

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON SMALL BUSINESS

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September 26, 2023

Start: 11:03 a.m.

Recess: 11:50 a.m.

HELD AT: 250 BROADWAY - COMMITTEE ROOM, 14TH
FLOOR

B E F O R E: Julie Menin, Chairperson

COUNCIL MEMBERS:

Darlene Mealy

Sandra Ung

Tiffany Caban

A P P E A R A N C E S

Kevin Kim, Commissioner of Department of Small
Business Services

Jose Soegaard, Deputy Director of Office of
Nightlife

Christopher Leon Johnson

Sandra Jaquez, Vice President of the Latina
Restaurant, Bar, and Lounge Association

2 SERGEANT-AT-ARMS: Good morning and
3 welcome to the New York City hybrid hearing on the
4 Committee on Small Business.

5 Please silence all electronic devices.

6 Chair, we are ready to begin.

7 CHAIRPERSON MENIN: [GAVEL] Great. Thank
8 you. Good morning. I'm Council Member Julie Menin,
9 Chair of the City Council Committee on Small
10 Business, and I want to thank everyone for joining us
11 for this hearing today to discuss my bill, Intro.
12 1083.

13 I want to thank my Council Colleagues,
14 representatives from the Administration, particularly
15 Commissioner Kim, and the public for being here as
16 well as the members of the public that are
17 participating with us remotely.

18 The New York City nightly industry is
19 renowned across the globe, and they establishments
20 that make up this industry are critical parts of it.
21 These establishments are an integral part of the
22 small business landscape that helps define our great
23 city. Historically, however, the relationship between
24 the nightlife scene and the City agencies has been
25 fraught. Ultimately, this led to the 2017 creation of

2 the Office of Nightlife and the Mayor's Office of
3 Media and Entertainment, otherwise known as MOME,
4 when I served as MOME Commissioner. I was so proud to
5 help create this office and hire the City's first
6 night mayor, which took inspiration from visits to
7 other cities like Amsterdam that had their own night
8 mayor. This office functions as a liaison between the
9 nightlife establishments, residents, and government,
10 and supports these establishments as they navigate
11 permits, licenses, and other City regulations. As the
12 Office of Nightlife continues to support the
13 nightlife industry, including a number of small
14 businesses like bars and restaurants, it has become
15 abundantly clear that the resources available through
16 the Department of Small Business Services are better
17 suited to support the needs and growth of this
18 office. SBS has been a vital resource for small
19 businesses in our city, especially post-pandemic, and
20 nightlife establishments deserve the same level of
21 access and support. My bill, Intro. 1083, recognizes
22 the leadership and resources provided by SBS for
23 small businesses and would transition the Office of
24 Nightlife from the Mayor's Office of Media and
25 Entertainment to SBS. I look forward to hearing

2 testimony today from the Administration and hearing
3 their position on my bill. I similarly look forward
4 to hearing from nightlife establishments as well as
5 advocates on today's legislation.

6 I want to thank Jessica Boulet and
7 Rebecca Barilla from Central Staff for their work
8 putting together this hearing as well as my own
9 Chief-of-Staff, Jonathan Szott, my Legislative
10 Director, Brandon Jordan, and Legislative Aide, Jan
11 Mendez, for their assistance.

12 I will now turn it over to Committee
13 Counsel to administer the oath.

14 COMMITTEE COUNSEL BOULET: Thank you,
15 Chair. Good morning. Welcome. My name is Jessica
16 Boulet, Counsel to the Committee on Small Business.

17 Before we begin testimony, a quick
18 reminder for anyone joining on Zoom, you will be on
19 mute until you are called on to testify. I will call
20 any public witnesses after the conclusion of the
21 Administration's testimony and Council Member
22 questions so please listen carefully for your name to
23 be called. Council Members will ask questions after
24 the Administration has completed their testimony.

2 We will now call representatives of the
3 Administration to testify. We will be hearing
4 testimony from Commissioner Kevin Kim of the
5 Department of Small Business Services. We also have
6 with us Jose Soegaard, Deputy Director of the Office
7 of Nightlife.

8 I will administer the affirmation. Please
9 raise your hands. Do you affirm to tell the truth,
10 the whole truth, and nothing but the truth before the
11 Committee and to respond honestly to Council Member
12 questions?

13 COMMISSIONER KIM: I do.

14 DEPUTY DIRECTOR SOEGAARD: I do.

15 COMMITTEE COUNSEL BOULET: Thank you.

16 Commissioner Kim, go ahead when you're ready.

17 COMMISSIONER KIM: Thank you. Good
18 morning, Chair Menin and Members of the New York City
19 Council Committee on Small Business. My name is Kevin
20 D. Kim, Commissioner of the New York City Department
21 of SBS, or SBS. Joining me today is Jose Soegaard,
22 the Deputy Director of the Office of Nightlife, or
23 ONL for short.

24 We are pleased to address this Committee
25 regarding Intro. 1083, especially at this pivotal

2 juncture for small businesses and the nightlife
3 industry. It's crucial to acknowledge that New York
4 City's nightlife industry which came to a halt during
5 the peak of the pandemic represented over 25,000
6 nightlife and hospitality businesses, sustained over
7 300,000 jobs, and generated approximately 35 billion
8 dollars in economic activity. Under the leadership of
9 Mayor Adams, New York City is back and on the verge
10 of achieving 100 percent jobs recovery from the
11 losses incurred during COVID-19.

12 The Office of Nightlife was established
13 in 2018 with the primary objective of supportive our
14 nighttime economy and serving as a central point of
15 contact for industry stakeholders. Since it's
16 inception, New York City as emerged as a global
17 leader in the urban nightlife advocacy movement,
18 spearheading life-saving initiatives such as Narcan
19 Behind Every Bar and launching Night School, a series
20 of workshops focused on business operations, best
21 practices, and workplace rights. Through the
22 Mediating Establishment and Neighborhood Disputes, or
23 MEND NYC program, ONL has also effectively mediated
24 conflicts between venue operators and local
25 communities. ONL's programming not only assists

2 nightlife businesses in their compliance with City
3 regulations but also enhances quality of life,
4 fosters safety, and elevates the cultural
5 significance of nightlife. SBS shares a similar
6 mission, aiming to promote economic development by
7 fortifying small businesses, connecting jobseekers to
8 employment, and building thriving neighborhoods. We
9 accomplish this through the concerted efforts of our
10 business services, workforce development, economic
11 and financial opportunity, and neighborhood
12 development divisions. SBS also leads special
13 initiatives such as Cannabis NYC, Black Entrepreneurs
14 NYC, and the New York City Food and Beverage Industry
15 Partnership. SBS is committed to helping New Yorkers
16 start, operate, and grow businesses through our
17 programs.

18 Our NYC Business Express Service team
19 offers one-on-one assistance to business owners,
20 saving time and money by helping them avoid
21 violations and expediting permits and licenses. Our
22 Commercial Lease Assistance Program provides pro bono
23 legal services to businesses starting new leases,
24 understanding their rights within existing leases, or
25 engaging in landlord negotiations. Furthermore, SBS'

2 Workforce1 Career Centers located in each borough
3 connect New Yorkers with employment opportunities and
4 job training programs.

5 Under the leadership of Mayor Adams, New
6 York City is becoming a City of Yes for small
7 businesses. In line with the Mayor's Blueprint for
8 Economic Recovery and Chair Menin's legislation for a
9 one-stop shop business portal, SBS is poised to
10 launched the MyCity business site at
11 www.nyc.gov/business. After incorporating extensive
12 feedback from businesses across various sectors and
13 immigrant entrepreneurs, we are completely revamping
14 access to our services. We are excited at the process
15 of ONL's dedicated nightlife experts joining forces
16 with us. By combining SBS' experience in business and
17 workforce services with ONL's extensive industry
18 connections, we will better serve this critical
19 sector. From mental health initiatives to support our
20 nightlife workforce to industry advocacy, ONL is
21 actively enhancing the financial well-being of New
22 Yorkers who earn their livelihoods by entertaining,
23 serving, and feeding the approximately 63.2 million
24 visitors we are set to host this year.

2 ONL and SBS already collaborate closely
3 to advance the nightlife industry. Last year, we
4 collaborated to temporarily suspend New York City's
5 liquor license surcharge which translated into an
6 estimated savings of 6.5 million dollars for
7 businesses. Our offices also collaborated to identify
8 regulations affecting small businesses through the
9 Mayor's Small Business Forward Initiative, Executive
10 Order 2. This initiative identified over 118 reforms
11 to existing regulations and laws which will
12 collectively save businesses more than 8.9 million
13 dollars annually. ONL's Night School also actively
14 promotes numerous SBS education courses, ranging from
15 financial literacy to operations. These past efforts
16 underscore the strong alignment that already exists
17 between our offices. Through ONL's transition to SBS,
18 the City can eliminate redundancies, expand service
19 delivery to small businesses, and support not only
20 the nightlife industry but also the City's overall
21 economy.

22 We sincerely appreciate the opportunity
23 to discuss this bill and look forward to answering
24 any of your questions. Thank you very much.

2 CHAIRPERSON MENIN: Wonderful. Thank you
3 so much.

4 A number of questions that I have, you
5 talked a little bit about in your testimony the
6 collaborations between the two offices. In these very
7 difficult budget times, could you talk a little bit
8 about resources that the Office of Nightlife might be
9 able to avail themselves of if they move over to SBS?

10 COMMISSIONER KIM: Absolutely, and thank
11 you for that question, Chair Menin. We know that ONL
12 has done a tremendous job since their inception in
13 2018. It was in the right place at that time. The
14 pandemic devastated so many small businesses,
15 including in the nightlife industry, and one of the
16 things that we've done coming out of the pandemic was
17 to reorganize our agency at SBS to focus on outreach.
18 We created a separate new outreach unit that has done
19 a tremendous job breaking all agency records as of
20 last year, reaching over 10,000 New Yorkers, and I
21 think that's one specific example of an area where
22 ONL and SBS can benefit with each. ONL with their
23 expertise and their amazing connections in the
24 industry and the trust value in the industry can add
25 to the SBS general outreach team. At the same time,

2 SBS's newly formed outreach team and our enhanced
3 social media presence which has had over 50 percent
4 in some categories and 100 percent increase in social
5 media outreach, we can also help ONL in getting their
6 message out to their industry.

7 CHAIRPERSON MENIN: Let me also recognize
8 that we've been joined by my Colleague, Council
9 Member Darlene Mealy, who is here.

10 A few more questions. The Nightlife
11 Advisory Board which was set up a number of years
12 ago, how will that function if ONL is moved to SBS?

13 COMMISSIONER KIM: We don't anticipate at
14 this time any major changes. That's something that is
15 still being looked at by City Hall, but, at this
16 time, we don't anticipate any changes from the way
17 it's operated previously.

18 CHAIRPERSON MENIN: One of the issues that
19 came up when the office was first created is we heard
20 from many community groups and Community Boards that
21 they had been frustrated when there were noise
22 complaints and other issues, and so one of the
23 functions obviously of ONL was to help to address
24 some of those issues. Could you talk a little bit
25 about how you think that would work vis-à-vis SBS?

2 COMMISSIONER KIM: Sure. Absolutely. I
3 think that ONL's programs to really mediate between
4 the community residents and the small businesses in
5 their districts has been a tremendous asset to the
6 city and to the community members, and so I'll pass
7 it over to Jose here to talk a little bit more about
8 how the MEND program in particular has worked while
9 at ONL.

10 DEPUTY DIRECTOR SOEGAARD: Thank you,
11 Commissioner, and great to see you, Chair.

12 The Office of Nightlife worked with our
13 partners at OATH and specifically their Center for
14 Creative Conflict Resolution to create a new
15 initiative called MEND NYC, or Mediating
16 Establishment Neighborhood Disputes, to provide free
17 neutral third-party mediation services to nightlife
18 establishments and members of the community to help
19 address and resolve quality-of-life issues and other
20 complaints before enforcement becomes necessary so
21 this alternative is not intended as a replacement for
22 enforcement measures. However, we believe that
23 through direct communication and cooperation, it can
24 help resolve some of the quality-of-life issues of
25 which sound is certainly one.

2 CHAIRPERSON MENIN: On that note, what are
3 some of the enforcement issues, the most common ones,
4 that the office has been addressing? If you could
5 talk about both from the nightlife industry
6 perspective and from the community side?

7 DEPUTY DIRECTOR SOEGAARD: The Office of
8 Nightlife is not an enforcement agency.

9 CHAIRPERSON MENIN: No, of course. I'm
10 just saying, for example, when businesses come to you
11 and say we have an issue, the business has an issue
12 vis-à-vis enforcement issues or, conversely, if a
13 community group, and I heard this all the time when I
14 was MOME Commissioner, community groups, we saw this
15 particularly in the East Village would come and say
16 there's a saturation of nightlife establishments in
17 our district. It crosscuts so many different
18 agencies, and so one of the goals with the Office of
19 Nightlife, of course, was to sort of spearhead that
20 so if you could talk, let me just be clear about my
21 question. My question is what are the top issues that
22 you're hearing both from communities and from
23 businesses as to issues they are having regarding
24 enforcement?

2 DEPUTY DIRECTOR SOEGAARD: Right. We work
3 regularly with a convening of city and state agencies
4 that deal with enforcement as well as other
5 supportive agencies through a regular convening that
6 we have called the Nightlife Interagency Working
7 Group, and so this is a regular forum to review and
8 discuss these kinds of issues.

9 We hear a lot from businesses directly
10 about their questions, concerns related to
11 compliance, guidance, other policy issues. Sometimes
12 this is quality-of-life issues with neighbors related
13 to sound or crowding or other issues related to sort
14 of the management and operations of the business,
15 and, in those cases, we can provide guidance on
16 compliance and help step in and help the business
17 understand what they need to do to ensure that
18 they're operating as good neighbors.

19 We also hear from businesses their
20 concerns from time to time about their issues with
21 permitting and regulatory processes, interactions
22 with law enforcement, and other new rules and
23 regulations that might be coming up, and so we can
24 provide information and guidance as appropriate.

2 CHAIRPERSON MENIN: Okay, great. I also
3 want to acknowledge that we've been joined by my
4 Colleague, Council Member Sandra Ung.

5 A few more questions before I turn it
6 over to my Colleagues to see if they have any
7 questions.

8 For new businesses, this is more a
9 question for you, Commissioner, for new nightlife
10 venues that want to open up, how do you envision your
11 office will work with the Office of Nightlife to help
12 these businesses and sort of expedite their opening?

13 COMMISSIONER KIM: ONL has always worked
14 very closely with SBS in terms of helping new
15 businesses open up, and I think they can even more
16 benefit today in a faster delivery way from our New
17 York City Business Express Service Team, or our NYC
18 BEST team, that team is made of former inspectors
19 from agencies and small business advocates who act as
20 free expeditors for small businesses trying to open
21 up in New York City. Last year alone, we helped over
22 3,000 unique businesses save over 31 million dollars
23 by opening faster and with less regulatory hurdles
24 because of our expertise and our relationships with
25 our sister city agencies so we look forward to being

2 able to help more nightlife businesses open up even
3 faster.

4 CHAIRPERSON MENIN: How have other cities
5 who've created night mayors, Amsterdam in particular
6 and other ones that we had originally looked at as
7 models, in terms of the work that they're doing, are
8 there any additional best practices that we should be
9 adopting here in New York?

10 DEPUTY DIRECTOR SOEGAARD: Thank you for
11 the question, Chair. The New York City Office of
12 Nightlife has very strong relationships with many
13 other cities, both in the United States and North
14 America and around the world so there are regular
15 convenings and opportunities to communicate and learn
16 from our colleagues in other cities. Some of these
17 challenges are common across many cities so we
18 regularly communicate and hear from, whether it's
19 London or Amsterdam or Berlin or our colleagues in
20 North America such as Austin, Texas, San Francisco,
21 Pittsburgh, Washington D.C., we have regular forums
22 to share and discuss some of the issues and best
23 practices. We produced a report in 2021 with
24 recommendations for policy, regulation, and other
25 issues that were sort of longstanding challenges

2 facing the industry, and many of those
3 recommendations themselves in addition to being the
4 result of extensive stakeholder feedback here in New
5 York City were also informed by our interactions with
6 our colleagues and counterparts in other cities.

7 CHAIRPERSON MENIN: A question on music
8 venues. When I served as MOME Commissioner, we
9 commissioned a study on the music industry, and one
10 of the things that that study showed is that we fell
11 behind some other cities in terms of smaller music
12 venues. We had a number of large music venues, but
13 the economic study we did really showed that we
14 needed to do more work to attract some of these
15 smaller music venues, which from an economic
16 standpoint are great for the city but also are at a
17 price point that is more affordable for more New
18 Yorkers than some of the larger venues. What do both
19 of you think in terms of New York City could do to
20 attract some of the smaller music venues to our city?

21 DEPUTY DIRECTOR SOEGAARD: Certainly, we
22 believe that the establishment of the Office of
23 Nightlife and many of the policies we've implemented
24 in our role as serving as a representative of the
25 nightlife industry within City government is a signal

2 that New York City is a welcome place for nightlife
3 businesses. We certainly agree with the Commissioner
4 that the move to Small Business Services and more
5 direct coordination with the NYC BEST team is going
6 to really help a lot of new businesses get into
7 operations more quickly.

8 COMMISSIONER KIM: I'd like to just add
9 that I think when we look at the vacant storefront
10 challenges, this is an opportunity, and I think that
11 with the City of Yes messaging not only for small
12 businesses from SBS' point of view but including
13 plans for the City Planning Commission, all the work
14 that they're doing to change zoning laws to be able
15 to attract more different types of small businesses,
16 I think that we are looking at an overall City
17 strategy to be able to attract any and all different
18 types of businesses that can activate more of our
19 storefronts, and that includes us including more
20 technology and leveraging Live XYZ and to be able to
21 identify where potentially there might be a better
22 venue for a small music venue for example so we're
23 leveraging technology, leveraging zoning, years-old
24 outdated zoning challenges including all the services
25 that we are providing to accelerate the opening of

2 all businesses, but in particular, like you said, if
3 there's a venue that we identified then we'll look
4 for creative innovative ways to try to get more small
5 music venues as well.

6 CHAIRPERSON MENIN: A question for Jose.
7 Are there policies that you wanted to implement to
8 attract more nightlife venues but that you have not
9 been able to?

10 DEPUTY DIRECTOR SOEGAARD: We are
11 currently working on implementing several of the
12 policies that were recommended in our 2021 report, and
13 we're very encouraged that the move to Small Business
14 Services is going to allow us to continue to expand
15 that work.

16 CHAIRPERSON MENIN: Have excessive fines
17 assessed by City agencies been a top complaint of
18 nightlife industry venues?

19 DEPUTY DIRECTOR SOEGAARD: I would say
20 it's one of several complaints, and I'm happy to be
21 working with the SBS team that is implementing the
22 Small Business First initiative to help reduce the
23 impact of fines on many kinds of small businesses
24 including nightlife establishments.

2 CHAIRPERSON MENIN: Okay, are there
3 particular agencies that nightlife venues are saying
4 are particularly punitive vis-à-vis fines?

5 DEPUTY DIRECTOR SOEGAARD: I don't think
6 there's one specific agency that stands out. I think
7 the Office of Nightlife's approach is to ensure that
8 our City partners are working with businesses to help
9 get those businesses into compliance before
10 enforcement becomes necessary, and that's sort of the
11 core aspect of our work.

12 CHAIRPERSON MENIN: Okay, and a couple
13 questions, Commissioner, that I have just in terms of
14 staffing. If this bill moves forward, do you
15 anticipate any staffing changes to this office?

16 COMMISSIONER KIM: At this time, there are
17 four staff lines, and they will be moving over to
18 SBS, and we don't anticipate at this time any
19 changes. I think we're going through some very
20 fiscally challenging times, and I think one of the
21 benefits of actually taking a smaller team and moving
22 it into a relatively larger agency is the flexibility
23 it will give us to not just maintain the services but
24 actually enhance the services without having to put
25 in additional money separately to address that. For

2 example, I mentioned the outreach team, and now ONL
3 will be able to take advantage of SBS' entire
4 outreach team and division in a way that, we had
5 always worked together to promote particular
6 activities, but now we can actually sit in the same
7 conference room or Zoom and kind of strategize how
8 more effectively we can do whatever we need to do so
9 at this time, we don't anticipate any staffing
10 changes. We do look forward to the enhancement of
11 services because of the additional resources SBS will
12 bring to ONL.

13 CHAIRPERSON MENIN: Okay, one more
14 question before I turn it over to my Colleague,
15 Council Member Mealy. DO you anticipate that the
16 Mayor's proposed PEG would affect this office?

17 COMMISSIONER KIM: We really don't because
18 we know that the team is moving over, that's not
19 impacted. There are going to be absolutely zero
20 layoffs in this PEG exercise. We at SBS are, from
21 SBS' agency side of programming and services, are
22 almost fully staffed, and so we will be able to
23 provide all the necessary services and then more to
24 ONL.

2 CHAIRPERSON MENIN: Okay, wonderful. Let
3 me turn it over to my Colleague, Council Member
4 Mealy, for her questions.

5 COUNCIL MEMBER MEALY: Thank you. I know
6 we have to meet. I was just wondering what resources
7 will the Office of Nightlife have access to if it
8 transitions into SBS?

9 COMMISSIONER KIM: That's why we're really
10 excited about this move over because the expertise
11 they bring in for a specific industry will pair up
12 really nicely with New York's, our SBS Food and
13 Beverage Industry Partnership team so now you're able
14 to physically sit them very close to one another, be
15 a bigger team that is working on all food and
16 beverage related industry businesses so are excited
17 about combining the knowledge base. At the same, as I
18 had mentioned previously, the outreach efforts on our
19 part will just be literally 10x'ing whatever they had
20 in terms of the personal to get the message out of
21 all the great services ONL has and all the great
22 services SBS offers to the nightlife industry.

23 COUNCIL MEMBER MEALY: That's great. I
24 know you're not enforcement or anything, but how many
25 businesses do you feel or maybe your office has heard

2 of that get hit with a summons for not having a
3 cabaret license?

4 COMMISSIONER KIM: I don't know the exact
5 numbers. We do know there are approximately New York
6 City small businesses that have liquor licenses and
7 operate in that space, meaning restaurants and bars,
8 and so a lot of times the cabaret law that's in place
9 has prohibited businesses from allowing their patrons
10 to, even literally I think sway their hips or move,
11 right, and it's something that the Department of City
12 Planning is looking very closely at to change, and
13 SBS is very supportive of that along with ONL.

14 COUNCIL MEMBER MEALY: In 2017, didn't we
15 change that?

16 DEPUTY DIRECTOR SOEGAARD: That's right.
17 The Administration was very proud to work with the
18 City Council to, in 2017, repeal the requirement for
19 businesses to obtain a cabaret license to allow
20 patron dancing. However, that law did not change a
21 provision within the City' zoning text that still
22 controls certain aspects of where businesses that
23 seek to provide certain kinds of live entertainment
24 and allow patron dancing where they can locate, and
25 that's something that, as the Commissioner noted..

2 COMMISSIONER KIM: That's what I was
3 referring too, yes.

4 DEPUTY DIRECTOR SOEGAARD: We're working
5 with the Department of City Planning to revise some
6 of those outdated regulations at this time.

7 COUNCIL MEMBER MEALY: I hope you really
8 take care of that because it kind of goes hand in
9 hand, liquor, music, and dancing so I think that once
10 the City Planning does that, we can have less
11 summonses, but did you answer the question? Is it a
12 nice amount of businesses that may get summons for
13 not having, well, they don't need a cabaret license,
14 but if their business is in the wrong place and City
15 Planning has not "said that they can dance and drink
16 and eat?"

17 DEPUTY DIRECTOR SOEGAARD: I'm not aware
18 of a significant volume of enforcement related to
19 that question in terms of zoning enforcement. Happy
20 to look into that and get back to you about that
21 specific question.

22 CHAIRPERSON MENIN: Okay, so there are no
23 obstacles impending this bill, is it?

24 COMMISSIONER KIM: No.

2 COUNCIL MEMBER MEALY: It's really a good
3 bill.

4 COMMISSIONER KIM: We believe so.

5 COUNCIL MEMBER MEALY: Okay. All right,
6 thank you so much. Thank you, Chair.

7 CHAIRPERSON MENIN: Great. Thank you,
8 Council Member. I also want to note we've been joined
9 by Council Member Tiffany Caban who is joining us
10 virtually so wanted to acknowledge her.

11 Unless there are any other questions, any
12 other questions from my Colleagues before we turn to
13 the public?

14 Council Member Mealy.

15 COUNCIL MEMBER MEALY: I was thinking
16 about the Board of Nightlife. I remember Rafael
17 Salamanca was the Nightlife Commissioner or
18 something. Do we still have a Commissioner for that
19 department? I see that it's a 14-member board and
20 they all volunteer so do we have a head, a president
21 of that board or that department?

22 DEPUTY DIRECTOR SOEGAARD: The Nightlife
23 Advisory Board is an independent 14-member body as
24 you said that operates independently from the
25 Administration. They have their own mandate to

2 evaluate laws, rules, regulations, policies that
3 pertain to the nightlife industry. It's my
4 understanding that the Chair of that board has been
5 Andrew Rigie of the New York City Hospitality
6 Alliance.

7 COUNCIL MEMBER MEALY: Thank you. What's
8 his name again?

9 DEPUTY DIRECTOR SOEGAARD: Andrew Rigie.

10 COUNCIL MEMBER MEALY: Rigie. Okay. Thank
11 you. So that board is still providing recommendations
12 to the Small Business Services to see what new
13 changes are out there in the nightlife?

14 DEPUTY DIRECTOR SOEGAARD: That's right.
15 That board produced a report of recommendations in
16 2021 that I'm happy to share with you after the
17 hearing.

18 COUNCIL MEMBER MEALY: Do you know if they
19 presented Narcan at these clubs? Did that board even
20 address that as of yet?

21 DEPUTY DIRECTOR SOEGAARD: That's not
22 necessarily been a responsibility of that board. I'm
23 happy to let you know that the Office of Nightlife at
24 the Mayor's Office of Media and Entertainment
25 partnered with the Department of Health and Mental

2 Hygiene in 2021 to create a Narcan training program
3 called Narcan Behind Every Bar. We provide regular
4 trainings for nightlife industry staff to help them
5 recognize the potential signs of an overdose. Should
6 the unlikely event occur of an opioid overdose on
7 their premise, nightlife businesses will be equipped
8 with the training to recognize and respond and be
9 able to step in and save a life before first
10 responders can get on the scene.

11 COUNCIL MEMBER MEALY: Thank you. I'm
12 going to keep up with them and see if that's
13 implemented. That does save lives so thank you. Thank
14 you, Chair.

15 DEPUTY DIRECTOR SOEGAARD: Thanks for the
16 question.

17 CHAIRPERSON MENIN: Wonderful. Thank you.
18 Those are all of our questions so we'll now turn to
19 the public so thank you both very much. We appreciate
20 it.

21 I'll turn it back to Committee Counsel.

22 COMMITTEE COUNSEL BOULET: Thank you. For
23 the public testimony segment, I believe we have two
24 members of the public who have requested to testify

2 today in person. I will call you up and if you could
3 take a seat at the table to deliver your testimony.

4 If Sandra Jaquez and Christopher Leon
5 Johnson could please join us at the table.

6 If you could introduce yourself and your
7 affiliation?

8 CHRISTOPHER LEON JOHNSON: Cool. Hey. Good
9 morning, Chair Menin. My name is Christopher Leon
10 Johnson. I'm not here to attack you personally. I'm
11 just here to make my point about this. I saw this on
12 the website, and I was like this is interesting.

13 Yeah, I know that we have an issue with
14 the budget and most likely we need this merging. I
15 think it's a great merger. Like I said, he's a great
16 Chairman of the Small Business Services, Mr. Kim, and
17 Mr. Rigie is a great person of the nightlife. I love
18 them both as like, pause, like I love them like as
19 Commissioners. My thing is what we need to do more is
20 to push more funding into nightlife. There's not a
21 lot of funding to nightlife. Nightlife makes a lot of
22 money for the City of New York, and I go out time to
23 time to these events because I have to do my politic
24 and my media stuff, and there's not a lot of support.
25 Mainly all these business owners have to fund their

2 own selves, and they don't get a lot of support from
3 the City, and I hope that you as the Small Business
4 Chair is able to start advocating for more funding
5 for these businesses to nightlife because they give
6 us a lot of money. Instead of them giving money to
7 like the DOT and, like I said, I made that point this
8 morning downstairs about DOT, we need to put some of
9 that money to nightlife. Like I said, I see certain
10 clubs, I see certain of these functions, and it's not
11 even that vibrant. I think the City needs to start
12 putting some investments to that, getting more
13 involved in this stuff, and I think the City needs to
14 start promoting more of the nightlife on the website,
15 like on the City websites more often, especially the
16 City Council of New York 25 need to have segments
17 more in the daytime to push people to get out in the
18 nighttime because I know like everybody's working
19 during the daytime and if you go out in nighttime
20 more often, it works on the mental health. It
21 benefits people's mental health so I mean the Mayor's
22 Office, I know you're the Small Business Chair, you
23 have to talk to Mayor Eric Adams, have a conversation
24 with Eric Adams, Mr. Kim, Mr. Rigie to put more
25 initiatives to nightlife because it's the only way

2 it's going to work, and I think everybody should be
3 out a little more. This is a big city (INAUDIBLE)
4 it's a big city. I'm like Jesus Christ, like
5 especially in the meatpacking district and all these
6 restaurants that change up at nighttime, like we have
7 to start pushing this more into the atmosphere within
8 the City Council and the Mayor's Office. You pushing
9 these daytime events. Everybody's at work.
10 Everybody's at work. Nobody can go out and do stuff
11 during work time. You have to push them to nighttime
12 a little more often, and I think, like I said, the
13 Mayor should start doing more live events in the
14 nighttime, and they should give you guys money, City
15 Council, to have like a, what's that thing called,
16 like do livestreams at nighttime events instead of
17 you guys using your iPhones. Why does the Mayor get
18 to use the 4K Sony camera to do live events on
19 government time, on government schedule, but you guys
20 can't? You guys should get the same amount of money
21 to get the 4K Sony cameras and submit it and do the
22 events from there. That's my opinion, and I gotta go.
23 Thank you. I gotta go. Thank you so much.

24 CHAIRPERSON MENIN: Thank you. There was a
25 question for you. Council Member Mealy.

2 COUNCIL MEMBER MEALY: Mr. Johnson, why do
3 you feel we should get more money to the nightlife?
4 How can we enhance, because some people can't even
5 afford to go to some of these clubs, so what do you
6 feel the money would go towards? Advertisement or
7 cameras?

8 CHRISTOPHER LEON JOHNSON: I think it
9 would go to advertisement a little bit more, like
10 advertisement you gotta push more social media
11 advertising like...

12 COUNCIL MEMBER MEALY: They have that.
13 That's supposed to be for the nightlife to do that on
14 their own.

15 CHRISTOPHER LEON JOHNSON: I know y'all
16 can't, but y'all should sit down a little more and
17 guide them a little more to push out more family-
18 friendly advertising.

19 COUNCIL MEMBER MEALY: Okay.

20 CHRISTOPHER LEON JOHNSON: With the
21 cameras, like I said, like all 51 Members of City
22 Council should get a 4K Sony camera and be able to
23 start broadcasting and start hiring more staff, like
24 the Mayor's Office does, and start broadcasting the

2 events, especially in the nighttime because it'll
3 promote the businesses a little more.

4 COUNCIL MEMBER MEALY: Okay.

5 CHRISTOPHER LEON JOHNSON: That's my
6 opinion.

7 COUNCIL MEMBER MEALY: Thank you.

8 CHRISTOPHER LEON JOHNSON: Thank you so
9 much.

10 COUNCIL MEMBER MEALY: I hope you come to
11 more events.

12 CHRISTOPHER LEON JOHNSON: Thank you.

13 COUNCIL MEMBER MEALY: Thank you so much.

14 COMMITTEE COUNSEL BOULET: Thank you.

15 Sandra, if you could introduce yourself. Thank you so
16 much.

17 SANDRA JAQUEZ: Good morning. Thank you,
18 Chair Menin and the entire Committee, for this
19 opportunity to share testimony on establishing the
20 Office of Nightlife within the Department of Small
21 Businesses.

22 My name is Sandra Jaquez, and I am the
23 Vice President of the Latina Restaurant, Bar, and
24 Lounge Association. I'm also a restaurant owner of

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2 two restaurants in the Dyckman area in Wood Heights
3 for 20 years.

4 We represent the interests of hundreds of
5 minority- and immigrant-owned restaurants and
6 nightlife establishments throughout the City of New
7 York. I'm here today to testify in support of moving
8 the Office of Nightlife to the Department of Small
9 Business Services. The office has been and continues
10 to be a resource to the restaurant and nightlife
11 industry. In fact, during the height of the COVID
12 pandemic when restaurants had to shut their doors,
13 the office served as a critical source of information
14 and education, forever changing rules and
15 requirements on our businesses. It was through the
16 lens that many of our members became familiar with
17 this office, myself included. However, our work with
18 the office does not stop there. Our association
19 continues to work with the Office of Nightlife on
20 major initiative such as the MEND program, which
21 provides pre-mediation and conflict resolution
22 services. It is a program designed to mitigate
23 conflict with the community in a collaborative way
24 and through a solution-oriented approach so MEND has
25 already proven success. It's programs like this that

2 we must continue to work on and build upon with the
3 Office of Nightlife.

4 As the hospitality industry continues to
5 struggle, particularly in our outer boroughs, it is
6 very important to uplift the Office of Nightlife so
7 that it continues to do the work of helping our
8 industry not just to recover but to continue to
9 thrive. That is why we're here today in support of
10 this move to the Department of Small Business
11 Services. This move makes sense. It's a department
12 that we as an association and as individual
13 businesses have worked often with and we totally
14 trust. Our familiarities with the agency and the
15 resources that go along with it will only serve to
16 strengthen the office and therefore strengthen the
17 services that the government offers this essential
18 industry. In particular, we feel that this move will
19 help focus attention on areas of the city,
20 particularly those communities of color, that have
21 been left behind in the recovery of the industry. We
22 look forward to working with the Office of Nightlife
23 under their new umbrella.

24 I thank you again for this opportunity
25 and letting me testify this morning.

2 COMMITTEE COUNSEL BOULET: Thank you.

3 CHAIRPERSON MENIN: Wonderful. Thank you
4 so much, and I really want to thank you for taking
5 the time to be here in person.

6 What are the main obstacles that you're
7 seeing in terms of this industry and what could the
8 City be doing better?

9 SANDRA JAQUEZ: Well, in my personal
10 opinion for myself, we've had a lot of struggles
11 after COVID trying to bring people back out to our
12 restaurants, especially in our neighborhoods. I know
13 downtown it's a different scenario, it's been
14 thriving, but, uptown, it's been very difficult in
15 trying to get people back to our establishments, to
16 come out and have those pre-COVID times. That's one
17 important situation, and this is one important part
18 of this industry that I've noticed all our members
19 have been complaining about, how do we get our people
20 back to our establishments, how do we get nightlife
21 again to be booming how it was before in the past, so
22 it has been a struggle for us.

23 COUNCIL MEMBER MEALY: I was just
24 wondering, do you think COVID had a part in why
25 people are not coming back out to the establishments?

2 SANDRA JAQUEZ: I mean COVID did, New York
3 City was very impacted, the restaurant industry was
4 impacted, and we all know that once that happened,
5 people just decided to go to the other, Connecticut,
6 New Jersey, even Yonkers, Westchester so I'm very
7 close to Westchester so they had different
8 regulations and rules. When we were effected by 11
9 o'clock or no indoor dining, 25 percent, they were at
10 50 percent or 75 percent, they had longer hours, so a
11 lot of our customers just expanded and found other
12 locations and it's been really hard to try to get
13 those customers back, just because they've
14 experienced other places. That was really a big
15 impact on our industry.

16 COUNCIL MEMBER MEALY: I have to say I did
17 go upstate so that is so true. I understand that. Are
18 the resources provided through the Office of
19 Nightlife beneficial for your establishment? Are they
20 giving you real resources or sitting down one-on-one
21 with you to try to come up with, because what works
22 for one doesn't work for the other so have you really
23 sat down with them one-on-one?

24 SANDRA JAQUEZ: In my personal case, I
25 haven't had the need to, but I know some of our

2 members have and, especially with the MEND program,
3 when you have conflict between the establishment and
4 sometimes the community, we have seen that the
5 Nightlife Office with this program has helped to
6 bring the community and to bring the establishment
7 into some sort of an agreement, to work their
8 differences out so that has been a great asset. Also,
9 with the Narcan, again, it's not in my case necessary
10 beneficial because I really don't need, my
11 establishment is more family-oriented, but it is a
12 good program to have because I've always said I
13 prefer having the Narcan there not needed than need
14 it and not have it.

15 COUNCIL MEMBER MEALY: I have one more
16 question. Have the establishments thought about
17 opening up their establishments to the organizations
18 in the neighborhood? That's a good start. That's how
19 I was able to get some of my restaurants back up and
20 running. I would ask them could we have a meeting at
21 their establishment, and sometime, one establishment
22 I know right now, afterhours, they have a little
23 salsa, a little (INAUDIBLE) afterwards so that's
24 bringing people back in to the establishment because
25 some people don't know that some businesses' food is

2 good because they never, they walk by it years and
3 never stopped in, but if you have something there
4 that they come in then that's how they start learning
5 what's going on in there, and sometimes giving it
6 away for free is good also, just letting them have
7 the meeting and you never know the residuals that
8 come behind it so please start thinking about that,
9 asking other businesses to start, like the Community
10 Board, let them have their meeting one day, and you
11 wouldn't believe how many people would come back
12 afterwards so that's just a free one on the side.

13 SANDRA JAQUEZ: Thank you.

14 COUNCIL MEMBER MEALY: Thank you.

15 CHAIRPERSON MENIN: Wonderful. Seeing no
16 other questions, thank you so much for your testimony
17 today, and we are going to close the hearing. [GAVEL]
18 Thank you.

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C E R T I F I C A T E

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



Date September 27, 2023