

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

CONSUMER AFFAIRS AND BUSINESS LICENSING

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June 25, 2020  
Start: 10:45 AM  
Recess: 10:57 AM

HELD AT: REMOTE HEARING

B E F O R E: ANDREW COHEN  
Chairperson

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

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

1 COMMITTEE ON CONSUMER AFFAIRS AND BUSINESS LICENSING

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2 SERGEANT-AT-ARMS: Sergeant Martinez, you  
3 may begin with the opening statement.

4 SERGEANT MARTINEZ: Good morning, and  
5 welcome to today's New York City Council vote of the  
6 Committee on Consumer Affairs and Business Licensing.  
7 Participants, please place your—please turn on your  
8 video. To minimize disruption, please place your  
9 electron devices to silence or vibrate. We are ready  
10 to begin. (pause)

11 CHAIRPERSON COHEN: Well, that's my cue.  
12 (laughs) Good morning everybody. My name is Andrew  
13 Cohen, and I'm the Chair of the Committee on Consumer  
14 Affairs and Business Licensing. Today, we will  
15 voting on Proposed Introduction Bill Number 1957-A  
16 sponsored by Council Member Reynoso in relation to  
17 temporary space for outdoor dining. I will now turn  
18 it over to Council Member Reynoso for an opening  
19 statement.

20 COUNCIL MEMBER REYNOSO: Thank you, Chair  
21 Cohen. I want to start off with a story, I guess.  
22 This in over the last three days on a street in  
23 Manhattan, we had over eight businesses that have  
24 opened up, and haver rehired over 300 employees. It  
25 is the type of conversations we want to be having

1 during this time. We've—the COVID crises has taught  
2 us a lot or how little we were prepared, but what it  
3 did it also put the entire city on pause including  
4 small businesses that are still going to have to deal  
5 with the issues of rents to be able to stay afloat.  
6 Current guidelines do not allow for significant  
7 capacity or any capacity to have in-door dining in  
8 our restaurants. Even when we expand capacity, we're  
9 talking about 25% at best, and with that many people  
10 coming into a restaurant they still won't be able to  
11 make the amount—a sufficient amount of money to be  
12 able to stay afloat in our city. Our restaurants  
13 have suffered enough. What we're doing today is  
14 codifying into law and opportunity for open dining to  
15 happen or outdoor dining to happen in the City of  
16 New York. We've seen it so far for three days. For  
17 the most part it has been wildly successful. We are  
18 going to go through growing pains as a city while the  
19 outdoor dining happens. Everyone is learning on the  
20 fly, but we need to give our businesses the benefit  
21 of the doubt. We need to give them opportunity to  
22 learn, and we need to be one united New York City in  
23 ensuring that everyone can come out of this on top.  
24 So, I want to thank everyone for their support for  
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2 the outdoor dining bill. I'm looking forward to its  
3 continued success, and I'm actually looking for the  
4 Department of Transportation to look at this long-  
5 term, and then whether or not it's something that we  
6 can give to our local businesses on a—on a yearly  
7 basis. I also want to talk about equity. We have  
8 huge issues with sidewalk cafes happening in  
9 predominantly white and affluent neighborhoods. The  
10 cost of the fee, the architecture the lobbyists that  
11 you would need to get a sidewalk café sometime is  
12 extremely onerous for businesses in neighborhoods  
13 where the profit margins are very thin. This, um,  
14 what we're seeing today is going to allow for people  
15 in the South Bronx and Central Brooklyn, the Lower  
16 East Side and the Upper East Side, and in Coney  
17 Island, they're all going to have an opportunity to  
18 do this with no fee, and I thought that that was  
19 extremely important we wanted to make sure we did so  
20 we can build equity into what we're seeing give the  
21 amount of—the effect that this Coronavirus has had on  
22 mostly black and black and brown neighborhoods. So,  
23 again, I want to thank Chair Cohen for giving me the  
24 opportunity to speak here, and encouraging all my  
25 colleagues to please vote aye. Thank you.

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2 CHAIRPERSON COHEN: And with that, I will  
3 ask the clerk to call roll.

4 CLERK: William Martin, Committee Clerk.  
5 Roll call vote Committee on Consumer Affairs and  
6 Business Licensing. Introduction 1957-A. Chair Cohen.

7 CHAIRPERSON COHEN: Thank you...thank you  
8 Council Member Reynoso. You know, I...I look forward to  
9 maybe if in the future—I know this bill has a...a  
10 sunset in it, but the idea that we could bring equity  
11 to making the streets more accessible to restaurants  
12 throughout the Borough of the Bronx, which I care  
13 about and the city I think is a very noble cause that  
14 I would look forward to partnering with—partnering  
15 with you in the future, and I vote aye on today's  
16 bill.

17 CLERK: Chin.

18 COUNCIL MEMBER CHIN: Yes, I wanted to  
19 thank Council Member Reynoso. I already see  
20 restaurants in my district and other districts  
21 utilizing the public space, but I also wanted to  
22 remind us that we've got to continue to support our  
23 street vendors, and make sure they also get equal  
24 opportunity on this, and I vote aye. Thank you.

25 CLERK: Koo.

2 COUNCIL MEMBER KOO: Hi. Mr. Chair, can I  
3 explain my vote?

4 CHAIRPERSON COHEN: Of course.

5 COUNCIL MEMBER KOO: Yes. So, this bill  
6 is a good one, but like they—they say there's one-  
7 size fits all program. New York City is a big city.  
8 I think there are certain areas that outdoor dining  
9 on the sidewalks are not good especially in transit  
10 hubs, the streets they have a lot of vendors and the  
11 streets have a lot of bus stops, a lot of air  
12 pollutions. So, I would support the bill with being  
13 mindful that DOT when they give permissions, make  
14 sure they don't give permissions to (bell) on  
15 restaurants that they want to operate on side streets  
16 that are already too narrow or too congested with  
17 pedestrians or with—with too many buses outside. So,  
18 um, if they can do that, I would support the bill.

19 Thank you.

20 CLERK: Koslowitz?

21 COUNCIL MEMBER KOSLOWITZ: I vote aye

22 CLERK: Lander.

23 COUNCIL MEMBER LANDER: Request  
24 permission to explain my vote.

25 CHAIRPERSON COHEN: oh, of course.

2 COUNCIL MEMBER LANDER: (laughs)

3 CHAIRPERSON COHEN: And if you can't

4 COUNCIL MEMBER LANDER: I vote aye, and  
5 I'm enthusiastic about this bill and I've already  
6 eaten out in the streets a couple of times. So, I'm  
7 grateful to Council Member Reynoso, and certainly I  
8 share his point of view on equity. I do want to talk  
9 about one other kind of equity (bell) which is for  
10 the workers in these businesses because it remains  
11 true that, you know, one thing we're doing today is  
12 giving street space over to companies like Chipotle  
13 and McDonald's who can take advantage of the street  
14 space just like every other business, and they still  
15 have the right to fire their workers with no cause at  
16 all, with no notice, with no reason, and we've seen  
17 that happen at Chipotle a few times already, and in  
18 addition, these restaurants are going to continue to  
19 be doing delivery business as they should, but their  
20 delivery workers from Door Dash or Instant Card  
21 continue not even to have basic paid sick leave, and  
22 I've been pushing as some of you know for this  
23 Council to pass an Essential Workers Bill of Rights  
24 (bell) that would make sure those restaurant delivery  
25 workers that they stay and fast food restaurant



2 workers and other essential workers are protected  
3 from unfair firing so they can speak up when they  
4 don't have the PPE or other safety conditions, and  
5 it's a big disappointment that this Council has not  
6 yet taken the Essential Worker Bill of Rights, and,  
7 you know, I'm going to vote for this because it's a  
8 good bill, but giving street space to restaurants and  
9 small businesses while not asking them, by not  
10 insisting that they do right by workers when we have  
11 very simple ways to do so, is disappointing. So, I  
12 hope my colleagues will join the effort to correct  
13 that wrong. We could do it.

14 CHAIRPERSON COHEN: Yes You know, we had a  
15 great hearing. Those are straight bills. Of course,  
16 there's pushback, businesses, bosses like to be able  
17 to fire people without any reason, and if on one is  
18 going to make them give paid sick leave to their  
19 delivery workers, they're not going to do it, but we  
20 could do it, and I hope you are making sure we get it  
21 done. With that, I'm really excited to be out on the  
22 streets every night I possibly can, and I vote aye on  
23 this bill.

24 CLERK: Brannan.

25 COUNCIL MEMBER BRANNAN: Aye.

2 CHAIRPERSON COHEN: Yeger. (banging  
3 sounds/screeching mic) Council Member Yeger.  
4 (screeching mic) Is somebody trying to contact  
5 Council Member Yeger? I could call him if the...?  
6 (pause) (banging sound)

7 MALE SPEAKER:(bell) Chair Cohen, I have  
8 sent a message to Council Member Yeger.

9 CHAIRPERSON COHEN: Okay, thank you.  
10 (banging sounds/screeching mic)

11 COUNCIL MEMBER YEGER: Hold on. Yeah, I  
12 got to vote. (DISTORTED AUDIO) Hi, guys. Am I here to  
13 vote? Sorry about that.

14 CHAIRPERSON COHEN: Very good job Kalman.  
15 Yeah, Kalman, you're up.

16 COUNCIL MEMBER YEGER: Okay, sorry,  
17 apologize, and is this all your excitement?

18 CHAIRPERSON COHEN: (laughs) No, you're  
19 bringing it Kalman, you're bringing the excitement.

20 COUNCIL MEMBER YEGER: And I know what  
21 we're voting for today. Hold on one second. Give me  
22 10 seconds. I apologize. I thought my committee was  
23 next, not right now. Um, okay, yes. is this Intro  
24 1957?

25 CLERK: Yes.

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2 COUNCIL MEMBER YEGER: Okay, if the clerk  
3 wants to call me.

4 CLERK: (bell) 1957, Council Member Yeger.

5 COUNCIL MEMBER YEGER: I vote aye.

6 CLERK: Thank you, sir. I'm here, too.

7 COUNCIL MEMBER YEGER: Thank you very  
8 much. Chairman, I apologize.

9 CHAIRPERSON COHEN: No problem.

10 COUNCIL MEMBER YEGER: Because here I'll  
11 vote. It's all my fault.

12 CLERK: Vote on Introduction 1957-A is  
13 adopted by a vote of 7 the affirmative, zero in the  
14 negative and no abstentions. Thank you.

15 CHAIRPERSON COHEN: Alright, this  
16 concludes our hearing. 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 July 6, 2020