Basically, if you have
8 additional things that you'd like to share, you have
9 72 hours to submit it in writing to our offices.
10 Thank you so much for your testimony.

11 [SPEAKING SPANISH]

12 Once again, I ask everyone to please put
13 your cell phones on silent. Everyone deserves to have
14 their two minutes without interruption. Okay. Thank
15 you so much.

16 [SPEAKING SPANISH]

17 Does she have it written in writing or
18 no?

19 INTERPRETER: She does, but she's asking
20 me that she's going to add to it, so she's asking me
21 if I could do the same thing that I did with her if
22 you don't mind.

23 CHAIRPERSON VELÁZQUEZ: No, I do mind,
24 just because I have a lot of peoples.

25 INTERPRETER: It's okay.

2 CHAIRPERSON VELÁZQUEZ: So I'd ask her to
3 read the full amount, and if she does have time, if
4 she reads her testimony, I'm sorry, I forgot the
5 English word, if she reads her testimony in under two
6 minutes, then she could ask you and she could ad lib,
7 but I really need her to stick to the two minutes,
8 okay?

9 INTERPRETER: Thank you.

10 CHAIRPERSON VELÁZQUEZ: Thank you.

11 LUCÍA MALDONADO: [SPEAKING SPANISH]

12 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

13 Thank you so much for your testimony. If
14 you have additional information that you'd like to
15 share, you have 72 hours to share it with our office
16 in writing. I appreciate it.

17 If you want to go ahead and translate.

18 INTERPRETER: Thank you. Very good
19 afternoon. Thank you, Chair Velázquez and to the
20 Council for the opportunity to listen to me. My name
21 is Lucía Maldonado. I am one of the street vendors,
22 and I am a microentrepreneur. I have a small food
23 business in Manhattan and Queens. It's a Mexican
24 business, and we used to have three different family
25 placings, but unfortunately, one of them is already

2 closed, as you already know. Two of them are still
3 functioning as I understand, and then about the bill
4 number 1264, that proposal, I need that you listen to
5 us because we are the parents to our kids and we are
6 the future to our kids. I say that because I believe
7 that this job could be the difference in making it or
8 breaking it in order to help my daughter to finish
9 her nursing career, and I feel very happy because I
10 already finished my endeavors with her and I already
11 did what I had to do with her, but I'm still left
12 with three more to help so I need your help and I
13 don't have the proper tools to do or the complete
14 tools to do so. My peers and I, we are just working
15 aimlessly or wandering around, and I also understand
16 that the proposal for bill number 1253, I understand
17 that's a very important proposal and that should be
18 part of the agenda even though you didn't put it on
19 the agenda today. I ask you not to forget us. Even
20 though it wasn't on the agenda, the bill proposal
21 1210,

22 LUCÍA MALDONADO: [SPEAKING SPANISH]

23 INTERPRETER: 1270 interpreter stands
24 corrected, so the bill number 1270 is the most
25 important and I want you to that I've been on the

2 waiting list for 13 years, so I actually want to say
3 how many more years we have to wait to be out of that
4 list. I want to say that the bill 1270 is the most
5 important for my peers and I, and I also want to be
6 sincere here and tell you that I actually had to rent
7 two permits from the black market in order to keep
8 working because I actually thought that the savings
9 that I had would be enough to carry me throughout all
10 of this, but it is not.

11 LUCÍA MALDONADO: [SPEAKING SPANISH]

12 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

13 Like I mentioned earlier, anything
14 additional, you have 72 hours to submit in writing to
15 us. Thank you so much.

16 INTERPRETER: You're welcome. I was just
17 making, sure she just repeated what I said last.
18 Thank you for the opportunity.

19 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

20 SONIA BOLARESCO (PHONETIC): [SPEAKING
21 SPANISH]

22 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

23 Can we put a stop on the clock for a second?

24 [SPEAKING SPANISH]

2 Okay. Once again, guys, let's be
3 respectful. This is not appropriate. She was
4 (INAUDIBLE).

5 Do you want me to say it in Spanish?

6 [SPEAKING SPANISH]

7 Like I said before, please, please,
8 please silence your cell phone. We want to be very
9 respectful for the folks that are staying late and
10 testifying. Okay? Because every time it'll be just
11 setting us all back so let's be mindful and
12 respectful. I appreciate it.

13 [SPEAKING SPANISH]

14 Thank you for your patience. If you'd
15 like to start again, hold on. Okay. All right. Two
16 minutes on the clock.

17 [SPEAKING SPANISH]

18 SONIA BOLARESCO: [SPEAKING SPANISH]

19 INTERPRETER: My name is Sonia Bolaresco,
20 and I want to thank you, Chair Velasquez and the
21 Council, for the opportunity to speak before you. I
22 work in Junction and Roosevelt at that corner. I vend
23 fruit. It's a variety of food. I'm the sole income
24 source for my family that comprises of my husband and
25 my kids. I want to thank you for the opportunity to

2 be testifying today. I've been selling on the streets
3 for 26 years. I've been a vendor for 26 years.

4 Currently, I am the only person that's working at my
5 household because my husband suffered a stroke at the
6 vendor stall because of all of the suffering that we
7 had to endure daily and because of the anxiety and
8 because of the pressure and because we couldn't be
9 able to get to rest or get to sleep because of all
10 the preoccupation and the concerns that we were going
11 through. I support the legislation, the bill to not
12 penalize the street vendors and the proposals for
13 bills 1253, 1270, and 1264.

14 CHAIRPERSON VELÁZQUEZ: That's it? Thank
15 you.

16 COMMITTEE COUNSEL SWAINE: Thank you all.
17 Next panel will be in person. Michael Phillips,
18 Nathan Brown, Alvin Wright, Anissa Wagner, Mame
19 Niang.

20 CHAIRPERSON VELÁZQUEZ: Alright, so once
21 again, if you would like to stay, you're welcome to
22 stay. If you are leaving and want to submit your
23 written testimony, please, please, please give it to
24 one of the Sergeant-at-Arms. We've got four lovely
25

2 Sergeant-at-Arms here. Oh, no, we're down to three.

3 Okay, we got three lovely Sergeant at Arms.

4 All right. And once again, what are we
5 going to do with our cell phones? We're going to
6 silence them.

7 Additionally, if you could put the mic
8 close to you because we do have translators who need
9 to hear you. They're translating five different
10 languages so bear with us.

11 We're going to call more names out
12 because it looks like these folks did not make it so
13 bear with us. Go ahead.

14 COMMITTEE COUNSEL SWAINE: I'm going to
15 recall this panel. It's Nathan Brown, Alvin Wright,
16 Anissa Wagner, Mame Niang, Michael Phillips, Belanda
17 Jotim, Dan Rossi Malmay that's it.

18 CHAIRPERSON VELÁZQUEZ: All right, going
19 once, going twice. Did you hear your name? If you
20 did, please join us on the Price is Right. No? Thank
21 you. Thank you, team, for laughing. I appreciate it.
22 Alrighty. Oh! Do we have more folks coming? Going
23 once? Since the other ones need translation, we'll do
24 this young lady and then we'll do the one on Zoom.
25 All right. That's what we'll do. All righty. Thank

1 you so much for your patience, everyone. We're
2 rocking and rolling, silencing our cell phones, not
3 clapping, but waving, and we're going to have a grand
4 old time. Thank you. You may begin.

6 MAME NIANG Good afternoon. My name is
7 Mame Niang, and I am the West African Organizer at
8 the Street Vendor Project. Thank you, Chair Velázquez
9 and the Committee for the opportunity to testify
10 today. Street Vendor Project is a non-profit
11 organization that advocates for street vendors around
12 New York City. We teach them the rules and
13 regulations, conduct outreach every week to ensure
14 that they are up-to-date with new information on
15 vending, and ensure that they are safe while they are
16 at their stand. Street vendor rights are essential to
17 me because I have family members who are street
18 vendors. My biological sister is an unlicensed
19 merchandise vendor in Lower Manhattan, and she has
20 been a vendor since 2000. Vending is all she knows.
21 She has been arrested for not having a license. I
22 remember about two years ago, she was arrested, and
23 the judge asked her to pay a bond of 2,500 dollars
24 and to also do community service. At that time, she
25 didn't have money because she lost all of the

2 merchandise that she bought the day before so my mom
3 had to send her some money from Africa so that she
4 could be released from jail.

5 I started to be interested in vending in
6 2022 when I first had a summer internship at the
7 street vendor project. I started meeting West African
8 vendors with so many stories to share and went
9 through a lot just for being a vendor. I met some
10 business owners who went bankrupt and decided to vend
11 near their old location to keep their customers. I
12 also met some who were old and had so many people who
13 rely on them. I met with those who are undocumented
14 and couldn't do any other job except vending. I want
15 to emphasize that these are people who are
16 contributing to the U.S. economy by paying taxes
17 yearly and making New York City successful. I am
18 without a doubt that New York City will be lonely and
19 desperate without these wonderful street vendors.

20 As the West African Organizer, I know the
21 African community is going through a hard time just
22 for being a vendor. I met so many vendors complaining
23 about business being slow and getting criminal
24 tickets all the time just for not having a license

2 that they have been waiting on the waiting list for
3 so long.

4 Please help street vendors feed their
5 families without fear of being arrested. We need
6 street vendors just like they need us. Thank you.

7 CHAIRPERSON VELÁZQUEZ: Thank you. We got
8 questions for you.

9 Have you heard of any criminal penalties
10 happening after April?

11 MAME NIANG: I met vendors who actually
12 told me that they had criminal tickets, went to
13 court, but they haven't told me about any decisions
14 that happened after that.

15 CHAIRPERSON VELÁZQUEZ: Okay. Can you
16 follow up with us and provide that information so we
17 can document it?

18 MAME NIANG: Sure.

19 CHAIRPERSON VELÁZQUEZ: Thank you so much
20 for sharing.

21 COMMITTEE COUNSEL SWAINE: Thank you. Our
22 next panel will be a zoom panel. It'll be Gabriel
23 Hernandez. You can unmute yourself.

24 GABRIEL HERNANDEZ: Hello.

25 CHAIRPERSON VELÁZQUEZ: You may begin.

2 GABRIEL HERNANDEZ: Good afternoon,
3 honorable members of New York City Council. My name
4 is Gabriel Hernandez of the Yemeni American Merchants
5 Association. I'm here today to address a matter of
6 profound significance to our community and to our
7 constituents in the cultural and communal fabric of
8 New York City.

9 For far too long, vendors have been
10 subject to undue threat and over criminalization. Our
11 community members are seeking to make an honest
12 living and regrettably have faced disruptions due to
13 restrictive measures, red tape, and backlogs of
14 applications for licenses. In the collective
15 imagination of our city, some of the most iconic
16 things that we think of are halal carts, fruit
17 stands, hot dog stands. Some members of our City
18 Council probably this morning bought their coffee
19 outside of City Hall from a street vendor. These are
20 an important part of the vitality in the economy and
21 the cultural richness of the communities of our city.
22 It's incumbent upon us to ensure that those who bring
23 the life and culture to our cities through their
24 entrepreneurial spirit are treated with fairness and
25 equity. The challenges faced by our street vendors

2 include confiscations of their livelihood, fines,
3 arrests, things that flip people's lives upside down,
4 things that some people can't recover from, losing
5 housing, losing their livelihood. These things impact
6 our communities in ways that everybody sees.
7 Homelessness, poverty, it's something that impacts us
8 all, and people trying to make an honest living
9 shouldn't be criminalized for their entrepreneurial
10 mindset that they have in their life, and they should
11 be able to have growth and be able to thrive in a
12 City like New York. Step one of doing that is making
13 sure that they're able to do that, they're able to
14 thrive, able to grow their businesses, be law-abiding
15 citizens without breaking laws.

16 CHAIRPERSON VELÁZQUEZ: Thank you.

17 GABRIEL HERNANDEZ: That are simple things
18 to us.

19 CHAIRPERSON VELÁZQUEZ: Thank you so much.
20 If you have additional information you'd like to
21 share within the next 72 hours, you can submit your
22 written testimony. Thank you so much. Have a great
23 day.

24 COMMITTEE COUNSEL SWAINE: Thank you. Our
25 next panel will be in person. It will require a

2 Mandarin interpreter. Emily Lam, Junhui Yan, Ni Jin
3 Fang, Shen Hu Wei, Yan Lin.

4 CHAIRPERSON VELÁZQUEZ: Excuse me, Miss,
5 the interpreter, can we grab her for a second?
6 Ma'am, can you come here?

7 (INAUDIBLE) and then ask if there are any
8 other Mandarin speakers.

9 INTERPRETER: [SPEAKING MANDARIN]

10 CHAIRPERSON VELÁZQUEZ: Just a reminder,
11 if she does have written testimony, let her go for
12 the two minutes straight and then you translate it
13 for the two minutes straight. If she does not, then
14 you can break it up a little bit.

15 INTERPRETER: [SPEAKING MANDARIN] We're
16 going to do consecutive then.

17 CHAIRPERSON VELÁZQUEZ: Okay, so we put
18 four minutes on the clock for that.

19 INTERPRETER: [SPEAKING MANDARIN]

20 CHAIRPERSON VELÁZQUEZ: I'm going to have
21 a hard four because we still have a lot of people
22 that are going to speak.

23 You may begin.

24 EMILY LAM: [SPEAKING MANDARIN]

2 INTERPRETER: Dear honorable Members, good
3 evening.

4 EMILY LAM: [SPEAKING MANDARIN]

5 INTERPRETER: My name is Emily Lam. I'm
6 coming from Flushing.

7 EMILY LAM: [SPEAKING MANDARIN]

8 INTERPRETER: I'm also one of the vendors
9 in Flushing.

10 EMILY LAM: [SPEAKING MANDARIN]

11 INTERPRETER: I sell east and west crafts
12 and also jewelry. I've been there for about four
13 years now.

14 EMILY LAM: [SPEAKING MANDARIN]

15 INTERPRETER: I am a huge supporter of the
16 1264 bill.

17 EMILY LAM: [SPEAKING MANDARIN]

18 INTERPRETER: These bills are extremely
19 important to me because my main financial income is
20 from the vending.

21 EMILY LAM: [SPEAKING MANDARIN]

22 INTERPRETER: Because of my long stressful
23 physical work in the past, it made my spine change,
24 and so I'm not able to stand for a long time and
25 work.

2 EMILY LAM: [SPEAKING MANDARIN]

3 INTERPRETER: That's the reason that I
4 chose this work to sustain my family.

5 EMILY LAM: [SPEAKING MANDARIN]

6 INTERPRETER: With this bill, it could
7 change how I live, it could change my life.

8 EMILY LAM: [SPEAKING MANDARIN]

9 INTERPRETER: I don't want to live in
10 fear, I don't want to be warned, be driven away, be
11 receiving high fines per the police every day.

12 EMILY LAM: [SPEAKING MANDARIN]

13 INTERPRETER: And also the threats from
14 business owners, the discrimination of the passersby
15 that makes me feel like I'm a rat that's been beaten
16 by everybody.

17 EMILY LAM: [SPEAKING MANDARIN]

18 INTERPRETER: I don't want to live this
19 type of life any day of my life.

20 EMILY LAM: [SPEAKING MANDARIN]

21 INTERPRETER: To the point that I have
22 moved my vending from busy area to more desolate
23 places.

24 EMILY LAM: [SPEAKING MANDARIN]

25

2 INTERPRETER: So there will be several
3 days when I have no income whatsoever, but even that
4 I have endured, but, unfortunately, still the police
5 will come to drive me away and demand that I have a
6 license and I will say where do you want to get a
7 license. I feel this is such a sarcastic demand.

8 EMILY LAM: [SPEAKING MANDARIN]

9 INTERPRETER: So I feel that this
10 amendment of the bill is extremely important, and I
11 eagerly await for its implementation.

12 EMILY LAM: [SPEAKING MANDARIN]

13 CHAIRPERSON VELÁZQUEZ: Thank you.

14 INTERPRETER: [SPEAKING MANDARIN]

15 EMILY LAM: [SPEAKING MANDARIN]

16 INTERPRETER: Thank you.

17 EMILY LAM: [SPEAKING MANDARIN]

18 CHAIRPERSON VELÁZQUEZ: Thank you for your
19 testimony. Please submit any additional testimony to
20 our inbox, testimony@council.nyc.gov.

21 INTERPRETER: [SPEAKING MANDARIN]

22 EMILY LAM: [SPEAKING MANDARIN]

23 INTERPRETER: Just my thought. Thank you.

24 JUNHUI YAN: [SPEAKING MANDARIN]

2 INTERPRETER: I'm so very thankful to be
3 here with all the Council Members and all the
4 employees here.

5 JUNHUI YAN: [SPEAKING MANDARIN]

6 INTERPRETER: My name is Zhen Lu Yan. I'm
7 a vendor from Flushing.

8 JUNHUI YAN: [SPEAKING MANDARIN]

9 INTERPRETER: I am highly in support of
10 the 1253, 1264 bills' passage. I've been vending for
11 about four or five years now. Before the pandemic,
12 the police weren't interfering, but afterwards
13 there's just been huge amounts of fines and
14 confiscations by the police.

15 JUNHUI YAN: [SPEAKING MANDARIN]

16 INTERPRETER: And so everyone's been
17 living in great fear, and so I have led the vendors
18 in Flushing to participate in protest demonstrations
19 to be together against the police.

20 JUNHUI YAN: [SPEAKING MANDARIN]

21 INTERPRETER: And so after the work we put
22 in, the small business project saw the work that we
23 put in, and so now you could say and one of the small
24 leads within this organization.

25 JUNHUI YAN: [SPEAKING MANDARIN]

2 INTERPRETER: Okay I spoke to one of the
3 Council Members, too bad I didn't catch which Council
4 Member it was, I also spoke to the police, and then
5 we were promised there'll be two locations in which
6 we could vend, but up till now, there's been no word
7 on that.

8 JENHUI YAN: [SPEAKING MANDARIN]

9 INTERPRETER: So with these fines, we've
10 been chased after, makes all of us very unhappy, I
11 hope that we can receive help from the Council
12 Members to resolve the difficulties we're in because
13 we're all just living based on these small incomes
14 that we make.

15 JENHUI YAN: [SPEAKING MANDARIN]

16 INTERPRETER: So right now the fine's up
17 to 1,250, so as vendors at that level is not
18 sustainable for us so I hope that this is an issue
19 that you could resolve for us.

20 JENHUI YAN: [SPEAKING MANDARIN]

21 INTERPRETER: And I hope that with the
22 help the City Council, there could be a vendor office
23 that can be established, that communication between
24 the Council and police could be established, that we
25 don't need to play this game of cats and mouse.

2 JENHUI YAN: [SPEAKING MANDARIN]

3 INTERPRETER: And in the end, I'd like to
4 say that in the next few days, I wish that we could
5 have direct contact with Council Members and the
6 police so that we could come up with solutions for
7 all us vendors to be able to work legally and
8 happily.

9 CHAIRPERSON VELÁZQUEZ: Thank you.

10 NI JIN FANG: [SPEAKING MANDARIN]

11 INTERPRETER: Thank you, all Council
12 Members, Council President for this opportunity at
13 this late hour to listen to us.

14 NI JIN FANG: [SPEAKING MANDARIN]

15 INTERPRETER: I'm Ni Jin Fang. I live in
16 Elmhurst.

17 NI JIN FANG: [SPEAKING MANDARIN]

18 INTERPRETER: And I vend in Flushing.

19 NI JIN FANG: [SPEAKING MANDARIN]

20 INTERPRETER: I sell ginseng and
21 (INAUDIBLE) and other natural products.

22 NI JIN FANG: [SPEAKING MANDARIN]

23 INTERPRETER: I'm also a member of the
24 Small Business Vendor Council.

25 NI JIN FANG: [SPEAKING MANDARIN]

2 INTERPRETER: I support the passage of
3 1264 and 1253.

4 NI JIN FANG: [SPEAKING MANDARIN]

5 INTERPRETER: [SPEAKING MANDARIN]

6 NI JIN FANG: [SPEAKING MANDARIN]

7 INTERPRETER: In Flushing,
8 I vend, and that's my job and my
9 livelihood.

10 NI JIN FANG: [SPEAKING MANDARIN]

11 INTERPRETER: But because I'm frequently
12 chased, fined, and confiscated by the police.

13 NI JIN FANG: [SPEAKING MANDARIN]

14 INTERPRETER: So every day I live in fear
15 and terror.

16 NI JIN FANG: [SPEAKING MANDARIN]

17 INTERPRETER: And so when I see the
18 police, my first response is to run because I fear
19 that my things will be confiscated, be arrested, and
20 be fined.

21 NI JIN FANG: [SPEAKING MANDARIN]

22 INTERPRETER: I have to hide here and
23 there. I feel like even thieves have it better than
24 me.

25 INTERPRETER: [SPEAKING MANDARIN]

2 NI JIN FANG: [SPEAKING MANDARIN]

3 INTERPRETER: Because of the limited
4 strength or power that I have and not able to do
5 other jobs.

6 NI JIN FANG: [SPEAKING MANDARIN]

7 INTERPRETER: So I need to vend in order
8 to make a livelihood and to pay the rent, and I also
9 have children who go to school.

10 NI JIN FANG: [SPEAKING MANDARIN]

11 INTERPRETER: So if I'm able to earn an
12 income through vending, it is so important to me that
13 I'm able to support my two children and myself.

14 NI JIN FANG: [SPEAKING MANDARIN]

15 INTERPRETER: But if I am arrested or
16 forbidden from vending then I might just lose my
17 likelihood.

18 NI JIN FANG: [SPEAKING MANDARIN]

19 INTERPRETER: And I may become homeless

20 NI JIN FANG: [SPEAKING MANDARIN]

21 INTERPRETER: And that will affect my
22 whole life.

23 NI JIN FANG: [SPEAKING MANDARIN]

24

25

2 INTERPRETER: I hope that in the upcoming
3 new year that the City Council would be able to
4 resolve this most important issue for us.

5 NI JIN FANG: [SPEAKING MANDARIN]

6 INTERPRETER: As it was said in the 1270
7 bill.

8 NI JIN FANG: [SPEAKING MANDARIN]

9 INTERPRETER: Because of so many potential
10 vendors or business people have to rely on the
11 system.

12 NI JIN FANG: [SPEAKING MANDARIN]

13 INTERPRETER: That makes them unable to
14 work in their preferred field.

15 NI JIN FANG: [SPEAKING MANDARIN]

16 INTERPRETER: Some vendors through their
17 vending were able to become successful.

18 NI JIN FANG: [SPEAKING MANDARIN]

19 INTERPRETER: I also wish through vending
20 to be able to live respectfully and with dignity.

21 NI JIN FANG: [SPEAKING MANDARIN]

22 INTERPRETER: And receive business
23 opportunities through vending.

24 NI JIN FANG: [SPEAKING MANDARIN]

2 INTERPRETER: And through vending, have my
3 children obtain a good education.

4 CHAIRPERSON VELÁZQUEZ: Thank you so much.

5 If you can let him know, if you did not
6 finish your testimony, you could submit it within the
7 next 72 hours to our...

8 INTERPRETER: [SPEAKING MANDARIN]

9 CHAIRPERSON VELÁZQUEZ: Thank you so much
10 for that.

11 Thank you everyone for your patience. I
12 appreciate it.

13 YAN LIN: [SPEAKING MANDARIN]

14 INTERPRETER: Hello, my name is Yan Lin.
15 I'm very honored to be able to see you today.

16 YAN LIN: [SPEAKING MANDARIN]

17 INTERPRETER: So I used to rent my own
18 store, but because business was poor, so I have gone
19 out to rent, and then every time I see the police,
20 there'll be five or six of them and then I get fined.

21 YAN LIN: [SPEAKING MANDARIN]

22 INTERPRETER: And then the bank saw that
23 my business was poor, and then the police would still
24 give, I'm sorry, [SPEAKING MANDARIN]

25 YAN LIN: [SPEAKING MANDARIN]

2 INTERPRETER: So because my business is
3 poor, they allow me to have a stall in front of my
4 store.

5 YAN LIN: [SPEAKING MANDARIN]

6 INTERPRETER: And then the police would
7 not allow me to do that. There were five of them who
8 surrounded me, and then I passed out.

9 YAN LIN: [SPEAKING MANDARIN]

10 INTERPRETER: And the bank said this is
11 your space, you're able to vend there.

12 YAN LIN: [SPEAKING MANDARIN]

13 INTERPRETER: And then, a week later, I
14 was vending again there, but then four police
15 surrounded me, demanded me to produce my license, my
16 ID. I said I didn't have a license.

17 YAN LIN: [SPEAKING MANDARIN]

18 INTERPRETER: And then I said I didn't
19 have a license and then I passed out and then I was
20 in the hospital for a week.

21 YAN LIN: [SPEAKING MANDARIN]

22 INTERPRETER: After I was taken to the
23 hospital, they took away my things, and then they
24 gave me three fines, but the fines weren't given to
25 me, they were just stuffed into my bag.

2 YAN LIN: [SPEAKING MANDARIN]

3 INTERPRETER: After I got out of the
4 hospital for the fine, they wouldn't gimme a receipt
5 or any paper for that. They said that the City
6 Council Member gave them this power for them to do
7 this.

8 YAN LIN: [SPEAKING MANDARIN]

9 INTERPRETER: And so after they took away
10 the things, they wouldn't give me the list of the
11 things, and so the things are still kept there, and I
12 still have this 1,250-dollar fine.

13 YAN LIN: [SPEAKING MANDARIN]

14 INTERPRETER: So I hope with your help
15 that you allow for vending because for those of us
16 with shops, with the vending, it will help with the
17 rent and the convenience and gives us a little bit
18 more.

19 CHAIRPERSON VELÁZQUEZ: Thank you so much.

20 YAN LIN: [SPEAKING MANDARIN]

21 INTERPRETER: So because the police in
22 enforcement is really too powerful now, they come
23 several times a day, and even if you take the things
24 away, they'll still chase after you.

25

2 CHAIRPERSON VELÁZQUEZ: Thank you, and if
3 there's anything additional that she wants to submit,
4 she could submit it in writing in the next 72 hours.

5 SHEN HU WEI: [SPEAKING MANDARIN]

6 INTERPRETER: So honorable Members,
7 everyone here, thank you so much for staying so late
8 to listen to us.

9 SHEN HU WEI: [SPEAKING MANDARIN]

10 INTERPRETER: My name is Shen Hu Wei. I'm
11 40 old this year.

12 SHEN HU WEI: [SPEAKING MANDARIN]

13 INTERPRETER: So on October 17th at 7:40
14 p.m., three police surrounded me and issued me with a
15 1,000-dollar fine.

16 SHEN HU WEI: [SPEAKING MANDARIN]

17 INTERPRETER: Demanded me to have a
18 license. I asked where can I get the license? They
19 know that I did not have a license, but yes, still
20 demanded it and then gave me the fine.

21 SHEN HU WEI: [SPEAKING MANDARIN]

22 INTERPRETER: They carry out their actions
23 very violently, very rudely.

24 SHEN HU WEI: [SPEAKING MANDARIN]

2 INTERPRETER: So today I'm here to ask
3 that we, as street vendors, be given a way to
4 survive, that we have the legality and also our
5 means.

6 SHEN HU WEI: [SPEAKING MANDARIN]

7 INTERPRETER: So we are self-reliant.
8 We're not getting anything from the government. We
9 just need to have our legal space in which we can
10 survive.

11 SHEN HU WEI: [SPEAKING MANDARIN]

12 INTERPRETER: We need this policy so that
13 we can support our family, wives, children because
14 right now the wages are so low and the jobs are so
15 hard to find.

16 SHEN HU WEI: [SPEAKING MANDARIN]

17 INTERPRETER: I hope that all of your
18 Council Members would take those of us lives who are
19 at the bottom seriously and give it the attention.

20 SHEN HU WEI: [SPEAKING MANDARIN]

21 INTERPRETER: I hope that the police in
22 the future in their actions will be more moderate and
23 also better reasonable policies.

24 SHEN HU WEI: [SPEAKING MANDARIN]

25

2 INTERPRETER: And that's all I'll say for
3 today. Thank you very much.

4 CHAIRPERSON VELÁZQUEZ: Thank you. All
5 right. Thank you for this panel. I appreciate you
6 all.

7 We're going to need a Spanish
8 interpreter, and we're going to call up a whole bunch
9 of names now.

10 COMMITTEE COUNSEL SWAINE: This next panel
11 will be in person, Sandra Ramon (phonetic), Yolanda
12 Roja (phonetic), Patricia Visques (phonetic), Juana
13 Encarnacion (phonetic), Eliazar Campos.

14 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]
15 Annie Ochoa (phonetic), Christina, Leticia Moreno
16 (phonetic), (INAUDIBLE) Jose Fabiana (phonetic) Diana
17 Gualli (phonetic)

18 Going once, going twice. Kathy, Jorge
19 [SPEAKING SPANISH] Going once, going twice. Any other
20 Spanish-speakers? No? [SPEAKING SPANISH]

21 Oh, Irene, we found you. We called you
22 earlier.

23 COMMITTEE COUNSEL SWAINE: But I call her
24 Irene.

25 CHAIRPERSON VELÁZQUEZ: Yeah, okay.

2 [SPEAKING SPANISH] If you're in the
3 balcony, please come down. I like this self-
4 translate. Once again, if you're at the balcony, I'm
5 going to ask you all to come on down to the Price is
6 Right. Come on down. [SPEAKING SPANISH]

7 Alrighty, is everybody downstairs? Let's
8 wait on the two individuals.

9 [SPEAKING SPANISH]

10 Does she want to translate? What's her
11 name?

12 (INAUDIBLE)

13 She wasn't here, but that's fine. It's
14 fine. Have her sit right behind the lady with the
15 Nike hoodie.

16 Anybody else who needs Spanish
17 interpretation? Let me be very clear.

18 [SPEAKING SPANISH]

19 Going once, going twice.

20 [SPEAKING SPANISH]

21 For Irene, you'll have two minutes to go
22 ahead and give your testimony and then the translator
23 will go ahead and translate for two minutes straight.

24 IRENE ARIZAGA: [SPEAKING SPANISH]

25 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

2 INTERPRETER: Good evening. My name is
3 Irene Arizaga. I've been selling for 10 years on the
4 streets. It has been the way to support our homes,
5 and I sell typical Ecuadorian food. Thank you, Chair
6 Velázquez, and thank you to the Committee for the
7 opportunity to testify today as most of my co-workers
8 and me, and we are going through a very a bad
9 situation of harassment on the part of the
10 authorities as the (INAUDIBLE) city and the police
11 for not having a permit. Today, we are pursued, and
12 psychologically we are in a state of depression. With
13 tickets of over 250 dollars for arts and crafts and
14 1,000 dollars for food aside from losing everything
15 that we have, then we get also tickets and have to go
16 to criminal courts. I ask that the law 1264 and the
17 bills 1264 be reformed and that the civil courts
18 don't charge us. Thank you for giving us this space
19 to the Committee and to the Council and to you,
20 President Velázquez. Pleased let these proposals,
21 these bills, I asked them to be, and the only thing
22 that we need and we want is to work in dignity
23 because we are small entrepreneurs that we contribute
24 to the economy of this country. Thank you.

25 ANNIE OCHOA: [SPEAKING SPANISH]

2 INTERPRETER: Good evening. I am Annie
3 Ochoa. I live in Elmhurst. I'm work on Junction
4 Boulevard. I sell thermal clothing, and I work to
5 support my family, my mom, 65 years old, and my
6 granddad, 90 years old. Thank you very much,
7 President Velázquez and the Committee, for the
8 opportunity to testify today.

9 I worked three years in the market
10 commerce as a street vendor, and I've felt a lot of
11 fear. And this last weeks because how the Health
12 Department started to confiscate the merchandise in
13 my working area, and we began to run to hide the
14 merchandise with a lot of anxiety and desperation
15 while other colleagues, co-workers, were already
16 being confiscated their merchandise. I have felt
17 treated like if I was a delinquent, a criminal for
18 only working honestly, and my nerves are on edge. We
19 need, please, we need help from the authorities, and
20 we need these bills to be approved so that we are
21 given licenses and permits so that we can work
22 legally as sellers, as street vendors and not
23 delinquents. For this reason, I support the bills
24 have been proposed, 1264, 1270, 1253.

2 CHAIRPERSON VELÁZQUEZ: Thank you, and we
3 will take a quick five-minute break. Thank you.

4 INTERPRETER: [SPEAKING SPANISH]

5 COMMITTEE COUNSEL SWAINE: Our next in-
6 person panel will be our final in person panel so if
7 we have inadvertently missed you or you have not
8 heard your name called, please check in with a
9 Sergeant because that will be our final panel. I
10 believe there are only two panelists. They're sitting
11 in the front row, three panelists.

12 SANDRA RAMON: [SPEAKING SPANISH]

13 INTERPRETER: My name is Sandra Ramon. I
14 have been a street vendor in Junction Queens for the
15 past seven years. I sell a variety of general
16 merchandise, including hats, gloves, and warm winter
17 wear in this season. Thank you, Chair Velázquez and
18 the Committee for the opportunity to give my
19 testimony today. I am here to express my support for
20 bills 1264 and 1253, particularly 1264.

21 One day, while I was working, the
22 enforcement agents came and asked me for my license.
23 I got very scared. I didn't know what to do. I ran
24 and left my merchandise and vending materials behind.
25 While the enforcement agents were doing their job,

2 which is to take away the things that I obtained with
3 a lot of effort and sacrifice, my son, a 9-year-old
4 boy, came home from school. He got scared and said to
5 me, mom, what's going on because they are taking your
6 things. What are you going to do now? What are you
7 going to sell? That struck my whole heart. I hugged
8 him and said, calm down my love, nothing is going to
9 happen. Mom will fight hard and we will continue
10 forward.

11 Today, I ask the authorities to listen to
12 us and give us a chance to work with dignity so that
13 all of us, entrepreneurs, street vendors can bring
14 sustenance to our homes. I ask that the City Council
15 address the most important reform for the street
16 vending industry, namely, access to permits and
17 licenses as set forth in Bill 1270 and to organize a
18 hearing that includes Bill 1270 as soon as possible.
19 I thank you for accepting my testimony and hope that
20 you will take my suggestion into consideration.

21 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

22 ELIAZAR CAMPOS: [SPEAKING SPANISH]

23 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

24 INTERPRETER: Good afternoon. My name is

25 Eliazar Campos. Since I came to the United States 18

2 years ago, I have been working as a street vendor. I
3 believe this is just a necessary work, and after 18
4 years of tickets, of arrests, we are here today to
5 ask the authorities for your help. We are just street
6 vendors. With all due respect, we are not thieves, we
7 are not from the mafia, we are not selling drugs, we
8 are simply working as street vendors in an honorable
9 and dignified profession for many working-class and
10 low-income families to survive. I personally am a
11 single mother, and all my expenses depend on the work
12 that I can do and the income I can make. I beg for
13 access to business licensing for myself and fellow
14 street vendors. We work in the cold, in the heat,
15 working to provide our daily sustenance. We work
16 every day. I come here from 103rd Corona Plaza. We
17 are here with you today, and we thank you for hearing
18 our testimony.

19 CHAIRPERSON VELÁZQUEZ: Thank you.

20 [SPEAKING SPANISH]

21 CATHERINE DIAZ (PHONETIC): [SPEAKING
22 SPANISH]

23 INTERPRETER: My name is Katherine Diaz.

24 CATHERINE DIAZ: [SPEAKING SPANISH]

25 INTERPRETER: I am a vendor at Junction.

2 CATHERINE DIAZ: [SPEAKING SPANISH]

3 INTERPRETER: I vend toys [SPEAKING
4 SPANISH] and video games.

5 CATHERINE DIAZ: [SPEAKING SPANISH]

6 INTERPRETER: I thank you, Counselor
7 Velázquez, for the opportunity to be here.

8 CATHERINE DIAZ: [SPEAKING SPANISH]

9 INTERPRETER: The only thing I can say
10 that you've already heard many of my coworkers.

11 CATHERINE DIAZ: [SPEAKING SPANISH]

12 INTERPRETER: And I thank you for your
13 time, each of you and the opportunity you've given me
14 here today.

15 CATHERINE DIAZ: [SPEAKING SPANISH]

16 INTERPRETER: The reason I came is because
17 I went through an experience when I was confiscated
18 my merchandise.

19 CATHERINE DIAZ: [SPEAKING SPANISH]

20 INTERPRETER: First of all, they
21 approached me and didn't say a word in Spanish.

22 CATHERINE DIAZ: [SPEAKING SPANISH]

23 INTERPRETER: Only English.

24 CATHERINE DIAZ: [SPEAKING SPANISH]

25 INTERPRETER: Oh, I do speak English.

2 CATHERINE DIAZ: [SPEAKING SPANISH]

3 INTERPRETER: But I was expecting them to
4 tell me in the respective languages as they're
5 supposed to do.

6 CATHERINE DIAZ: [SPEAKING SPANISH]

7 INTERPRETER: But the experience that I
8 went through together with my companion was that we
9 were ambushed as if we were delinquents, criminals.

10 CATHERINE DIAZ: [SPEAKING SPANISH]

11 INTERPRETER: They came from both sides,
12 the left and the right side.

13 CATHERINE DIAZ: [SPEAKING SPANISH]

14 INTERPRETER: And they just said, leave
15 everything there.

16 CATHERINE DIAZ: [SPEAKING SPANISH]

17 INTERPRETER: That we are going to
18 confiscate it.

19 CATHERINE DIAZ: [SPEAKING SPANISH]

20 INTERPRETER: Have you got your license?

21 CATHERINE DIAZ: [SPEAKING SPANISH]

22 INTERPRETER: I told them truly that I
23 don't.

24 CATHERINE DIAZ: [SPEAKING SPANISH]

25

2 INTERPRETER: But I think that was the
3 worst thing I did.

4 CATHERINE DIAZ: [SPEAKING SPANISH]

5 INTERPRETER: Because they confiscated all
6 my things in garbage bags with a heartless, as they
7 were, not being respectful at all for my work.

8 CATHERINE DIAZ: [SPEAKING SPANISH]

9 INTERPRETER: And the most incredible
10 thing is that when I looked at them, they had guns.

11 CATHERINE DIAZ: [SPEAKING SPANISH]

12 INTERPRETER: I ask myself, are we
13 criminals?

14 CATHERINE DIAZ: [SPEAKING SPANISH]

15 INTERPRETER: Are we so wrong in
16 contributing to the economy of this country?

17 CATHERINE DIAZ: [SPEAKING SPANISH]

18 INTERPRETER: In my opinion, excuse me, we
19 are contributing to the economy of this country, to
20 the moving, progressing, advancing [SPEAKING SPANISH]

21 CATHERINE DIAZ: [SPEAKING SPANISH]

22 INTERPRETER: Helping this country
23 monopoly.

24 CATHERINE DIAZ: [SPEAKING SPANISH]

2 INTERPRETER: I thank you profusely, and I
3 ask you please to help us with our licenses and
4 permits.

5 CATHERINE DIAZ: [SPEAKING SPANISH]

6 INTERPRETER: Can I show you a photograph?

7 CHAIRPERSON VELÁZQUEZ: Yeah.

8 CATHERINE DIAZ: [SPEAKING SPANISH]

9 INTERPRETER: That's what we have to face
10 every day. Police with guns.

11 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

12 CATHERINE DIAZ: [SPEAKING SPANISH]

13 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

14 CATHERINE DIAZ: [SPEAKING SPANISH]

15 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

16 IRENE ARIZAGA: [SPEAKING SPANISH]

17 CHAIRPERSON VELÁZQUEZ: Okay.

18 IRENE ARIZAGA: [SPEAKING SPANISH]

19 CHAIRPERSON VELÁZQUEZ: Sorry. If you
20 would like to translate. [SPEAKING SPANISH]

21 Do you wanna go ahead and start? So my
22 question, I'll translate myself to her, which was I
23 asked her how recent was this? If this was today? She
24 said, no, it was a month and a half ago. And then I
25 asked which was the agency that was the enforcement

2 agency, if it was sanitation or NYPD, and she said
3 that it was both NYPD and sanitation that went
4 together.

5 And so now if you'd like to say
6 everything that Irene just finishing, so that way we
7 could bring everybody up to speed.

8 INTERPRETER: All right.

9 CHAIRPERSON VELÁZQUEZ: Wait. No, if you
10 want to translate everything Irene said, remember she
11 said that this is a coalition of vendors from
12 Junction Boulevard, that they all experience the same
13 enforcement.

14 INTERPRETER: You are translating it.

15 CHAIRPERSON VELÁZQUEZ: I know I'm just
16 catching everybody up. Is that where you left off?

17 INTERPRETER: Yeah. Okay, cool. All right.
18 She wants to say something, so I guess translate it.
19 Go ahead.

20 ELIAZAR CAMPOS: [SPEAKING SPANISH]

21 INTERPRETER: My coworker, my colleague,
22 is saying it's true, it's certain.

23 ELIAZAR CAMPOS: [SPEAKING SPANISH]

24 INTERPRETER: Sanitation and the police
25 have gotten together, have united.

2 ELIAZAR CAMPOS: [SPEAKING SPANISH]

3 INTERPRETER: Sometimes I go by Junction
4 and I see that Sanitation is in one end and the other
5 car is on the other end.

6 ELIAZAR CAMPOS: [SPEAKING SPANISH]

7 INTERPRETER: Now they operate together.
8 Now they are in conjunction, and now one doesn't even
9 know who has to be aware of whether Sanitation or the
10 police.

11 IRENE ARIZAGA: [SPEAKING SPANISH]

12 INTERPRETER: And aside from that, they
13 come in private cars.

14 IRENE ARIZAGA: [SPEAKING SPANISH]

15 INTERPRETER: That's what is creating a
16 very chaotic situation amongst us.

17 IRENE ARIZAGA: [SPEAKING SPANISH]

18 INTERPRETER: We are in such a state that
19 we've got to take care of each other amongst us
20 vendors.

21 IRENE ARIZAGA: [SPEAKING SPANISH]

22 INTERPRETER: So it is not fair that we
23 constantly have to go looking, looking, watching
24 because we are getting muscle pains, we are stressed.
25 We are desperate, anxious.

2 ELIAZAR CAMPOS: [SPEAKING SPANISH]

3 INTERPRETER: It was the Sanitation and
4 Police together that lifted up all the food of our
5 colleague, our coworker in Corona Plaza.

6 ELIAZAR CAMPOS: [SPEAKING SPANISH]

7 INTERPRETER: And right now we don't even
8 know who or what we have to be watching and taking
9 care of whether it is the Sanitation Department or
10 the Police because they now act together.

11 IRENE ARIZAGA: [SPEAKING SPANISH]

12 INTERPRETER: And they're now on the train
13 tracks. They are watching and they are informing the
14 police about the movement.

15 CATHERINE DIAZ: [SPEAKING SPANISH]

16 INTERPRETER: And I ask you now. They
17 claim they are cleaning the city. How are they
18 cleaning the city? If what they do is come four, five
19 times a week, that is called not cleaning. It's
20 called harassment.

21 CATHERINE DIAZ: [SPEAKING SPANISH]

22 INTERPRETER: And with all my due respect,
23 we, the vendors, the street vendors, do not want to
24 get into a depression just for the fact of living in
25 such a beautiful country.

2 CATHERINE DIAZ: [SPEAKING SPANISH]

3 INTERPRETER: I love this country. I grew
4 up here. I went to high school here.

5 CATHERINE DIAZ: [SPEAKING SPANISH]

6 INTERPRETER: I went to college.

7 CATHERINE DIAZ: [SPEAKING SPANISH]

8 INTERPRETER: But everything has changed.

9 CATHERINE DIAZ: [SPEAKING SPANISH]

10 INTERPRETER: There is no work.

11 CATHERINE DIAZ: [SPEAKING SPANISH]

12 INTERPRETER: So what's are we doing
13 wrong?

14 ELIAZAR CAMPOS: [SPEAKING SPANISH]

15 INTERPRETER: To vend, to sell on the
16 street is not a crime, but... [SPEAKING SPANISH]

17 ELIAZAR CAMPOS: [SPEAKING SPANISH]

18 INTERPRETER: To sell is a job, and the
19 Police and the Sanitation Department, they also have
20 their job, but if they give us a ticket and they send
21 us to court...

22 ELIAZAR CAMPOS: [SPEAKING SPANISH]

23 INTERPRETER: The judge asks you, do you
24 have a license?

25 ELIAZAR CAMPOS: [SPEAKING SPANISH]

2 INTERPRETER: And when you say no, what
3 does the judge say?

4 ELIAZAR CAMPOS: [SPEAKING SPANISH]

5 INTERPRETER: You know that the Police,
6 Sanitation, and the Park do their job.

7 ELIAZAR CAMPOS: [SPEAKING SPANISH]

8 INTERPRETER: It is your job too, but it's
9 also their job.

10 ELIAZAR CAMPOS: [SPEAKING SPANISH]

11 INTERPRETER: The judge told me once when
12 Sanitation had given me a 1,000-dollar ticket.

13 ELIAZAR CAMPOS: [SPEAKING SPANISH]

14 INTERPRETER: I've slept in the cell in
15 court.

16 ELIAZAR CAMPOS: [SPEAKING SPANISH]

17 INTERPRETER: I've been with judges
18 begging.

19 ELIAZAR CAMPOS: [SPEAKING SPANISH]

20 INTERPRETER: Begging to help me how to be
21 able to sell legally.

22 ELIAZAR CAMPOS: [SPEAKING SPANISH]

23 INTERPRETER: The judge's answer was, you
24 know the risks you are taking.

25 ELIAZAR CAMPOS: [SPEAKING SPANISH]

2 INTERPRETER: The Police, Sanitation, and
3 the Park do their job.

4 ELIAZAR CAMPOS: [SPEAKING SPANISH]

5 INTERPRETER: And what you do is your job.

6 ELIAZAR CAMPOS: [SPEAKING SPANISH]

7 INTERPRETER: The only thing that the
8 judge told me. ELIAZAR CAMPOS: [SPEAKING SPANISH]

9 INTERPRETER: To be careful that I
10 wouldn't be arrested because then my job will end in
11 six months.

12 ELIAZAR CAMPOS: [SPEAKING SPANISH]

13 INTERPRETER: His recommendation was.

14 ELIAZAR CAMPOS: [SPEAKING SPANISH]

15 INTERPRETER: You can sell. As long as you
16 are moving, you keep moving. If you are moving, you
17 won't be arrested, but if you stop, then you will be
18 arrested. That's what the Police Department, the
19 Sanitation, and the Park claim or said.

20 ELIAZAR CAMPOS: [SPEAKING SPANISH]

21 INTERPRETER: That after talking to that
22 judge, when I talked to that judge, I understood many
23 things.

24 ELIAZAR CAMPOS: [SPEAKING SPANISH]

2 INTERPRETER: I understood many things
3 because he spoke clearly and made me think.

4 ELIAZAR CAMPOS: [SPEAKING SPANISH]

5 INTERPRETER: I can't take out so much
6 merchandise because I would lose everything in one
7 when Health comes. I couldn't get out so much
8 merchandise because, for one, I would lose everything
9 when Sanitation would come.

10 ELIAZAR CAMPOS: [SPEAKING SPANISH]

11 INTERPRETER: What happens to us the
12 street vendors is that we want to have for sale
13 merchandise of all kinds.

14 IRENE ARIZAGA: [SPEAKING SPANISH]

15 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

16 If you could, please, if you can translate everything
17 again.

18 INTERPRETER: I have to begin with her.

19 CHAIRPERSON VELÁZQUEZ: With her and then
20 her.

21 INTERPRETER: She was saying that they
22 want to sell all kinds of merchandise, not realizing
23 that it's a mistake because it's not a matter of
24 quantity but of quality of the merchandise.

25 Now she...

2 IRENE ARIZAGA: [SPEAKING SPANISH]

3 CHAIRPERSON VELÁZQUEZ: Wait. [SPEAKING
4 SPANISH]

5 If you can go ahead and translate
6 everything Irene said and I've asked the panel to
7 reserve all items for written testimony so that way
8 we can conclude with the other two young ladies that
9 are waiting in line to give their final testimonies
10 as well so thank you all so much.

11 INTERPRETER: [SPEAKING SPANISH]

12 IRENE ARIZAGA: [SPEAKING SPANISH]

13 INTERPRETER: [SPEAKING SPANISH] Okay. I'm
14 referring to the, yes, we've been fighting,
15 struggling for the authorities to pay attention to
16 us.

17 IRENE ARIZAGA: [SPEAKING SPANISH]

18 INTERPRETER: Since 2009. They gave us the
19 permits, the licenses.

20 IRENE ARIZAGA: [SPEAKING SPANISH]

21 INTERPRETER: And from then on to today,
22 they don't give it to us. They don't give them to us.

23 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

24 ELIAZAR CAMPOS: [SPEAKING SPANISH]

25

2 INTERPRETER: The last thing I want to say
3 that, okay, you know that permits and licenses are
4 stuck.

5 ELIAZAR CAMPOS: [SPEAKING SPANISH]

6 INTERPRETER: You should do something
7 about it.

8 CHAIRPERSON VELÁZQUEZ: Okay. Thank you.
9 Thank you so much for your testimony.

10 [SPEAKING SPANISH]

11 You have the two ladies in the back. All
12 right. Yay. All right. There is a third.

13 All right, here we go. Final call. If you
14 want to testify, come to the front. Price is right

15 [SPEAKING SPANISH]

16 Going once. Going twice. Okay.

17 Thank you everybody. We're working on
18 hour seven of today's hearing. Yay! Way to wave.
19 Okay, cool.

20 Thank you for your patience, everyone.
21 We'll start with Carina, if you want to go ahead.

22 CARINA KAUFMAN-GUTIERREZ: That's okay.
23 I'll go last.

24

25

2 CHAIRPERSON VELÁZQUEZ: You sure? You want
3 to finish it out? You want to be the last one? All
4 right, good.

5 [SPEAKING SPANISH]

6 CONSUELO SALAZAR: [SPEAKING SPANISH]

7 INTERPRETER: Good evening, my name is
8 Consuelo Salazar, Ecuadorian.

9 CONSUELO SALAZAR: [SPEAKING SPANISH]

10 INTERPRETER: Thank you very much, Chair
11 Velazquez, God bless you, and thank you all,
12 everybody here, for their precious time.

13 CONSUELO SALAZAR: [SPEAKING SPANISH]

14 INTERPRETER: I love this country, and
15 I've come here many times just to visit, to know it.

16 CONSUELO SALAZAR: [SPEAKING SPANISH]

17 INTERPRETER: But life goes around, and I
18 had to stay here illegally.

19 CONSUELO SALAZAR: [SPEAKING SPANISH]

20 INTERPRETER: My husband had many heart
21 attacks, and he's still alive because God is great
22 with a lot of loss of his heart capacity.

23 CONSUELO SALAZAR: [SPEAKING SPANISH]

24

25

2 INTERPRETER: I have a disabled
3 incapacitated child, 24-year-old, but he is like if
4 he was a year and a half.

5 CONSUELO SALAZAR: [SPEAKING SPANISH]

6 INTERPRETER: And my three sons that are
7 my support.

8 CONSUELO SALAZAR: [SPEAKING SPANISH]

9 INTERPRETER: Since my husband's treatment
10 in Ecuador is very costly.

11 CONSUELO SALAZAR: [SPEAKING SPANISH]

12 INTERPRETER: I came to this country on a
13 Sunday, and on a Monday I began working, thank God.

14 CONSUELO SALAZAR: [SPEAKING SPANISH]

15 INTERPRETER: And I really was taking
16 advantage of, working 12, 13 hours a day and being
17 paid 50 bucks.

18 CONSUELO SALAZAR: [SPEAKING SPANISH]

19 INTERPRETER: That's why I went out to the
20 streets because I used to do it in my country, and I
21 was very blessed.

22 CONSUELO SALAZAR: [SPEAKING SPANISH]

23 INTERPRETER: Until the police came to me
24 and I didn't know what to do, whether to run or to
25 pick up my things.

2 CONSUELO SALAZAR: [SPEAKING SPANISH]

3 INTERPRETER: I was so broken that the
4 police had pity on me.

5 CONSUELO SALAZAR: [SPEAKING SPANISH]

6 INTERPRETER: Calm down, calm down,
7 something is going to happen to you.

8 CONSUELO SALAZAR: [SPEAKING SPANISH]

9 INTERPRETER: I'm going to give you a
10 ticket.

11 CONSUELO SALAZAR: [SPEAKING SPANISH]

12 INTERPRETER: But when I had the hearing,
13 it wasn't via Zoom or in-person but through a phone
14 call with a judge.

15 CONSUELO SALAZAR: [SPEAKING SPANISH]

16 INTERPRETER: Therefore, they did not
17 charge me the ticket.

18 CONSUELO SALAZAR: [SPEAKING SPANISH]

19 INTERPRETER: (INAUDIBLE) by saying this,
20 the first year that I came here I worked. The second
21 year I paid taxes because my nephew told me you got
22 to contribute with the taxes in this country the same
23 as you did in Ecuador.

24 CONSUELO SALAZAR: [SPEAKING SPANISH]

25 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

2 CONSUELO SALAZAR: [SPEAKING SPANISH]

3 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

4 INTERPRETER: I want to contribute with
5 something because I must be very thankful for this
6 country, but I want the authorities to give us the
7 licenses [SPEAKING SPANISH]

8 CONSUELO SALAZAR: [SPEAKING SPANISH]

9 INTERPRETER: And permits that we need so
10 very much.

11 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

12 Thank you, thank you for your testimony.

13 LIBIA JIMENEZ (PHONETIC): [SPEAKING
14 SPANISH]

15 INTERPRETER: Good evening, Miss
16 President, and thank you for the attention you've
17 given to us.

18 LIBIA JIMENEZ: [SPEAKING SPANISH]

19 INTERPRETER: And all the authorities.

20 LIBIA JIMENEZ: [SPEAKING SPANISH]

21 INTERPRETER: My name is Libia Jimenez.

22 LIBIA JIMENEZ: [SPEAKING SPANISH]

23 INTERPRETER: I work in the Bronx on 59th
24 and 3rd Avenue.

25 LIBIA JIMENEZ: [SPEAKING SPANISH]

2 INTERPRETER: I'm a single mother.

3 LIBIA JIMENEZ: [SPEAKING SPANISH]

4 INTERPRETER: I have two daughters.

5 LIBIA JIMENEZ: [SPEAKING SPANISH]

6 INTERPRETER: And I have three

7 grandchildren.

8 LIBIA JIMENEZ: [SPEAKING SPANISH]

9 INTERPRETER: Six years ago, my son died.

10 LIBIA JIMENEZ: [SPEAKING SPANISH]

11 INTERPRETER: And I had to stay there

12 because I couldn't [SPEAKING SPANISH]

13 LIBIA JIMENEZ: [SPEAKING SPANISH]

14 INTERPRETER: Coming to this country made

15 me survive the death of my son.

16 LIBIA JIMENEZ: [SPEAKING SPANISH]

17 INTERPRETER: I, like the rest of my

18 coworkers, am working on the street which is my

19 sustenance to my income to pay my rent.

20 LIBIA JIMENEZ: [SPEAKING SPANISH]

21 INTERPRETER: The lights, the phone.

22 LIBIA JIMENEZ: [SPEAKING SPANISH]

23 INTERPRETER: My car, my daughter's food.

24

25

2 LIBIA JIMENEZ: [SPEAKING SPANISH]

3 INTERPRETER: But we are now like in a
4 situation of stress because there have been already
5 some days that we haven't been able to work well.

6 LIBIA JIMENEZ: [SPEAKING SPANISH]

7 INTERPRETER: And I have problems with
8 high blood pressure.

9 LIBIA JIMENEZ: [SPEAKING SPANISH]

10 INTERPRETER: Because I cannot work
11 peacefully in tranquility, but I have a lot of other
12 companions who have left the country and now they're
13 still here like me, working.

14 LIBIA JIMENEZ: [SPEAKING SPANISH]

15 INTERPRETER: We call each other, we run,
16 we touch each other and that helps us.

17 LIBIA JIMENEZ: [SPEAKING SPANISH]

18 INTERPRETER: And I wanted to ask you as a
19 favor to please be compassionate with us.

20 LIBIA JIMENEZ: [SPEAKING SPANISH]

21 INTERPRETER: We work to get ahead. I pay
22 my taxes.

23 LIBIA JIMENEZ: [SPEAKING SPANISH]

24 INTERPRETER: I pay my bills.

25 LIBIA JIMENEZ: [SPEAKING SPANISH]

2 INTERPRETER: No one supports me.

3 LIBIA JIMENEZ: [SPEAKING SPANISH]

4 INTERPRETER: I thank God I am in this
5 country, the country of opportunity.

6 LIBIA JIMENEZ: [SPEAKING SPANISH]

7 INTERPRETER: So if God allows it and you
8 (INAUDIBLE) to help us to get our permits to be able
9 to work at peace.

10 LIBIA JIMENEZ: [SPEAKING SPANISH]

11 INTERPRETER: That's the only thing I'm
12 asking from you, and thanks for this opportunity.

13 LIBIA JIMENEZ: [SPEAKING SPANISH]

14 INTERPRETER: But I have been heard. Me
15 and my companions, my co-workers, because it is
16 horrible to work in the conditions we are.

17 LIBIA JIMENEZ: [SPEAKING SPANISH]

18 INTERPRETER: Thank you, President.

19 CHAIRPERSON VELÁZQUEZ: [SPEAKING SPANISH]

20 Carina.

21 Sorry. I have to self-translate. I'm so
22 sorry about that. Don't worry. Sit down. We haven't
23 finished with the panel. Thank you so much.

24 CARINA KAUFMAN-GUTIERREZ: Good evening.

25 My name is Carina Kaufman-Gutierrez, and the Deputy

2 Director at the Street Vendor Project. I'd like to
3 thank Chair Velázquez for the opportunity to testify
4 today as someone who I've had the privilege to work
5 with since before you were in office so glad to be
6 here today with.

7 I do want to address, though, a few of
8 the comments that were made and hopefully provide
9 some clarifications. First off, regarding the
10 waitlist for both food and merchandise licenses, the
11 waitlist for mobile food vendors has been closed to
12 applicants who received their mobile food vendor
13 license after September 1, 2017, so anyone who go at
14 license who pays taxes on their business still cannot
15 be eligible to get a mobile food vendor permit. The
16 same is similar for merchandise vendors. This
17 waitlist has been closed to applicants since 2016.

18 Additionally, one of the biggest issues
19 and misconceptions is that there is an agency that
20 actually conducts outreach and education to street
21 vendors. When the transition to Department of
22 Sanitation took place this April, no agency was
23 identified to take over street vendor compliance and
24 education. Both vendors and organizations alike have
25 struggled to learn about vending. As recently as

1 today, I had a question from a Business Improvement
2 District saying they've tried to get information
3 about street vending, and City agencies either pass
4 them to the next or it was incorrect.
5

6 Department of Small Business Services has
7 actually only conducted one single educational
8 workshop to street vendors this year. It took place
9 in October. It was online. It was only in English.
10 There were less than 20 participants, and two of them
11 were me from my phone and my computer.

12 DSNY stated today, again, that they
13 advise street vendors on how to come into compliance,
14 but you may have seen today many vendors shaking
15 their heads no, that's not true. In reality, what
16 happens is enforcement agents give vendors a written
17 piece of paper that states, and I do want to read it
18 verbatim so it's understood, it's very short. It's
19 three sentences. "You've been observed by NYC law
20 enforcement personnel operating a street vending
21 business at a time, location, or manner that violates
22 Administrative Code in at least one of the following
23 ways. Not having a vendor license, having a table
24 that's eight feet or three feet or larger, or
25 displaying items directly on the sidewalk without use

1 of the table. This notice serves to inform you that
2 you are in violation of a time, location, or manner
3 vending restriction, and you may be issued a summons
4 and your merchandise and table may be subject to
5 removal." That's it. That is the education and
6 compliance outreach that our city street vendors
7 actually receive.
8

9 Separately, regarding Intro. 1264 to
10 reduce criminal liability, I do want to emphasize
11 that NYPD still has a role in vending enforcement,
12 and, as heard today from many of those who testified,
13 they do still continue to issue both criminal and
14 civil summonses.

15 I also want to flag that Comptroller
16 Lander has submitted a request for information from
17 the Administration on November 9th of this year with
18 a question directed to NYPD to provide the number of
19 criminal summonses issued this year. Answers were due
20 on November 30th. I'd appreciate support in getting
21 the Administration to please provide this
22 information.

23 CHAIRPERSON VELÁZQUEZ: All right. Thank
24 you. I think my last and final wrap-up for you, have
25 you received assistance for the wraparound social

2 services that you were asking help for, that you
3 need.

4 INTERPRETER: [SPEAKING SPANISH]

5 LIBIA JIMENEZ: [SPEAKING SPANISH]

6 INTERPRETER: No.

7 CHAIRPERSON VELÁZQUEZ: Sorry. I'm like
8 translating in my brain because I want to say it in
9 Spanish so I have to say it in English. Have you
10 reached out to your local elected office for any
11 assistance?

12 INTERPRETER: [SPEAKING SPANISH] What
13 local agency, Chair Velázquez?

14 CHAIRPERSON VELÁZQUEZ: I'm sorry.

15 INTERPRETER: I didn't hear what...

16 CHAIRPERSON VELÁZQUEZ: No worries. Local
17 elected, local elected [SPEAKING SPANISH]

18 LIBIA JIMENEZ: [SPEAKING SPANISH]

19 INTERPRETER: No, I haven't. You come here
20 to work, and since the first day I've arrived, I've
21 worked.

22 CHAIRPERSON VELÁZQUEZ: Okay, all right.

23 Sorry, procedural work. Sarah, take it
24 away.

2 COMMITTEE COUNSEL SWAINE: Thank you all
3 for your testimony.

4 If you are still with us on Zoom, please
5 use the raise hand function and let us know that
6 you're here.

7 I'm going to call those names now. Liza
8 Schwartzwald (phonetic), Juan Nuñez, Ali E Al-Subai
9 (phonetic), Miriam Caldy (phonetic), Mira
10 Aldesteckart (phonetic), Jackson (INAUDIBLE), Oksana
11 Miranova (phonetic), Paula Segel (phonetic), Jessica
12 Walker, Nathan Brown, Alvin Wright.

13 Seeing no hands, I'll turn it over to the
14 Chair to close us out this evening.

15 CHAIRPERSON VELÁZQUEZ: Alrighty. I end
16 like I started with a very, very long hearing. It's
17 been an honor serving with you so thank you so much,
18 Sarah, thank you so much, Natalie. Thank you for my
19 team. Thank you, tech folks. It's been great serving
20 with y'all. Thank you to the interpreters in the room
21 for the work you've all done.

22 There's a lot of work to be done with
23 street vending so thank you all for having the
24 courage to come forth and talking about your
25 experiences but, more importantly, thank you for

2 waiting and having patience so godspeed, happy
3 holidays, and looking forward to seeing what happens
4 next here.

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C E R T I F I C A T E

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



Date December 28, 2023