

COMMITTEE ON CONSUMER AND WORKER PROTECTION  
CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON CONSUMER AND WORKER  
PROTECTION

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April 18, 2022

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HELD AT: REMOTE HEARING - VIRTUAL ROOM 2

B E F O R E: Marjorie Velázquez, Chairperson

COUNCIL MEMBERS:

Shaun Abreu  
Erik D. Bottcher  
Gale A. Brewer  
Amanda Farías  
Shekar Krishnan  
Julie Menin  
Chi A. Ossé  
Keith Powers

## A P P E A R A N C E S

Joshua Levin, Associate Commissioner of  
Intergovernmental and Community Affairs at MOME  
Ariel Palitz, Senior Executive Director of the  
Office of Nightlife

Jose Soegaard, Deputy Director of the Office of  
Nightlife

Kitty Chan, Deputy Commissioner of the Department  
of Small Business Services

Rafael Espinal

Andrew Rigie

Olympia Kazi

Joanna Carpenter

Arelia Taveras

Andy Praschack

Kathleen Reilly

Tara Duvivier

Jen Lyon

Adeel Ahmed

Megan Rickerson

Steven Klavier

Francois Vaxelaire

Robin Sokoloff

Annarrisa Nathoo

Francesco Beclaro

Diana Mora

Daniel Nardicio

Barbara Sibly

Meghan Joye

Tony Touch

Arline Bronzaft

Taylor Shubert

Eric McGriff

Doris Rodney

Loycent Gordon

Paul Italia

Augustine Hope

Leif Arntzen

Mizael Ramos

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION

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2 SERGEANT LUGO: Cloud is good.

3 SERGEANT KOTOWSKI: Sergeant Lugo, if you  
4 can give us the opening, please?

5 SERGEANT LUGO: Good afternoon, everyone.  
6 Welcome to today's remote New York City Council  
7 hearing of the Committee on Consumer and Worker  
8 Protection.

9 At this time, would all panelists please  
10 turn on your videos for verification purposes?

11 To minimize disruption, please place  
12 electronic devices to vibrate or silent.

13 If you wish to submit testimony, you may  
14 send it to [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Again, that's  
15 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

16 Thank you for your cooperation. Chair, we  
17 are ready to begin.

18 CHAIRPERSON VELAZQUEZ: [GAVEL] Good  
19 afternoon. Thank you for joining our oversight  
20 hearing today before the Council Committee on  
21 Consumer and Worker Protection. First, I'd like to  
22 acknowledge my Colleagues who are present. I see  
23 Council Member Bottcher, Council Member Abreu,  
24 Council Member Menin, Council Member Osse.

25

2 I wanted to go ahead and start off with  
3 my opening statement for today. Good afternoon. I am  
4 Council Member Marjorie Velazquez, and I am the Chair  
5 of Consumer and Worker Protection. I'd like to  
6 welcome you to our oversight hearing today on the  
7 Office of Nightlife and the State of the Nightlife  
8 Industry. The purpose of our hearing today is  
9 twofold, to track the industry's recovery from the  
10 impact of the pandemic and to discuss recommendations  
11 to improve and strengthen the industry by addressing  
12 longstanding, pre-pandemic issues the nightlife  
13 industry continues to face.

14 The economic impact of the pandemic has  
15 been acutely felt by the nightlife industry.  
16 Nightlife venues like nightclubs, bars, and concert  
17 halls suddenly had to survive without a customer  
18 base, and nightlife workers, such as musicians,  
19 performers, DJs, and dancers saw their wages  
20 disappear. A Hospital Alliance survey of over 400  
21 restaurants and bars in New York City found that half  
22 of the respondents experienced a 90 percent or higher  
23 decline in their average weekly sales in January 2021  
24 compared to January 2020. An Office of Nightlife  
25 survey from March 16, 2020, to April 3, 2020, found

2 that nightlife employees lost over 95 percent of  
3 their weekly wages and 2 out of 3 freelancers  
4 reported losing 100 percent of their weekly jobs.

5 At this point, the nightlife industry has  
6 completely reopened, thank God, and New Yorkers are  
7 able to enjoy the vibrancy of New York's nightlife  
8 scene once again. Nonetheless, the loss businesses  
9 and workers have experienced for the last 2 years has  
10 not magically disappeared. Certain nightlife  
11 businesses owe back rent for a over a year. Some  
12 workers have unexpectedly been plunged into debt. The  
13 nightlife industry is essential to the city, and New  
14 York will be unable to recover from the pandemic  
15 unless nightlife industry recover. The industry is  
16 both an economic engine and essential to our  
17 understanding of what makes New York unique and  
18 great. Whether it is The Halal Guys at 2 a.m., late  
19 night karaoke, or dancing at one of our many LGBTQ  
20 bars and clubs, people come from around the world to  
21 experience New York's vibrant nightlife scene. As the  
22 city works to ensure that the industry is able to  
23 financially recover from the pandemic, it is also an  
24 apt time to address longstanding issues the industry  
25 has faced. The Office of Nightlife released a report

including a number of recommendations that the administration and Council can adopt to create a more friendly regulatory landscape for nightlife businesses, and I look forward to a discussion with the Office of Nightlife today to hear these recommendations including an update on the administration's progress in implementing recommendations that do not require Council action.

The Nightlife Advisory Board has also released a report including recommendations to improve the nightlife industry. First, I'd like to thank the members of the Board who volunteered their free time to produce this report. I also look forward to hearing from member of the Board about their perspective on the Office of Nightlife's report with recommendations that are advisable and which recommendations they think that the city shouldn't pursue.

During today's hearing, we'll also hear from nightlife venues. These businesses can speak on the effectiveness of the city's approach to assisting the industry during the pandemic and what still needs to be addressed. I look forward to hearing from these venues about what are the most critical issues that

the administration and Council should collaborate on the best way to support the nightlife industry.

Before we hear testimony from the administration, I'd also like to take a moment to acknowledge that a few weeks ago an arsonist set off a fire at Rash, a queer bar in Bushwick. The nightlife industry has historically been a safe space for members of the LGBTQ community, and the city must take a nuanced approach to ensuring that these spaces are safe without over-policing the queer nightlife venues as well.

With that said, I'd like to thank my central staff team, Senior Counsel Stephanie Jones, Policy Analyst Noah Meixler, and my Chief of Staff Nick Roloson, and my Deputy Chief of Staff Alex Anderson for their hard work. Now, I'm going to turn it over to Stephanie to swear in the admin.

STEPHANIE JONES, MODERATOR: Thank you, Chair. I am Stephanie Jones, Counsel to the Committee on Consumer and Worker Protection. I will be moderating this hearing today. Before we begin, I'd like to remind everyone that you will be on mute until you are called on to testify, at which point you will be unmuted by the host.

2           During the hearing, I will be calling on  
3 panelists to testify. Please listen for your name to  
4 be called as I will periodically be announcing who  
5 the next panelists will be.

6           At this hearing, we will first be  
7 inviting testimony from the Mayor's Office of Media  
8 and Entertainment and the Office of Nightlife  
9 followed by testimony from members of the public.

10           During the hearing, if Council Members  
11 would like to ask a question of the administration of  
12 a specific panelist, please use the Zoom raise hand  
13 function, and I will call on you in order. We will be  
14 limiting Council Member questions to 5 minutes, which  
15 includes the time it takes to answer your questions.

16           For all panelists, when called to  
17 testify, please state your name and the organization  
18 you represent, if any.

19           We will now call representatives of the  
20 administration to testify. We will be hearing  
21 testimony from Joshua Levin, Associate Commissioner  
22 of Intergovernmental and Community Affairs at MOME  
23 and Ariel Palitz, Senior Executive Director of the  
24 Office of Nightlife. We will also be joined for  
25 questions by Jose Soegaard, Deputy Director of the



1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 9

2 Office of Nightlife, and Kitty Chan, Deputy  
3 Commissioner of the Department of Small Business  
4 Services.

5 At this time, I will administer the  
6 affirmation. Administration panelists, please raise  
7 your right hands, and I will call on each of you  
8 individually to respond. Do you affirm to tell the  
9 truth, the whole truth, and nothing but the truth  
10 before this Committee and to respond honestly to  
11 Council Member questions? Associate Commissioner  
12 Levin.

13 ASSOCIATE COMMISSIONER LEVIN: I do.

14 STEPHANIE JONES, MODERATOR: Thank you.  
15 Executive Director Palitz.

16 EXECUTIVE DIRECTOR PALITZ: I do.

17 STEPHANIE JONES, MODERATOR: Thank you.  
18 Deputy Director Soegaard.

19 DEPUTY DIRECTOR SOEGAARD: I do.

20 STEPHANIE JONES, MODERATOR: Thank you.  
21 Deputy Commissioner Chan.

22 DEPUTY COMMISSIONER CHAN: I do.

23 STEPHANIE JONES, MODERATOR: Thank you. At  
24 this time, I'd like to invite Associate Commissioner  
25 Levin to present his testimony.

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 10

2 ASSOCIATE COMMISSIONER LEVIN: Thank you,  
3 and good afternoon, Chair Velazquez and Members of  
4 the Committee on Consumer and Worker Protection. My  
5 name is Joshua Levin. I am the Associate Commissioner  
6 of Intergovernmental and Community Affairs at the  
7 Mayor's Office of Media and Entertainment, MOME for  
8 short. Thank you for having me here today along with  
9 my Colleagues in government.

10 MOME supports the creative economy of  
11 film, television, theater, music, publishing,  
12 advertising, digital content, and nightlife. Before  
13 the COVID pandemic, the creative economy generated  
14 150 billion dollars per year and nearly 1 out of  
15 every 10 local jobs. Beyond the economic impact, the  
16 creative sectors, including our vibrant nightlife  
17 businesses, defines New York City to the people who  
18 live here and the rest of the world. The Office of  
19 Nightlife is one of MOME's 5 divisions, which also  
20 includes the Film Office, NYC Media, Creative Sectors  
21 Programs, and the Press Credentials Office.

22 After Local Law 178 of 2017 created the  
23 Office of Nightlife, MOME established a functioning  
24 office to be a point of entry into city government  
25 listening to industry concerns, connecting them to

2 partners in government, and creating resources and  
3 programs to help them. Leveraging the support of  
4 MOME, the Office of Nightlife has done a tremendous  
5 job supporting New York City's nightlife industry in  
6 their short history. Now, it is with great pleasure  
7 to introduce to you Senior Executive Director of the  
8 Office of Nightlife Ariel Palitz. Thank you.

9 EXECUTIVE DIRECTOR PALITZ: Thank you,  
10 Josh. Good afternoon, everyone, Chair Velazquez, and  
11 Members of the Committee on Consumer and Worker  
12 Protection. I am Ariel Palitz, Senior Executive  
13 Director of the Office of Nightlife at the Mayor's  
14 Office of Media and Entertainment. Thank you for the  
15 opportunity to testify today. I am happy to be with  
16 you to share what we have accomplished over the last  
17 4 years and how we can continue to address the  
18 challenges ahead.

19 The Office of Nightlife is a dedicated  
20 non-enforcement liaison between city agencies and the  
21 nightlife industry and community, serving owners,  
22 workers, performers, patrons, and residents in New  
23 York City's 25,000 bar, nightclub, venues, and  
24 restaurants. As you may know, the Office was created  
25 through legislation written by former Council Member

2 Rafael Espinal and signed by former Mayor de Blasio  
3 in 2017. Through the collective efforts of the Mayor,  
4 the City Council, and numerous advocacy organizations  
5 and grassroots activists, New York City joined a  
6 global movement of nighttime management and  
7 governance, which now accounts for nightlife offices  
8 and representation in more than 60 cities across the  
9 world.

10 As a born-and-raised New Yorker, I have  
11 proudly served in this position since March 2018  
12 drawing on my extensive experience in the industry  
13 and community, first working as a club promoter and  
14 then owning and operating my own club in the East  
15 Village for 10 years while simultaneously serving on  
16 the Liquor Licensing Committee of Manhattan Community  
17 Board 3 for nearly 7 years. In those roles, I  
18 experienced many of the issues that our office would  
19 ultimately be addressing including dealing with  
20 staffing, security, booking and patrons, regulations  
21 and licensing, inspections, enforcement, and quality  
22 of life issues.

23 Upon my appointment as the Office's first  
24 Director, I assembled a team and began to work to  
25 establish this new Office. Our first responsibility

was to listen, to hear from the industry and community. In the fall of 2018, we launched a 5-borough listening tour, collecting feedback from more than 1,200 attendees and then held focus groups to dive into the critical issues raised at those listening sessions and to learn detailed solutions from within the community. The agency then released a comprehensive economic impact study of NYC's nightlife industry in January 2019 which found that it accounted for more than 35.1 billion dollars in economic activity and supported nearly 300,000 jobs and 700 million dollars in local tax revenue. That research and feedback helped us shape the 4 pillars of our agenda outlined in the report that we released in June 2021. The first pillar is to support business development, the second to improve quality of life, the third to promote safety, equity, and harm reduction, and the fourth is to elevate nightlife culture to be seen and known as an asset rather than a liability as has historically been the case. Our report also provides a series of recommendations to improve nightlife in New York City including solutions to challenges that have existed before the pandemic that are even more urgent now. These nearly

2 2 dozen recommendations are the result of research,  
3 stakeholder engagement, and lessons learned from our  
4 casework.

5           The first pillar to support business  
6 development and now recovery. We are deeply committed  
7 to supporting businesses across the 5 boroughs and  
8 ensuring that they have the resources they need to be  
9 successful. Immediately following the conclusion of  
10 the listening tour, we developed a dedicated  
11 nightlife interagency working group, convening more  
12 than a dozen city agencies and the New York State  
13 Liquor Authority on an ongoing basis to review how  
14 the industry interacts with city and state government  
15 and how the agencies interact with each other as well  
16 as in relation to the industry. Through this working  
17 group, we developed an approach to casework and  
18 problem solving called MASH, or Multi-Agency Support  
19 for Hospitality. We work closely to identify systemic  
20 solutions to longstanding challenges and engage these  
21 agencies for individual casework. This includes  
22 helping nightlife businesses navigating city  
23 agencies. It also includes crisis management response  
24 for venues that are facing some form of threat or  
25 other emergency and helping expedite support from

city services and resources and serving as a central point of contact for those venues. Since we began this approach, we've helped address more than 725 individual cases. Together with our citywide campaigns, webinars, newsletters, and social media, the Office of Nightlife has proudly reached over 1 million New Yorkers. We know through our engagement that businesses face challenges in navigating city permitting and licensing processes. The city has already made progress to address this, and, just last summer, Small Business Services introduced New York City Business Quick Start to help small businesses navigate and cut processing time by 50 percent. In March 2021, Mayor Adams' Blueprint for Economic Recovery announced plans to build on this approach by streamlining agency inspections and reviews the approval process and launching an Interagency Small Business Express to cut business opening times in half and launch a new portal for businesses to track interactions with the city in real time including filings, permits, and inspections. Another challenge identified was the need to expand cure periods for issues that do not pose immediate life safety hazards, to give businesses the opportunity to get

into compliance without paying fines. In his first week in office, Mayor Adams announced a new initiative to do just that, directing regulatory agencies to review all fines and violations within 6 months and to recommend specific cuts and revisions. Additionally, our report and the Mayor's Blueprint recommended standardizing Community Board processes and applications for liquor licensing and reducing excessive stipulations and restrictions on arts and culture, and we are currently working with Borough President's offices to launch this effort. Through Local Law 220 of 2019, the Office of Nightlife is now also responsible for publishing semi-annual reports of the multiagency response to community hotspots more widely known as MARCH operations. The Office of Nightlife is proud to be entrusted to work with participating city agencies to create a centralized reporting system to provide information to the public about these operations' frequency, locations, and results. That legislation also now requires nightlife establishments to receive written notification from NYPD at least 30 days prior to any MARCH operation with an opportunity to rectify the conditions and



2 potentially avoid a MARCH by contacting their local  
3 precinct and/or the Office of Nightlife.

4           For our second pillar, to improve the  
5 quality of life, we have also introduced initiatives  
6 to help improve quality of life issues between  
7 neighbors and nightlife establishments. In October  
8 2019, we launched a pilot program called the Lower  
9 Eastside Quality of Life Improvement Plan working  
10 with Departments of Transportation and Sanitation and  
11 the Taxi and Limousine Commission and the Lower  
12 Eastside Partnership. This multiagency plan worked to  
13 improve quality of life in one of the city's densest  
14 nightlife districts by reorchestrating city services  
15 to address the conditions that are unique to life at  
16 night. This initiative would also ultimately serve as  
17 a model for the Commercial District Recovery Safety  
18 Plan during COVID, a multiagency coordinated approach  
19 to address chronic quality of life concerns in  
20 commercial districts led by the Recovery Office and  
21 Small Business Neighborhood Development from May to  
22 December 2021. In September 2020, we worked with our  
23 partners at the Office of Administrative Trials and  
24 Hearings, otherwise known as OATH, and their Center  
25 for Creative Conflict Resolution to launch a new free

mediation program for nightlife venues and their neighbors. That program is called MEND, which stands for Mediating Establishment and Neighborhood Disputes, and brings together both parties with a neutral third-party mediator to resolve these disputes through direct communication and compromise before escalating to the need for enforcement. MEND helps venues and residents establish long-term relationships, helping New Yorkers coexist, addressing quality of life while ensuring that small businesses are supported and can thrive. New Yorkers who contact 311 with complaints are informed about the MEND program. DEP, the Department of Environmental Protection, includes it in their outreach to complainants. We also receive referrals through our partnership with NYPD, NCO officers, Community Boards, the State Liquor Authority as well as elected officials. To date, more than 83 percent of all cases that precede to mediation end in resolution.

Moving forward to our third pillar, adopting a harm reduction approach to substance use is increasingly urgent with the prevalence of fentanyl in cocaine and other drugs resulting in

opioid overdoses. In 2018 and 2019, the Office of Nightlife partnered with the Department of Health and Mental Hygiene on its Using Cocaine Initiative, conducting outreach to nightlife venues to educate staff about the presence of fentanyl in cocaine, train staff and patrons to respond to overdoses, and provide venues with naloxone kits and preventative messaging. In the fall of 2012, we partnered with the Department of Health and Mental Hygiene again to launch the Narcan Behind Every Bar Campaign, holding webinars for nightlife workers to get trained in overdose response and receive free naloxone kits. This campaign is critical to our overall efforts to ensure that venues and promoters are seen as key partners in our collective efforts to combat the opioid crisis in New York City. In September 2021, the Office of Nightlife partnered with the Mayor's Office of Community Mental Health and a nonprofit called Backline Care to launch the Elevate Nightlife Mental Health Initiative. The Elevate Initiative addresses trauma and stress in the nightlife industry where late nights and high-pressure environments can contribute to mental health challenges. The pandemic compounded the stress of these environments and had a

profound effect on the livelihood and wellbeing of our city's nightlife workers, many of whom have experienced sudden unemployment, loss of income, and exposure to illness and grief. This initiative addresses the collective trauma in the industry and that remains on the frontlines of our city's recovery. More than 120 members of the New York City's nightlife community have joined free weekly online support groups and worked with case managers to create affordable, personalized mental health plans moving forward.

In our fourth pillar to elevate nightlife culture, we know that nightlife is at the core of New York City's cultural identity, and we are working to establish new policies and programs to support creative spaces and the New Yorkers who work and perform in them. Our report addresses the challenges that it can be cost-prohibitive to host DIY or independent events, which can lead event organizers to operate underground with increased risks. We are working to reduce the time and cost to host one-off cultural events through creating a new faster process to facilitate the use of spaces for small arts, entertainment, and nightlife activity. Our report

also highlights a solution that we've seen in other cities that allows for the use of 24-hour nightlife in specified districts. If implemented properly, it can actually help to reduce quality of life issues in highly residentially dense neighborhoods and create a draw for global tourism. We are working now to identify areas where 24-hour use might be appropriate for a pilot program and bring existing after-hours activities out of the shadows.

In responding to COVID-19, in March 2020 COVID-19 struck a direct and devastating blow to the nightlife industry. The Office of Nightlife shifted into crisis management mode, fulfilling our mandate to serve as a vital resource to the nightlife community by providing information and guidance while representing and amplifying their needs where the decisions were being made. We immediately surveyed the nightlife community to capture a snapshot of the devastating impacts, which showed that venues and workers lost more than 95 percent of their income and freelancers lost 86 percent of their planned gigs in just the first few weeks. Since the beginning of the pandemic, the Office of Nightlife has held over 40 virtual town halls since April 2020 for more than

2 20,450 viewers, convening city, state, and federal  
3 officials together to share resources and information  
4 about regulations and to get answers to the common  
5 questions and challenges that were facing the  
6 nightlife community. We also created resources and  
7 campaigns to share and explain the new rules and  
8 regulations in plain language to business owners and  
9 the public. We worked with inspection agencies and  
10 our partners at Small Business Services as well as  
11 the Office of Special Enforcement to prepare the What  
12 to Expect When You're Inspected guidance document  
13 focusing on COVID safety compliance. We also created  
14 the Take-Out, Don't Hangout window posters and the  
15 It's Up to You, New York, Socialize Responsibly  
16 awareness campaigns which were displayed throughout  
17 the city to communicate the current COVID rules.

18 The Office of Nightlife served as a  
19 representative for the nightlife industry in the  
20 city's Interagency Business Recovery efforts as we  
21 all worked together to launch emergency programs and  
22 initiatives. The city's efforts included the Open  
23 Restaurants program for outdoor seating at bars and  
24 restaurants which saved 100,000 industry jobs. The  
25 Curtains Up program which we created in partnership

2 with Small Business Services provided free webinars  
3 and one-on-one application support for the federal  
4 shuttered venue operators, or SVOG grants, which  
5 ultimately provided over 1.6 billion dollars to 921  
6 New York City venues and promoters and helped to  
7 manage the Open Culture program for outdoor  
8 performances in city streets which hosted 459 public  
9 events.

10 Now 4 years since the creation of the  
11 Office, New York is emerging as a leader in the  
12 global nighttime governance movement, communicating  
13 regularly with other nightlife offices throughout the  
14 United States, and participating in the Global  
15 Nightlife Recovery Plan with over 130 collaborators  
16 from 70 cities around the world. As is the case with  
17 so many other sectors, cities are looking to New York  
18 to see how we are innovating to support this vital  
19 sector through the advent of our initiatives and the  
20 development of our recommendations.

21 As we are emerging out of the pandemic,  
22 the nightlife has come a long way, facing  
23 unimaginable struggles. New York's recovery depends  
24 on nightlife's recovery, and the pandemic has taught  
25 us that nightlife is not just a luxury and a night

2 out but a necessity. It is essential not only to our  
3 culture and our economy but our identity, and it has  
4 the power to heal, not only our city but ourselves.  
5 New York's venues and the people who run them are  
6 resilient, and we are working every day to continue  
7 to support them every night.

8 I want to thank the Council for its  
9 ongoing partnership and support for the nightlife  
10 industry and community. We look forward to working  
11 together toward our shared goals of supporting a  
12 nightlife that is vibrant, viable, safe, and fair and  
13 enjoyable for all New Yorkers and the people who  
14 visit here from around the world.

15 I am happy to be joined here today by my  
16 Colleagues from the Mayor's Office of Media and  
17 Entertainment as well as Small Business Services, and  
18 we look forward to taking your questions. Thank you.

19 STEPHANIE JONES, MODERATOR: Thank you for  
20 your testimony. I will now turn it over to questions  
21 from Chair Velazquez.

22 Panelists, please stay unmuted if  
23 possible during this question-and-answer period.  
24 Thank you.



Chair Velazquez, please begin your questions.

CHAIRPERSON VELAZQUEZ: Thank you for your testimony. It was very detailed, and it is what we need to hear. I just want to get going with these questions.

Local Law 220 of 2019 requires the Office of Nightlife to ensure regular reporting on multiagency response to community hotpots, or MARCHs as they are best known. A MARCH is a multiagency inspection of nightlife establishments, and can you just please describe for us what triggers a MARCH inspection?

EXECUTIVE DIRECTOR PALITZ: Thank you for your question, Chair Velazquez. I will read the statement from the NYPD which details what triggers a MARCH operation. Indicators that a location may be included in a MARCH operation includes summonses, arrests, complaint reports, complaints stemming from the community, 911 calls regarding assaults, disputes, intoxication, 311 calls regarding sound complaints and underage drinking, general disorder incidents regarding response to large crowds, street closures, blocked sidewalks, business violations with

2 city agencies such as health code violations, the  
3 fire department issued violations or lack of  
4 cooperation.

5 CHAIRPERSON VELAZQUEZ: Thank you for  
6 that. Can you describe the areas of the  
7 administration and the Council, our collaboration  
8 together, that should be taken to help boost the  
9 nightlife industry?

10 EXECUTIVE DIRECTOR PALITZ: I'm sorry. Is  
11 this in regards to MARCH or this is another question?

12 CHAIRPERSON VELAZQUEZ: No, moving from  
13 topics. You know what, let's scratch that. Let me go  
14 back to the MARCH. I went out of sequence here. Local  
15 Law 220 designates the Office of Nightlife to receive  
16 the questions and concerns from the recipients of the  
17 MARCH inspections. Has the Office received questions  
18 or concerns from recipients, and what kinds of issues  
19 were raised?

20 EXECUTIVE DIRECTOR PALITZ: Historically,  
21 MARCH operations did not come with a 30-day notice  
22 and so this new letter that was included in the  
23 legislation does direct venues, first of all to alert  
24 them that they have been tapped for a potential MARCH  
25 operation and it provides them the information that

they can reach out to the local precinct as well as the Office to help to improve the conditions, whatever they may be, and so we have received calls from venues as well as their attorneys to understand better why they might be getting a MARCH and to help them through our MASH approach, which is the Multi-Agency Support for Hospitality, to guide them and reinforce them into compliance before enforcement may be necessary.

CHAIRPERSON VELAZQUEZ: What's the timing on that, more or less? Let's say I have an establishment, has a situation, MARCH order comes out afterwards. What's the followup in getting in through MESH? Do they go ahead and you reach out directly and what's that time period within that, and how do you seek to not only streamline but set expectations for these establishments?

EXECUTIVE DIRECTOR PALITZ: We are not always aware when the venue has received a letter. It is upon them to reach out to us as directed in the letter, that they should reach out to the Office of Nightlife and very often they do. The letter itself is within 30 days of the MARCH operation, and the moment we receive that call, we help them

2 immediately. We assess what the issues are, and we  
3 help them resolve them. For example, if it's  
4 regarding a sound issue, we help guide them on  
5 perhaps evaluating where their speakers are or other  
6 potential solutions. We correspond with the local  
7 precinct. It doesn't necessarily mean that a MARCH  
8 operation is not going to take place. It is not a  
9 guarantee of that, but what it is is support for the  
10 business which is really our primary function, is to  
11 support them through the process and to, again,  
12 reinforce and support them into compliance and to  
13 improve the conditions moving forward.

14 CHAIRPERSON VELAZQUEZ: I guess that's the  
15 piece that I'm lost. Wouldn't it be better if the  
16 administration be open to providing the names of the  
17 MARCH recipient venues to the Committee to just help  
18 ensure that certain nightlife establishment aren't  
19 being unfairly targeted, as a way of actually just  
20 being more proactive?

21 EXECUTIVE DIRECTOR PALITZ: The Office of  
22 Nightlife, our entire purpose is to work proactively  
23 to help businesses understand the rules and the  
24 regulations and to be in compliance through awareness  
25 of what those expectations are. We work with them

regularly through our MASH program and through our webinars and information on our website and regular outreach to prepare and to educate new and existing operators proactively. In the event that they do receive a MARCH notification letter, then we work with them to resolve the issues regarding what prompted the MARCH and then also to assist them with whatever compliance issues there may be moving forward. I think the MARCH reporting, the purpose of the MARCH reporting, is really to collect data on the program which has historically not had a centralized reporting system because it was multiagency which is why the legislation was passed and why our office was tapped to collect the data for the program so that it can be evaluated as to what is the purpose and intent. The data reports are anonymous in nature. It does not call out the venues, and the first report was covering the period of January to June 2020. The second report, which is every 6 months, was during COVID and so MARCH operations ceased and so there was no data to report there. Our third report was just released on March 1st, and all of those reports are on the website, and we'd be happy to share that data with you.

CHAIRPERSON VELAZQUEZ: Thank you. I appreciate that. I also want to take a moment to recognize that Majority Leader Powers has joined us as well as Council Member Brewer and Council Member Farias.

I think the other piece of the MARCH is what is it supposed to be like. Oftentimes our establishments feel not only targeted but the way that they are done can be aggressive in nature, so can you guide on the intention and how it's supposed to be and where it goes different than what it should be.

EXECUTIVE DIRECTOR PALITZ: As a former bar owner myself, I understand what the experience is like and I think that the efforts of the grassroots organizations that felt it was important to examine MARCH operations, which was brought into legislation in 2019, its purpose is to evaluate that. Our job is not to evaluate this at this moment. The purpose of the legislation is really just to collect the data to evaluate when and where and how it happens, and that data is still being collected, but the purpose of that legislation was to inevitably be able to review

2 that, but we are still in the data collection  
3 process.

4 CHAIRPERSON VELAZQUEZ: Thank you. I  
5 wanted to move slightly to another topic. The Board  
6 made a series of recommendations, the Nightlife  
7 Advisory Board, related to cutting red tape in its  
8 report, and the Council has already provided small  
9 business with some relief in Local Law 80 of 2021,  
10 and the Mayor has also expressed a willingness to  
11 take on this issue. How can the Council work with the  
12 administration on reducing the red tape?

13 EXECUTIVE DIRECTOR PALITZ: The last  
14 administration already began with understanding the  
15 need to expedite inspections and to address summons  
16 and cure periods, and the Mayor in his Blueprint for  
17 Recovery also addressed the need and urgency to  
18 support nightlife businesses and to be able to create  
19 programs such as the New York City Business Quick  
20 Start Program and now the Small Business Forward  
21 Initiative. In the Economic Blueprint, the Mayor did  
22 again launch the Small Business Express Service to  
23 help businesses cut times of opening in half and to  
24 create a portal, I think which is great, for  
25 businesses to be able to track their interactions

2 with the city in real time including filings,  
3 permits, and inspections. Listen, the Office of  
4 Nightlife, our main purpose and goal is to support  
5 businesses and to be able to really examine the way  
6 that the city agencies interact with the industry and  
7 to be able help avoid redundancies and to expedite it  
8 and to find cure periods, and so, thankfully, Mayor  
9 Adams' Blueprint for Economic Recovery has addressed  
10 this need and this urgency, and it is a top priority,  
11 especially now as businesses are reopening and we are  
12 seeing the trends of new businesses opening every  
13 day.

14 CHAIRPERSON VELAZQUEZ: Do you feel like  
15 there are certain penalties that we should  
16 investigate in cutting for nightlife establishments?

17 EXECUTIVE DIRECTOR PALITZ: The Mayor,  
18 through his Small Business Forward Initiative,  
19 directed all of the regulatory agencies to review all  
20 the fines and violations within a 6-month period and  
21 to make recommendations on the cuts and the revisions  
22 so that is exactly what every single agency has been  
23 mandated to do by Mayor Adams, and we are all  
24 currently in that process.



2 CHAIRPERSON VELAZQUEZ: Okay. Nothing just  
3 stands out at this point? You're still undergoing  
4 review is what you're saying?

5 EXECUTIVE DIRECTOR PALITZ: I think the 6-  
6 month evaluation period, I think, is expeditious and  
7 demonstrates that it's a top priority and the sense  
8 of urgency to make the cuts and evaluations where  
9 necessary throughout all city agencies, and that is  
10 what is currently happening.

11 CHAIRPERSON VELAZQUEZ: Do you feel the  
12 administration has any plans now to establish any  
13 programs to benefit the nightlife establishments that  
14 are dealing with months of backpay rent that they owe  
15 their landlords, and what are those kinds of  
16 conversations looking like?

17 EXECUTIVE DIRECTOR PALITZ: The Office of  
18 Nightlife, again, its purpose is to help support the  
19 nightlife establishments and workers and to make this  
20 as easy and affordable and expeditious as possible. I  
21 think that the MASH program by assisting them  
22 directly and putting them directly in touch with  
23 multiagencies to be able to navigate any summons or  
24 fines or questions that they have has been extremely  
25 helpful in doing so. The Office of Nightlife through

2 our MEND program, which is to mediate establishment  
3 and resident quality of life disputes, was also  
4 expanded during the pandemic to provide free  
5 mediation between commercial tenants and landlords to  
6 be able to negotiate or renegotiate and discuss the  
7 possibility of renegotiating leases and payment plans  
8 without lawyers present and a free service, but, as  
9 far the commercial rent, I would defer to my  
10 Colleague, Kitty, from Small Business Services  
11 because their agency primarily addresses them.

12 DEPUTY COMMISSIONER CHAN: Thank you,  
13 Ariel. Thank you, Chair Velazquez. At SBS, we  
14 recognize how hard businesses were hit by the  
15 pandemic. Here in New York City, the nightlife and  
16 the hospitality industry were especially hit hard. To  
17 support businesses, SBS launched the first emergency  
18 response loan and grant programs in the country and  
19 helped with over 16,000 applications for almost 400  
20 million dollars in funding since the beginning of the  
21 pandemic. Additionally, we have expanded our  
22 Commercial Lease Assistance Program which provides  
23 eligible businesses with support in addressing many  
24 commercial lease related issues such as new leases,  
25 back rent negotiations, repairs, and breach of

2 contract issues. Since the start of the program in  
3 FY-18, the Commercial Lease Assistance Program has  
4 served over 1,400 unique businesses.

5 CHAIRPERSON VELAZQUEZ: This one is just  
6 to get a sense of nightlife workers, freelancers. As  
7 you are aware, nightlife performers and freelancers  
8 have historically experienced underpayment and issues  
9 of wage theft. Can you discuss any recommendations to  
10 enhance workplace protections for nightlife workers?

11 EXECUTIVE DIRECTOR PALITZ: Thank you for  
12 your question. We do at the Office of Nightlife, of  
13 course, represent the nightlife ecosystem, not just  
14 owners but workers, performers, and we do believe  
15 that fairness and compensation are essential to a  
16 healthy and vibrant nightlife industry. We work  
17 closely with the Mayor's Office of Consumer and  
18 Worker Protection, and we have fielded multiple  
19 inquiries and concerns, especially throughout the  
20 pandemic, regarding gigs lost and wages, and we have  
21 always directed them to our partners. If you would  
22 like any additional information, I could always, of  
23 course, get more, but we are very pleased to be  
24 always working with our partners to address their  
25 individual issues.

2 CHAIRPERSON VELAZQUEZ: Does the Office of  
3 Nightlife do any type of outreach to the workers, and  
4 what specifically that looks like? You mentioned  
5 partners. Who are those partners, and how do we make  
6 sure that workers know their rights?

7 EXECUTIVE DIRECTOR PALITZ: We've hosted  
8 multiple webinars that were specific to the workers,  
9 and they are all online. A lot of that information is  
10 available and current really so we brought in  
11 multiple city agencies to be able to work with them,  
12 like for workers' rights we worked with the  
13 Freelancers Hub, Consumer and Worker Protection. We  
14 brought in regarding food security and how to make  
15 sure that people knew where they could get food and  
16 additional services. I don't have all the lists of  
17 all the agencies that were on these multiple calls at  
18 the time, but our newsletter additionally reaches  
19 over 42,000 subscribers and we have nearly 10,000  
20 followers on our social media channels, and our  
21 newsletters have shown almost a million openings so  
22 we do feel as though we are reaching the industry and  
23 are constantly putting out information in the  
24 newsletters, hosting webinars, working with our  
25 sister agencies to make sure that the information

2 that they need is available. I can get back to you  
3 about the exact makeup of the multiagencies that were  
4 on our multiple worker webinars and the information  
5 that was provided throughout the pandemic, but I  
6 don't have that in front of me right now.

7 CHAIRPERSON VELAZQUEZ: Okay. How about  
8 workers that don't have access to technology or have  
9 language barriers? How is this communicated to them?

10 EXECUTIVE DIRECTOR PALITZ: We do as much  
11 as we can as far reaching out to the communities. I  
12 have my card which will detail all of the places  
13 we've done neighborhood walkthroughs. On a regular  
14 basis, we attend the policy quarterly nightlife  
15 meetings that take place in Manhattan North,  
16 Manhattan South, Queens North, Queens South, Bronx  
17 North, Bronx South, Staten Island. We have also gone  
18 on multiple walking tours in all 5 boroughs going  
19 from door to door in Astoria Queens, Bay Ridge,  
20 Bushwick, Port Morris Bronx, Chelsea, Hell's Kitchen,  
21 Inwood, New Dorp. We understand that not everybody is  
22 technologically connected. We understand that there  
23 are cultural and language barriers, and we also  
24 understand that in many communities there's inherent  
25 distrust of the government in general and so it

2 really is, I think, a very big part of the work of  
3 our office to be able to build trust and to reach out  
4 and to make those lines of connection through BIDs,  
5 through Community Boards, through police, through  
6 community organizations, and through our social media  
7 networks to make those inroads, and I believe we are  
8 reaching them and will continue to do more, of  
9 course, because it's important.

10 CHAIRPERSON VELAZQUEZ: I guess like even  
11 focusing, when we're talking about nightlife workers,  
12 the Nightlife Advisory Board Report, there's a  
13 recommendation to enhance sexual assault training for  
14 nightlife workers. What steps do you believe that the  
15 administration can take to help improve the awareness  
16 and education in combatting sexual assault in  
17 nightlife venues for both employees and patrons?

18 EXECUTIVE DIRECTOR PALITZ: Thank you,  
19 again, for the question. This is extremely important  
20 to us. Safety, equity, harm reduction is a top  
21 priority. It's one of our 4 pillars. Historically, we  
22 have worked closely with organizations such as  
23 OutSmart pre-pandemic hosting in-person as well as  
24 virtual bystander trainings that are available for  
25 nightlife workers and just making consent and assault

awareness, making people aware that there are techniques and trainings available, and we really do work closely with OutSmart and other organizations like that. In the wake of recent incidents, we're also working doing outreach and listening really to the community and operators about creating checklists as well as best practices and really about how to heighten awareness because we know anything can happen anywhere at any time to anyone, not just in nightlife, anywhere, and I think one of the great things about New York is our heightened awareness in general, but I believe that that is really the right approach, making venues and the people who work at them, the people who go to them aware of best practices and techniques on how to be a good bystander and how to be a good patron and how to be a good worker so that nightlife venues can be seen as an opportunity to look out for each other as opposed to a place where just things happen.

CHAIRPERSON VELAZQUEZ: When we are talking about risks, what we saw, and I hate taking it here because this is a reality for so many, what we saw at the shooting in the Pulse Nightclub in Orlando, it shed a light as to the unique risks faced

2 by the LGBTQ+ community in nightlife spaces, so how  
3 has the office helped to make these spaces safer, and  
4 how can we at the Council help with these efforts?

5 EXECUTIVE DIRECTOR PALITZ: We work so  
6 closely with PD and the venues around safety issues.  
7 Pre-pandemic, we hosted multiple active shooter  
8 trainings and obviously now that we are emerging from  
9 the pandemic intend to do more of those. When we go  
10 to the borough patrol quarterly meetings, we speak  
11 about what types of techniques and awareness and  
12 partnerships are available and what people should be  
13 aware of. I think that additionally we can continue  
14 to work with the NYPD on some of the new emerging,  
15 especially the LGBTQ liaisons of NYPD that we work  
16 closely with as well as GOAL. In relation to the most  
17 recent issues that have arisen with attacks against  
18 venues, I think the purpose and the role of our  
19 office is to really be one of the first, if not the  
20 first, person to reach out to that venue which I  
21 believe we were and to any of those venues and to  
22 have a strategy in place, which we do, which is to  
23 reach out to, again, the venue first and to maintain  
24 their confidentiality so we don't put it all over  
25 Instagram and make statements because we believe



confidentiality is really important in order to build trust with venues, especially when they're experiencing a crisis. One example of one our immediate responses is to reach out to our partners at Backline Care through our Elevate Nightlife Mental Health and to make sure that mental health clinicians are available and to help them organize a meeting for their staff or patrons that experienced the event. Again, reaching out to the LGBTQ liaisons at NYPD and CAU, reaching out to specialists at Small Business Services to implement their capital access and emergency response teams, and also with the city's Crime Victims Assistance Program, and so what we do is we serve as a central point of contact for all the city's resources. We contact each of the individuals. We don't just give them the website and say good luck. We contact each of the individuals. We give them a background on what the instance was and what the needs of the venues are. We compile it into 1 email with all of the contacts, and we also facilitate the communication so it's the last thing that the venue has to consider or think about and they are really just wrapped in services and just can go through us if it's simpler for them.

2 CHAIRPERSON VELAZQUEZ: Thank you. I'm  
3 going to turn it back over to our Moderator, but,  
4 before that, I want to recognize Council Member  
5 Krishan who has joined us as well.

6 STEPHANIE JONES, MODERATOR: Thank you,  
7 Chair. I will now call on other Council Members to  
8 ask their questions in the order they have used the  
9 Zoom raise hand function. If you'd like to ask a  
10 question and you've not yet used the Zoom raise hand  
11 function, please raise it now.

12 Council Members, as a reminder, please  
13 keep your questions to 5 minutes. The Sergeant-at-  
14 Arms will keep a timer and will let you know when  
15 your time is up. You should begin once I have called  
16 on you and the Sergeant has announced that you may  
17 begin.

18 Okay, first we will hear from Majority  
19 Leader Powers followed by Council Member Brewer.  
20 Majority Leader.

21 SERGEANT POLITE: Time starts now.

22 MAJORITY LEADER POWERS: Thank you. First  
23 of all, thank you to Chair Velazquez for doing this  
24 hearing. I think it is extremely, extremely important  
25 that we are laser-focused on how to help our

nightlife and our venues right now. I also want to give a shout-out to our former Colleague, Rafael Espinal, who is here who was so instrumental in helping out nightlife and creating this office and position. A couple of questions I had. We have seen, I have seen, I've talked to the folks in the industry, particularly in the music venues, independent venues throughout this pandemic about the real particular struggles they have when it comes to operating a venue at reduced capacity with bands and artists that are cancelling because of COVID and we're certainly seeing an uptick of that right now with the new variant. I have been pushing very hard to try to get additional grants or programs to help save those ones that are on the verge of losing their entire business because of their very specific industry-related problems. Can you talk to me or tell us what this administration is doing when it comes to helping out with either grants or programs or other assistance, particularly independent venues that facing potential risks of losing their business because of what is happening in their industry right now?

2 EXECUTIVE DIRECTOR PALITZ: Thank you,  
3 Majority Leader Powers.

4 MAJORITY LEADER POWERS: Nice to see you.

5 EXECUTIVE DIRECTOR PALITZ: Great to see  
6 you as well. I can't really stress enough how  
7 important it is to support these nightlife  
8 businesses, especially through this extraordinary  
9 time. I believe our office is really set up and is  
10 fulfilling the original mandate to be able to help  
11 facilitate and to serve as a convener and liaison to  
12 existing resources and developing them. In regards to  
13 the grants that were available from a federal level  
14 as well as state, we've worked with our partners  
15 creating programs like Curtains Up to assist them  
16 with the very real need of handholding through the  
17 grant-writing process. These grants really are the  
18 lifeline to your point that is the difference between  
19 life and death of a venue, and these were very, very  
20 complex and overwhelming. We recognized the need  
21 right away, and so we did partner with Small Business  
22 Services to create the Curtains Up to navigate them  
23 through the SVOG and I think the proof is really in  
24 the numbers. New York City received 1.6 billion  
25 dollars out of that pot, and it went to over 900

2 venues and promoters. Were there may have been cases  
3 where the SBA or the federal government did not...

4 MAJORITY LEADER POWERS: Just because of  
5 time, I want to jump back in because I'm at 2  
6 minutes. I think the concern I have is that we're not  
7 going to see another round of stimulus funding, but  
8 we will see a continued pressure on these  
9 organizations or businesses to stay in business at a  
10 time when it's extremely difficult so I guess the  
11 question is at the city level, is there something  
12 that we are doing or contemplating to help jump in to  
13 save them if they are risking losing their business?

14 EXECUTIVE DIRECTOR PALITZ: Absolutely. In  
15 addition to all of the things that we do from the  
16 Office of Nightlife perspective, like through MASH,  
17 MEND, MARCH, Elevate, we work closely with our  
18 partners at Small Business Services and the Food and  
19 Beverage Partnership as well as the Agency at large.  
20 They have a hotline that people can call 5 days a  
21 week and many other services, and I think this would  
22 be a good time to bring in my Colleague, Kitty, at  
23 Small Business Services to be able to share how we  
24 work together and how really we amplify the existing  
25 resources at Small Business Services.

2 MAJORITY LEADER POWERS: I'm going to just  
3 hold you because I don't have a lot of time left. I  
4 guess what I'm advocating for is maybe we take a  
5 fresh look at ways that we in the city might provide  
6 direct financial assistance to some of the ones that  
7 have very specific sector-related, tourism-related  
8 things, but I want to jump just because I don't have  
9 a lot of time here.

10 CHAIRPERSON VELAZQUEZ: Majority Leader,  
11 you can go over the time. This is very important.

12 MAJORITY LEADER POWERS: Appreciate it.  
13 Thank you. I guess I just asked that question and  
14 maybe in the most condensed version you can tell me  
15 is there anything contemplated at this moment  
16 financially driven, grant related, or something else  
17 for folks that feel like they are right on the  
18 precipice of losing their business and are looking  
19 for help?

20 EXECUTIVE DIRECTOR PALITZ: I really  
21 appreciate this effort and this question, and I do  
22 believe that Kitty from Small Business Services who  
23 the agency that is designed to help with small  
24 business services and financial support is the best  
25

2 to answer this question, but, whatever they do, we  
3 amplify and partner with them.

4 MAJORITY LEADER POWERS: Okay. Thanks.

5 DEPUTY COMMISSIONER CHAN: Thank you,  
6 Ariel. Thank you, Majority Leader Powers. At SBS, we  
7 pivoted during the pandemic, and we really focused on  
8 outreach and education. All of our services are aimed  
9 towards small businesses. In particular, we expanded  
10 our offerings to include free webinars on how to  
11 apply, one-on-one technical assistance, and assisted  
12 with direct connections to lenders which helped  
13 increase access to these much-needed funds for those  
14 who had the greatest need. We still continue to  
15 provide technical assistance through our Business  
16 Solutions Centers.

17 MAJORITY LEADER POWERS: Okay. I'm going  
18 to have to move on because I have a couple more  
19 questions but I'm going to try to keep it short. One  
20 is just SLA reform. It is not at the city level, I  
21 get that, but it is so desperately needed when it  
22 comes to helping out the bars and restaurants that  
23 are standing here, whether it's the length of time,  
24 the cost, the process, it feels like it's one of the  
25 single biggest things that stands in the way of

2 opening a new restaurant or hurting those that are  
3 already in business. Do we have a state agenda  
4 wrapped around to look at State Liquor Authority  
5 reform? I've heard from businesses that at the city  
6 level and the state level they look at double  
7 jeopardy, they'll get a fine from the city agency and  
8 then they'll go and they'll get a fine from the SLA.  
9 We have the delinquency of getting it, how long it  
10 takes. I wonder if we have given thought or  
11 advocating for anything at the state level this  
12 session that would, to-go drinks are here to stay,  
13 I'm very happy, but beyond that what is potentially  
14 the city putting resources behind to help reform at  
15 the SLA?

16 EXECUTIVE DIRECTOR PALITZ: Thank you for  
17 that question and agreed. This is an important  
18 partnership that is essential to work seamlessly and  
19 well in cooperation to help businesses get open and  
20 operating as quickly as possible. I do know, I  
21 believe the SLA is aware of the backlog issue and is  
22 addressing them. I am proud to say that we have had a  
23 State Liquor Authority representative represented on  
24 our regular dedicated interagency working groups,  
25 which meets roughly every 6 weeks for over 4 years.



When people are having issues regarding their licensed applications, they are able to reach out to us to provide their application number, when they submitted, and we usually are able to get them information on their application and so this is I think a really important asset of the MASH multiagency approach. The city is also going to suspend the liquor license surcharge for the next 2 years that the Mayor put in the Recovery Blueprint, which is definitely an asset. I think another thing that's really, I think, positive is something that was taken out of our recommendation report which is something we heard from the Chair of the SLA himself was the fact that there are 59 Community Boards and 59 different types of applications and the idea of having a standardized Community Board application process could help to expedite the application process, at least from the city perspective and so this recommendation that was not only in our report but also in the independent Nightlife Advisory Board's report and now in the Mayor's Blueprint has directed the Office of Nightlife to work with the borough Presidents' offices to address the simplification, standardization of Community Board

2 applications while addressing stipulations that also  
3 might hinder creativity. Collectively, those things  
4 are definitely I think address your question, but, of  
5 course, always open to find ways to do more.

6 MAJORITY LEADER POWERS: Okay. My last  
7 question because I don't want to take up, I've  
8 already taken up a lot of time. There's a proposal  
9 that was discussed last year and now is being  
10 discussed this year which is a tail that comes off of  
11 what Council Member Espinal did, which is about  
12 repealing the cabaret law to help out nightlife  
13 establishments, and I and others have talked about  
14 zoning that still sort of upholds some of those  
15 principles when it comes to the cabaret law and would  
16 actually require you to still go get a zoning change  
17 if you want to allow dancing in establishments that  
18 already have it, somebody puts on the jukebox, they  
19 dance, they're doing it, but they're breaking the law  
20 technically, and we've talked and we're talking to  
21 City Planning actually today about ways to further  
22 repeal that and kind of uphold the law we passed.  
23 Does the administration support making changes and do  
24 you have anything you want to add to what might be  
25 necessary there?

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 51

2 EXECUTIVE DIRECTOR PALITZ: Thank you so  
3 much for bringing this up, Majority Leader Powers.  
4 It's very important to us as well. We included this  
5 recommendation in our report, and we do see it as  
6 essentially unfinished business (INAUDIBLE) with the  
7 existence of dancing in the zoning (INAUDIBLE)  
8 currently working on with our Colleagues at DCP to  
9 assess what might be possible. As you have said,  
10 there is broad support from advocates as well as the  
11 Council and we look forward to working together to  
12 see how we can move this forward.

13 MAJORITY LEADER POWERS: Thank you. I'll  
14 leave it at that because I've taken enough time, but  
15 I just have to repeat this is the industry that is  
16 essential to New York City when it comes to  
17 nightlife. It is jobs, it is New York City, it is  
18 everything. My dad was a bar owner, and I can't even  
19 think about what we'd be going through right now if  
20 he was going through the pandemic so I think for all  
21 of us this is an all hands on deck moment. With that,  
22 I'll hand it back over to the Chair and staff. Thank  
23 you. Nice to see you. Thank you for answering my  
24 questions.

25

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 52

2 EXECUTIVE DIRECTOR PALITZ: Thank you so  
3 much.

4 STEPHANIE JONES, MODERATOR: Thank you,  
5 Majority Leader. Next, we'd like to hear from Council  
6 Member Brewer followed by Council Member Bottcher.  
7 Council Member Brewer.

8 SERGEANT POLITE: Time starts now.

9 COUNCIL MEMBER BREWER: Thank you very  
10 much. I remember this report that you did a long time  
11 ago, and I want to ask, I think it was done by the  
12 Nightlife group. I have to say, Ariel, give me again  
13 the huge pre-pandemic amount that the nightlife  
14 contributed to the city of New York. It was billions.  
15 What was that amount? Maybe you mentioned it, but I  
16 wasn't at the beginning of your comment.

17 EXECUTIVE DIRECTOR PALITZ: No problem.  
18 Good to see, Council Member. The numbers that came  
19 from our Economic Impact Study released in January  
20 2019 showed that the industry had a 35.1 billion  
21 dollar economic impact that supported nearly 300,000  
22 jobs and over 700 million in local tax revenue.

23 COUNCIL MEMBER BREWER: Do we know where  
24 we are today? Obviously we want to get back to that.

25

2 Do we know where we are today? Maybe you mentioned  
3 that when you were speaking. I'm sorry.

4 EXECUTIVE DIRECTOR PALITZ: No, that's all  
5 right. We know from a recent report from the New York  
6 State Comptroller that New York City lost  
7 approximately 3 to 4 percent of businesses in this  
8 sector as a result of the pandemic, and the most  
9 recent numbers show jobs in the sector are still down  
10 approximately 20 percent from its pre-pandemic peak.

11 COUNCIL MEMBER BREWER: Okay. Next  
12 question is when you are trying to build it back,  
13 obviously working with the Community Boards is  
14 something that I've done and I think it's important,  
15 how do we still deal with those that have a noise  
16 issue, whether it is police department, Consumer  
17 Affairs, Department of Environmental Protection,  
18 etc.? Noise (INAUDIBLE) how is that being dealt with?  
19 Certainly, your MEND program is extraordinary, but  
20 that doesn't help us at midnight. Your MEND program  
21 has been great. I've participated. I know how good it  
22 is. I want to know 2 questions. How often has MEND  
23 been used, and then secondly are there are any  
24 solutions to try to deal with noise that comes about  
25 late at night?

2 EXECUTIVE DIRECTOR PALITZ: Thank you for  
3 bringing this up. It's obviously a very important  
4 issue around quality of life, and it is essential in  
5 order for us to be able to (INAUDIBLE) provide  
6 business owners the opportunity to resolve any issue  
7 that might be arising and to give them both  
8 (INAUDIBLE) respect and space to be able to resolve  
9 their issues without the need for enforcement  
10 initially. I'm very proud of the MEND program that we  
11 created. We believe that there was a void in the  
12 complaint process to your point where an NCO officer  
13 might show up at midnight or 3 in the morning to tell  
14 a venue to simply turn it down is really not the  
15 right time or place to resolve those issues, but I  
16 think that what has caused years of frustration is  
17 the time that it would take to resolve a quality of  
18 life issue and not having the neutral time and space  
19 to have direct communication and compromise and to  
20 resolve the issues together. Whereas it might not be  
21 resolved at midnight, the MEND program does work to  
22 bring the resident and the venue together within 2  
23 weeks' time, and we work in partnership with the  
24 NYPD. When the NCO officers receive a call, they have  
25 the information to inform the resident that mediation

2 is an option. We really do believe most residents  
3 want to turn it down and not shut it down, and so by  
4 being able to address these issues sooner, as soon as  
5 the first complaint comes in, it helps to resolve the  
6 frustration that comes and the building of the  
7 process (INAUDIBLE) go towards enforcement. We work  
8 with Community Boards, we work with elected  
9 officials, many of the Council Members receive  
10 complaints. We really highly recommend, and they do,  
11 refer them to the MEND program. To answer your  
12 question, there have since the beginning of this new  
13 program which we launched as of March '22, there have  
14 been 467 total inquiries to the MEND program, 241 of  
15 those were eligible, some of them were regarding  
16 residents next door that were out of the scope, and  
17 it's complicated because sometimes the resident wants  
18 to and the venue doesn't, sometimes the venue does  
19 and the resident doesn't, but we referred those...

20 SERGEANT POLITE: Time expired.

21 EXECUTIVE DIRECTOR PALITZ: I'm sorry.

22 COUNCIL MEMBER BREWER: Keep going. It's  
23 okay.

24 CHAIRPERSON VELAZQUEZ: It's okay. You can  
25 continue to go.

2 EXECUTIVE DIRECTOR PALITZ: Okay. So,  
3 again, 85 percent of the cases that have chosen to  
4 mediate have been successfully resolved. We have  
5 currently 22 open cases right now, and over 40 that  
6 have gone through the system. We believe that we are  
7 working to reeducate and to inform New York citywide  
8 on a new process of addressing sound complaints, and  
9 this is a work in progress, and we believe, again,  
10 it's something that really needs to build trust and  
11 through our MASH program, multi-agency support, and  
12 to the Chair's point, it's (INAUDIBLE) proactive  
13 rather than reactive. MEND is there to react and to  
14 resolve, but MASH, now our office is here to educate  
15 and to reinforce how to be a good operator because  
16 good operators make good neighbors.

17 COUNCIL MEMBER BREWER: I guess what I'm  
18 saying to the Chair and to everyone is that it would  
19 be good on an ongoing basis, maybe that's part of the  
20 taskforce, is to give us the opportunity to know some  
21 of these statistics on a whatever-it-is basis,  
22 annual, semi-annual, because we all want the 32  
23 billion dollars for the city of New York, but we also  
24 make sure that it's in a way that addresses the  
25 community concerns so I would ask that of you, Chair.



1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 57

2 Thank you very much. I'm sorry it's very noisy here.

3 Thank you.

4 EXECUTIVE DIRECTOR PALITZ: Thank you.

5 STEPHANIE JONES, MODERATOR: Thank you,  
6 Council Member. Next, we'd like to invite Council  
7 Member Bottcher to ask questions followed by Council  
8 Member Menin. Council Member Bottcher.

9 SERGEANT POLITE: Time starts now.

10 COUNCIL MEMBER BOTTCHER: Hi, Ariel. How  
11 are you?

12 EXECUTIVE DIRECTOR PALITZ: I'm good,  
13 Eric. How are you? Good to see you.

14 COUNCIL MEMBER BOTTCHER: I'm good.  
15 Thanks. It's good to see you. I want to ask you about  
16 fentanyl (INAUDIBLE) but those are for use after a  
17 person is already overdosed. A lot of people in my  
18 district, those who use recreational drugs even in  
19 very rare instances, there's a lot of fear about  
20 fentanyl that's killing a lot of people, and I did a  
21 search online trying to find where one would get  
22 fentanyl strips. The Department of Health materials  
23 that your website links to, they really don't have a  
24 place to get fentanyl strips. Could you please let us  
25 know about your efforts regarding fentanyl strips

particularly, and where those are available to New Yorkers?

EXECUTIVE DIRECTOR PALITZ: Thank you so much for your question. As with much of the work that the Office of Nightlife does, we work with our partnering agencies to look at the existing programs and assets that they have and then work to reframe and campaign and amplify what they are doing in order to serve the nightlife industry and community and so the harm reduction approach regarding substance use and the now overdose crisis has been a priority of ours since the beginning of this creation of the office, recommendations around this are in our report. Recently, the Department of Health and Mental Hygiene developed its own independent program around Narcan distribution as well as the training kits. We did a webinar, as you know, to create the Narcan Behind Every Bar campaign, and we understand Narcan is reactive. Fentanyl test strips are proactive. We want to be able to make sure that fentanyl test strips as well as Narcan kits are available.

(INAUDIBLE) the Department of Health are the ones that have the information regarding the Narcan kits. I'm actually not entirely sure what their stash is of

fentanyl test strips, but we are in support of both. Yes, we educate people during the webinar on how and where they can access it so I think the answer to your question, Council Member Bottcher, is that we have an existing webinar online right now that has a conversation with the Department of Health and Mental Hygiene that does distribute the information on how to use fentanyl test strips and also where to access them. As far as a link on where to access the fentanyl test strips, I don't think that is available from within the city at the moment, but I just have to clarify that. I believe naloxone and the kits and the training is what's being distributed, but the information and how to use them is on the webinar. We can share the website and those webinars with you so that you can see that. We could clarify on the website information regarding fentanyl on this webinar, but this is obviously a tremendous crisis. It is wonderful that the city is taking a harm reduction approach. I'm sorry, Eric, I think you're muted.

COUNCIL MEMBER BOTTCHER: Thank you for unmuting me. I would like to work with you and get links on your website and on the Department of

2 Health's website that very explicitly say here's  
3 where you can get fentanyl test strips. Thank you  
4 very much.

5 EXECUTIVE DIRECTOR PALITZ: Thank you.

6 STEPHANIE JONES, MODERATOR: Thank you,  
7 Council Member. Next, we'll hear from Council Member  
8 Menin followed by Council Member Abreu. Council  
9 Member Menin.

10 SERGEANT POLITE: Time starts now.

11 COUNCIL MEMBER MENIN: Thank you so much,  
12 and thank you, Chair Velazquez, for this important  
13 hearing and it's great to be here. I have to say I  
14 have sort of special feeling for this particular  
15 hearing since I was MOME Commissioner when this  
16 office was created so it's great to see you, Ariel. I  
17 just have a couple questions for you. One of the  
18 things that I'm most interested in is now we're 4  
19 years from the creation of this office, and one of  
20 the recommendations in the Advisory report is to move  
21 this office from MOME to SBS. I have a lot of  
22 thoughts on that. I'd first like to hear what is your  
23 reaction to that. Is that something that you support?

24 EXECUTIVE DIRECTOR PALITZ: Thank you for  
25 your question, Council Member Menin, and it is great

2 to see you and thank you for everything you did for  
3 me and for this office in the first days when we were  
4 created and helping to bring me on and on-board me  
5 and get me prepared for this journey so thank you  
6 again.

7 I'm very proud of everything we've  
8 accomplished, and this agency has supported us  
9 throughout all of our goals. We already really as  
10 I've demonstrated through MASH, we work very closely  
11 with Small Business Services and the Food and  
12 Beverage Partnership and every single agency within  
13 the city, and I think we've managed to partner with  
14 each of them very well to be able to amplify and to  
15 harness their existing resources to direct them to  
16 and for the industry and community. I know that this  
17 question has been floating around, but from my  
18 experience and from the goals and objectives that  
19 I've set forth I believe that we are accomplishing  
20 our goals and we have been supported by the MOME  
21 agency with its existing resources in coms and  
22 intergov and legal and has also been able to put us  
23 into touch with other aspects of the creative  
24 community and economy in New York and so I'm proud of  
25

2 what we've accomplished and feel supported by the  
3 agency.

4 COUNCIL MEMBER MENIN: Okay. Let me maybe  
5 ask it a different way because I know it's always  
6 very difficult when you're reporting in to a  
7 Commissioner to then say you should move agencies. It  
8 seems to me as, I'm Chair of the Small Business  
9 Committee, that SBS has a whole portfolio of services  
10 that are obviously geared towards opening new  
11 businesses, supporting new businesses, helping to  
12 make sure that fines are reduced, and SBS obviously  
13 is working across the board with all of the fine-  
14 assessing agencies, whether it's the Health  
15 Department, DCWP, so how could we better access those  
16 services because it just strikes me that if your  
17 office was moved to SBS, it would accomplish a lot of  
18 the goals that you were talking about and that we're  
19 hearing which is obviously to support nightlife  
20 venues but then also as you heard from some of my  
21 Colleagues focus on community concerns because there  
22 are a lot of valid community concerns that are also  
23 raised at the same time.

24 EXECUTIVE DIRECTOR PALITZ: Thank you for  
25 that clarification, and I understand where you're

coming from. I think first and foremost the pandemic itself showed that we don't necessarily have to physically move or be with anyone to be able to accomplish, and I know that's not exactly what you meant as far as moving to SBS, but we work very closely with SBS as well as with all the other agencies. I'm on the phone with Steven and all the other members that I need to in relation to Small Business Services and report programs on a daily basis. We work very closely together in partnership. They are on our dedicated interagency working group. Whether it be regarding Narcan, whether it be business support, whether it be around quality of life with OATH, we are able to serve as a central point of contact and to be a convener and a liaison to all city agencies, not to mention the State Liquor Authority as well and so I feel as though in regards to Small Business Services and the services and the programs that they provide that we are able to amplify and partner with SBS as well as we are with any other agency, and that's only just to say that I feel that we have accomplished a lot, I'm proud of the partnerships that we have, and I feel like it's functional and supported and the agency and the size

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 64

2 of MOMÉ has allowed me to be able to be creative and  
3 to be able to navigate the system...

4 SERGEANT POLITE: Time expired.

5 EXECUTIVE DIRECTOR PALITZ: Office from  
6 scratch.

7 COUNCIL MEMBER MENIN: Okay. All right.  
8 That's the end of my time. Thank you.

9 STEPHANIE JONES, MODERATOR: Thank you,  
10 Council Member Menin. Finally, we have Council Member  
11 Abreu. Council Member, please ask your questions.  
12 Thank you.

13 SERGEANT POLITE: Time starts now.

14 COUNCIL MEMBER ABREU: Hello. Thank you so  
15 much you all for your time. Thank you, Chairwoman  
16 Velazquez, as well for your incredible participation,  
17 line of questioning, and your work behind today. I  
18 have a question which is can you please elaborate a  
19 bit more or explain how individual member offices can  
20 be helpful reaching nightlife businesses that might  
21 be disconnected from technology or have other  
22 barriers to receiving services?

23 EXECUTIVE DIRECTOR PALITZ: Individual  
24 member offices? Oh, Council Member's offices?

25



2 COUNCIL MEMBER ABREU: Council Member's  
3 offices, yes.

4 EXECUTIVE DIRECTOR PALITZ: Okay. Good to  
5 see you and thank you for your question. I think to  
6 Council Member Powers' point, we really are all in  
7 this together. Whether it be the city, the City  
8 Council, the city agencies, it is imperative now more  
9 than ever that we work extremely closely to be able  
10 to reach all 5 boroughs, all neighborhoods, people  
11 cut off via technology or language barriers or  
12 mistrust, and so historically we have worked closely  
13 with Council Member's offices doing neighborhood  
14 walk-throughs, setting up multi-agency meetings where  
15 venue operators can join us at one particular  
16 location or going door to door, any time any of your  
17 staffers receive any complaints or concerns, we have  
18 also in the past organized district-specific meetings  
19 so we're really available and look to the Council to  
20 be partners with us to work with us to make sure  
21 we're reaching everyone and any time anyone reaches  
22 out to you regarding any issue we hope to hear from  
23 you and to be able to work together moving forward.

24 COUNCIL MEMBER ABREU: Thank you.

25 EXECUTIVE DIRECTOR PALITZ: Thank you.

2 STEPHANIE JONES, MODERATOR: Thank you.  
3 I'll turn it back over to the Chair if she has any  
4 more questions.

5 CHAIRPERSON VELAZQUEZ: Just one simple  
6 one. Do you feel that you have enough resources to  
7 work at the capacity to bring our nightlife  
8 establishments to pre-pandemic levels, whether it's  
9 funding for your agency, moving you to SBS, what do  
10 you feel?

11 EXECUTIVE DIRECTOR PALITZ: First of all,  
12 thank you for the question. I do believe that I am  
13 very proud of everything we have accomplished over  
14 the past 4 years and that we have been able to reach  
15 the industry and community. I believe that we have  
16 the adequate resources to support this industry thus  
17 far, but we can always do more with more, like  
18 everyone else can.

19 CHAIRPERSON VELAZQUEZ: What does more  
20 look like though?

21 EXECUTIVE DIRECTOR PALITZ: I don't think  
22 I have a specific request at this time. I feel we're  
23 very accomplished and have achieved our goals as much  
24 as was within our ability and would be happy to set  
25

up a time to talk about the specifics and what our vision is moving forward.

CHAIRPERSON VELAZQUEZ: Accountability, right? How can you be more effective for nightlife? How can we hold you more accountable? Sure, I have this hearing, but where can I hold you up to a standard to make sure that all my nightlife has access, not only to you but all the resources that they are owed?

EXECUTIVE DIRECTOR PALITZ: How can you hold me more accountable? I really think this is about ongoing partnership. I think this is not about simply data reports and so forth, although that's very important. I think that interacting with each other, working in partnership, identifying venues and workers and performers and issues that are in need in order to empower this office to fulfill its mandate, to be a dedicated, non-enforcement, direct line of communication and support for the industry. It's the first of its kind in New York. It began 2 years before the pandemic. I was extremely grateful that this office was already in place in order to help navigate the industry and support it through this, and now, moving forward, I think we, again, all

really have to work together. One of the issues or positives that emerged from the pandemic is the way that the industry and community organized so many coalitions and alliances that allowed the industry now to be able to speak with one voice. I can tell you as a former operator, it's survival of the fittest and every person and business was out there really working to accomplish its own survival and goals and needs, but the pandemic really unified this industry and community in a way that will really help us to amplify that voice moving forward. I just look forward to being able to use the power of what I'm hearing is to share with you and the administration and to be able to hear from the industry even more effectively so that this office can be more effective to help them.

CHAIRPERSON VELAZQUEZ: Got you. The reason I'm asking is how do we talk about and how does the admin look at minority-owned venues, right, beyond M/WBEs but more importantly when we're talking about enforcement and those rates and more importantly the performance with folks. Does City Hall track enforcement at venues based on M/WBE ownership and/or performers booked?

EXECUTIVE DIRECTOR PALITZ: Thank you for the question. Just to backtrack a little to the first part of the question, the report that we released over the summer is 160 pages, and it's really meant to be as a roadmap and a blueprint. It has over 20 recommendations for the future of the stability and strengthening of the industry and so we put many of the recommendations and visions and plans again to be used as a blueprint and a roadmap moving forward. We know, in regards to the second part of your question, that most enforcement is complaint driven, regardless of the enforcement (INAUDIBLE) in large part, again, why we created the MASH program to be able to have multi-agency communication and to elevate the way that historically New York City, agencies, everyone has seen nightlife historically as a liability rather than an asset so the work comes through our interagency working group and the way agencies interact with each other, with the industry, with themselves, and the MEND program that we created is meant to assist with the enforcement-driven complaints. How do we resolve complaints? How do we build relationships within the community? How do we provide an opportunity for someone that is maybe new

to a neighborhood through gentrification and only has an anonymous 311 call system to help resolve a quality-of-life issue with their neighbor? The MEND program provides an opportunity to build relationships and to resolve quality-of-life issues within communities that may have disproportionately high complaints and so we're essentially trying to find a non-enforcement solution to resolving these quality-of-life complaints, and I believe MEND is doing and the more we educate New Yorkers about how to use it the more we can use this approach to minimize unnecessary enforcement visits and to resolve quality-of-life issues that are long-lasting with their relationships. The MARCH reports are also intended to be recording the movements and the hows and the whys and the wheres of the MARCH operations. This is data that is still being collected, but our office has been tasked through our existing relationships and the trust we've built with these enforcement agencies to share that information so that all of this can be evaluated.

CHAIRPERSON VELAZQUEZ: I guess like maybe my question wasn't clear. How can it be tracked? I hear you, and I applaud the joint efforts with

2 working with all the agencies, but is there a  
3 centralized location where we can track this? Can we  
4 track how the demographics play out in communities  
5 that are going through changes? How can we track  
6 that, and right now I'm not hearing that. When we're  
7 trying to say that we're providing full support, it  
8 seems like it's lacking in this aspect and certainly  
9 our communities deserve not only full representation  
10 but full transparency at making sure that we are not  
11 only doing the right targeting and outreach but that  
12 we have the right resources to make sure that we are  
13 tracking at the right levels, and it just seems that  
14 this lacking. Is it more because there's no  
15 centralized agency or there's no funding for your  
16 particular program to track this?

17 EXECUTIVE DIRECTOR PALITZ: Thank you for  
18 that clarification, Chairwoman. The MARCH reports do  
19 track by neighborhood and do provide, I think that is  
20 a little bit more granular to be able to address some  
21 of the questions that you have.

22 CHAIRPERSON VELAZQUEZ: When you're saying  
23 neighborhoods, is it targeted by Community Board...

24 EXECUTIVE DIRECTOR PALITZ: (INAUDIBLE)

2 CHAIRPERSON VELAZQUEZ: You broke up. Can  
3 you repeat it? Can you go back a little bit. You  
4 broke off.

5 EXECUTIVE DIRECTOR PALITZ: I don't have a  
6 very strong internet connection. My apologies. The  
7 MARCH reporting does, although it's data, it does  
8 identify regions and neighborhoods and does show  
9 trends in where the MARCH operations take place and  
10 so I think that some of what you might be looking for  
11 may exist in the previous and additional reports that  
12 we will be creating moving forward. Again, there was  
13 none during the pandemic, but I believe some of the  
14 data that you're looking for is there. Then, anything  
15 additional to that, of course, we're happy to be able  
16 to speak with you further.

17 CHAIRPERSON VELAZQUEZ: My followup  
18 question while you were in that weird connection  
19 phase was when you were talking about neighborhoods,  
20 does it reflect the Community Board because that's  
21 the one that approves the liquor license so it should  
22 reflect then that Community Board so it's easier for  
23 folks to understand where the needs need to be, and  
24 also Community Boards are the center of communities  
25



2 so when it comes to outreach to the local small  
3 businesses and to the workers, it should be there.

4 EXECUTIVE DIRECTOR PALITZ: I'm not sure I  
5 understand your question. You're saying...

6 CHAIRPERSON VELAZQUEZ: With the data that  
7 you presented, you said that the MARCH reports are  
8 available by neighborhoods, and my question to you  
9 was is it by Community Boards? If not, then it should  
10 be so that way it's easier to not only reach out to  
11 the small businesses but also to provide a service to  
12 the workers there as well.

13 EXECUTIVE DIRECTOR PALITZ: I think being  
14 able to get granular regarding Community Boards is in  
15 all likelihood an option, and we can get back to you  
16 on that. A lot of the work that we do is also through  
17 the BIDs. We're on a regular weekly call. We have  
18 been for years. I think now it's moved to every  
19 couple of weeks. Through the BIDs that are also  
20 centrally communicating with the local businesses  
21 primarily. The Community Boards, yes, they interact  
22 with us in their advisory capacity and when hopefully  
23 they're getting complaints usually, but, as far as  
24 the business support and development and being able  
25 to reach businesses, we work very closely with SBS,

2 with the local BIDs and also through the quarterly  
3 borough patrol meetings.

4 CHAIRPERSON VELAZQUEZ: Got it. That's  
5 enough questioning for me. I believe there are other  
6 Council Members that have their own questions.

7 STEPHANIE JONES, MODERATOR: Thank you,  
8 Chair. We'd like to invite Council Member Farias to  
9 ask questions followed by Council Member Brewer.  
10 Council Member Farias.

11 SERGEANT POLITE: Time starts now.

12 COUNCIL MEMBER FARIAS: (INAUDIBLE) Sorry.  
13 We both clicked unmute at the same time so I didn't  
14 mean to do that. Hi. Thank you so much for testifying  
15 this morning. We really appreciate it. I've been in  
16 and out so please stop me if any of these have been  
17 asked. In terms of nightlife economy right now, I  
18 know citywide we've seen so many different  
19 venues/small business owners really hit heavy by the  
20 pandemic. I'm particularly interested in hearing from  
21 you if you have any data or maybe testimonies that  
22 you've heard from venues in terms of nightlife  
23 economy, how that's impacted tourism at all here in  
24 the city.

2 EXECUTIVE DIRECTOR PALITZ: Thank you. I  
3 don't have the tourism data in front of me now, but,  
4 of course, happy to get that for you. It's definitely  
5 available. Without question, tourism in New York and  
6 how it's impacted nightlife in the city is  
7 devastating, but we are gratefully building our way  
8 back. We see so many venues open. We see Broadway  
9 open. We see a trend of new venues opening up every  
10 day and so we definitely get a sense that although we  
11 have taken a tremendous blow from a local as well as  
12 global perspective on socializing and nightlife  
13 businesses that we are on the road to recovery. If  
14 you weren't here, I did share the New York State  
15 Comptroller's report that approximately 3 to 4  
16 percent of the businesses in this sector were lost as  
17 a result of the pandemic and that the most recent  
18 numbers shows that jobs in this sector are still down  
19 about 20 percent so we're definitely not back but  
20 we're on the road back.

21 COUNCIL MEMBER FARIAS: By any chance, do  
22 we know what the percentage of nightlife venues that  
23 are directly connected to hotels? As we've seen, the  
24 hotel industry forecast is many years away from  
25

recovery so just was interested if we have that percentage of those numbers?

EXECUTIVE DIRECTOR PALITZ: We don't have the percentage of those numbers, I don't believe, but, of course, I can look into it and get back to you. We do work very closely with nightlife establishments in hotels throughout the city. They're a great resource for entertainment that aren't always near residential areas and give us an opportunity to have real dance floors and abilities to have big rooms and loud music so we are definitely in touch with them and support them through all of our initiatives, and we'll work with you. I think one thing that I could share with you that is interesting is that we just recently hosted a webinar with NYC and Co. and are working in partnership with them. They provided a special discount code for 50 percent off membership if you use the code nightlife and also free listings on their website. We're working in partnership right now, I don't know if I have the number of how many people have signed up, but we are in the midst of this outreach and awareness program and the discount is until the end of May, May 31st, and so the whole purpose is to really be able to

2 highlight the nightlife industry, not just locally  
3 but globally, and they've been a great partner with  
4 us on that.

5 COUNCIL MEMBER FARIAS: That's really  
6 great to hear. I'm very excited for the Get Local  
7 Campaign that they have going on so it's great to  
8 hear that our venues will be included in that.

9 EXECUTIVE DIRECTOR PALITZ: Absolutely.

10 COUNCIL MEMBER FARIAS: Sorry, I see the  
11 Deputy Commissioner, would you like to jump in? Okay.  
12 Just want to make sure. I guess the only other thing,  
13 and I did hear at some points we were talking about  
14 recovery money or stimulus money in the past that has  
15 helped folks, the grants that have been out there  
16 that have helped folks but that is going to be  
17 temporary and what steps we're going to take now. I  
18 guess the first thing that came to mind, and I'm  
19 going to end with this because I have 38 seconds.  
20 There's been a lot of discussions around a commercial  
21 rent cap. Do we see that as something that will be  
22 helpful to our venues and small businesses?

23 EXECUTIVE DIRECTOR PALITZ: Thank you,  
24 Council Member. Making nightlife more affordable and  
25 profitable is a top priority for our office, but I

2 believe that Kitty from Small Business Services would  
3 be able to address that question more directly. If  
4 you don't mind, I will pass it to her.

5 COUNCIL MEMBER FARIAS: Sure. Thank you.

6 DEPUTY COMMISSIONER CHAN: Thank you.

7 Thank you for the question, Council Member. Through  
8 our Commercial Lease...

9 SERGEANT POLITE: Time expired.

10 DEPUTY COMMISSIONER CHAN: Assistance

11 Program, our focus is on education, making sure that  
12 our business owners know and can understand their  
13 lease. We provide eligible businesses with support by  
14 addressing many commercial lease related issues such  
15 as new leases, lease renewals, back rent  
16 negotiations, landlord harassment, lack of repairs,  
17 and breach of contract issues. Many of these small  
18 business owners don't have access to these legal  
19 services so we're very proud that we've not only  
20 funded the program through this year but it's also  
21 expanded to 5.2 million dollars in next fiscal year.

22 COUNCIL MEMBER FARIAS: Okay, great. What  
23 I'm hearing is it's like a lot of things in the city,  
24 it needs to be 2-pronged. We need to do better at  
25 education and better at providing legal services that

2 are affordable or free and from the excitement I saw  
3 from asking the question on every other little  
4 camera, commercial rent cap would be super helpful.  
5 Thank you so much for your testimony and entertaining  
6 my questions.

7 DEPUTY COMMISSIONER CHAN: Thank you,  
8 Council Member.

9 STEPHANIE JONES, MODERATOR: Thank you,  
10 Council Member. Next, we'd like to invite Council  
11 Member Brewer to ask some questions. Council Member  
12 Brewer.

13 SERGEANT POLITE: Time starts now.

14 COUNCIL MEMBER BREWER: Thank you. Two  
15 things. One is I think you should stay at MOME. I  
16 love SBS, but it makes sense for me so if there's any  
17 way that I can be helpful because I can read between  
18 the lines. I would suggest MOME. As great as SBS is,  
19 you have the opportunity to work with a more diverse  
20 movement than you might at SBS.

21 Second question. Casino. Looks like we're  
22 going to have one in Manhattan, not to mention other  
23 locations. Do you know how that might or might not  
24 affect nightlife or maybe that hasn't come up yet in  
25 your discussions or conversations. I'm not saying

2 whether it's good or bad. I just was wondering how it  
3 impacts your industry.

4 EXECUTIVE DIRECTOR PALITZ: Thank you for  
5 your question, Council Member Brewer. We are aware  
6 that it's on the radar, but it has not really come  
7 close to the day-to-day issues of this office, but  
8 we're happy to have a further conversation with you.  
9 It's a state issue, as you know, right now, but we  
10 have our eye on it and always happy to discuss it  
11 further.

12 COUNCIL MEMBER BREWER: I'm just letting  
13 you know they're all meeting with me, all the people  
14 who are applying. They are very clear as to where  
15 they want to be. There will be something I think in  
16 Manhattan, hopefully with input from your industry,  
17 but I think you should think about it. I don't know  
18 how it does impact, but I would suggest having some  
19 discussions on that topic. Thank you very much, Madam  
20 Chair.

21 EXECUTIVE DIRECTOR PALITZ: Thank you  
22 Council Member.

23 STEPHANIE JONES, MODERATOR: Thank you.  
24 Seeing no further hands raised, we will now turn to  
25 public testimony.



2 I'd like to remind everyone that unlike  
3 our typical Council hearing, we will be calling  
4 individuals one by one to testify. Each panelist will  
5 be given 2 minutes to speak. Please begin once the  
6 Sergeant has started the timer.

7 Council Members who have questions for a  
8 particular panelist should use the Zoom raise hand  
9 function, and I will call on you after the panelist  
10 has completed their testimony.

11 For panelists, once your name is called,  
12 a member of our staff will unmute you and the  
13 Sergeant-at-Arms will give you the go ahead to begin  
14 upon setting the timer. Please wait for the Sergeant  
15 to announce that you may begin before delivering your  
16 testimony.

17 As a reminder, your testimony must be  
18 limited to only 2 minutes.

19 I would like to now welcome Rafael  
20 Espinal to testify followed by Andrew Rigie and then  
21 Olympia Kazi. Rafael.

22 SERGEANT POLITE: Time starts now.

23 RAFAEL ESPINAL: Thank you for having me.  
24 It's really a pleasure to be here amongst former  
25 Colleagues, friends, and advocates who are doing all

the great work and ensuring that New York City's nightlife continues to thrive and our city continues to move, especially during this COVID-19 pandemic. I am Rafael Espinal. I am the current President of Freelancers Union. We represent independent workers across all different industries, including nightlife. When we think about DJs, artists, dancers, performers, party promoters, consultants, designers, photographers, music technicians, etc., nightlife is powered thanks to the work of independent workers doing all the work on the ground to ensure that these venues are operating and our patrons are having the best experience. When I was a Council Member, I introduced this bill and pushed to pass this bill because at the time, we can argue that New York City's nightlife was increasingly facing and encountering a hostile environment from our city. The venues that were at the forefront of creating invaluable cultural and financial capital for New York was often being met with over-enforcements, was being met with intolerance from communities, and was being met with policies that didn't really look at how they impacted New York City's nightlife. The challenges at the time were increasing communication

2 between communities and venue operators to help  
3 resolve quality-of-life concerns without the need of  
4 law enforcement, having an individual in City Hall  
5 that understands the challenges that venues were  
6 facing and will listen to the community and take a  
7 comprehensive approach at providing resources to  
8 ensure our nightlife venues thrive. On a deeper  
9 level, the office is there to provide resource  
10 information for nightlife workers who are often left  
11 out of the city's conversations when it comes to  
12 labor and find ways in which it can provide resources  
13 to ensure our patrons are kept safe and are met with  
14 the needs facing the community at the time. The truth  
15 is that the city has been operating blindly when it  
16 comes to planning on how it will support an industry  
17 that is without a doubt a part of our city's fabric  
18 just as transportation, housing, parks, and other  
19 areas are. Without New York City's nightlife, there  
20 is no New York City, and I think that this COVID-19  
21 pandemic has done nothing but highlight that more now  
22 more than ever. People have left the city, and we're  
23 seeing them coming back because our bars, our music  
24 venues, and our restaurants are coming back. Ariel  
25 Palitz has done a lot with what she has. It's a very

small office. I think it employs about 5 people in charge of ensuring that the over 25,000 businesses across all 5 boroughs have the resources they need to succeed. That hasn't changed, and I hope that the City Council and Mayor's Office continues to put resources and support this office. I heard the conversations earlier about, I think this has been going on for a little while, about whether the office should live under MOME or should move to SBS. I truly believe that this is a standalone office. When I introduced the bill, I was pushing to ensure that this office was not being overseen by another agency but it was actually an officer under the Mayor so they could have direct communication with the Mayor so that they can easily be able to communicate the needs of the industry and the community. This office, as I mentioned, operates with about 5 folks. It has a budget of under half a million dollars. There were conversations about how much money the office needs. I think at the very least that budget should be doubled this upcoming budget. That way, she can be able to hire the team she needs to be able to deal with the issues in all boroughs across the city because the reality is the office has been punching

2 above its weight. If we think about all of the  
3 questions that have just been asked in the past 2  
4 hours, I think she needs like an entire agency under  
5 her. I don't think she needs an agency above her. She  
6 needs an agency under her to be able to deal with all  
7 of these issues. I just, again, wanted to express my  
8 support for the office. I want to thank all of the  
9 work that is being done on the current Council to  
10 ensure that nightlife continues to thrive. I want to  
11 thank Ariel for all the work she's been doing. I want  
12 to thank Andrew Rigie, all of you, Olympia, Andy,  
13 everyone who's just been involved, and Steven Klavier  
14 who's on the ground in our venues, just everyone  
15 who's here continue to come together and support the  
16 industry. Thank you.

17 STEPHANIE JONES, MODERATOR: Thank you so  
18 much for your testimony. Next, we will be calling  
19 Andrew Rigie to testify followed by Olympia Kazi and  
20 then Joanna Carpenter. Andrew.

21 SERGEANT POLITE: Time starts now.

22 ANDREW RIGIE: Thank you. Thank you,  
23 Chair. Hello everyone. I have comments I submitted,  
24 but I'm just going to kind of speak off the cuff  
25 representing the Hospitality Alliance as well as the

2 Nightlife Advisory Board. I was a speaker appointee.

3 I was elected Chair. I'm really proud of the amazing

4 work our board did. I want to just put this into

5 perspective for a lot of people who may be newer to

6 this. I've been doing this work almost 20 years now.

7 We've been talking about establishing an Office of

8 Nightlife in the city of New York probably even

9 predating me. I was just in D.C. at the Responsible

10 Hospitality Institute Summit, and there's people from

11 around the globe, I think before it was said about

12 60+ cities have an Office of Nightlife. We went from

13 talking about Giuliani shutting places down and all

14 the disaster and this city going aggressively after

15 nightlife to having City Council hearings about how

16 they can support nightlife and talking about the

17 economic impact, 35 billion dollars, 13 billion

18 dollars in employee compensation, more than 700

19 billion dollars (INAUDIBLE) in local tax revenue.

20 This is vital to the economics of the city but also

21 the social and cultural value, which you can't put a

22 dollar on. There was an article in the Times last

23 week, and I quote, it said "Last year, Mr. Clark

24 moved from Seattle where Zillow is headquartered"

25 because the article is about remote work and its

impact on New York "to New York so he could be not only closer to his friends and family but indulge in the vibrant music and nightlife scene." From Seattle, Nirvana, Soundgarden, Alice in Chains, to New York City because this is what our city means, and this is what nightlife and the creative economy means to our city. The only way New York recovers is if we support our nightlife sector and every different stakeholder in it, and I have to say Ariel, I've known her for many years, has just done an extraordinary job coming from...

SERGEANT POLITE: Time expired.

ANDREW RIGIE: An office, may I be admitted one more moment, creating an office out of nothing and putting together a report which now is the time for the city to look at. Everything got put on hold during COVID. Hospitality Alliance, we worked together on a lot of these programs, the different seminars with the office and other stakeholders, but now as we hopefully emerge we really urge the city to quadruple down on the Office of Nightlife because we need to focus on planning and management of our nightlife economy, not just the day economy. We're a 24/7 city. We're the city that never sleeps. We need

to think about how all these night uses interact with the day uses and all different aspects of our city, and that's exactly why an Office of Nightlife is so critically important regardless of where it is located. The most important thing is that Ariel and her team and the office have the ability to navigate within the various city agencies and they are empowered to inform policy and to get all of the agencies and the enormous bureaucracy moving in one direction, which is to help support the nightlife sector, employ the business owners, the workers, the residents, and think about nightlife as a critical part of our city, not just an afterthought where people go out to drink and dance because we saw, when we were supposed to be socially distant, it drove people crazy because we're human animals that are supposed to socialize, and our nightlife venues are our social spots. We support the office. We support increasing its funding, increasing its capacity, and, on behalf of the Nightlife Advisory Board, I will just say it was incredible to work with all these stakeholders that were appointed by the Mayor and the City Council. You can go through the report, but we touch on so many important aspects of nightlife that



many people wouldn't even think were necessarily related to nightlife, but they are directly related, they are a fundamental part of it, and we'd love to work with the Council and the administration on really implementing those recommendations, whether they be legislation, rulemaking, or just policy. The last thing on the Nightlife Advisory Board is I believe myself and maybe 2 others of us are the only ones in active terms. It is a 14-member board. We need the Speaker and the Mayor to appoint the remaining members so we have a quorum. We can get back to work, really putting through these policies that we worked so hard on not just with the Board but with stakeholders to put together in our report. Again, thank you so much. I'm happy to answer any questions, but, out of everything you do, I know you do a lot on the Council, this is so, so important because nightlife just touches so many people in so many different ways, and we have to come back for the city to come back. Thank you.

STEPHANIE JONES, MODERATOR: Thank you, Andrew. As a reminder, if any Council Members would like to pose any questions to our panelists, you can do so via the Zoom raise hand function.

2 Next, we'll be calling Olympia Kazi to  
3 testify followed by Joanna Carpenter and then Arelia  
4 Taveras. Olympia.

5 SERGEANT POLITE: Time starts now.

6 OLYMPIA KAZI: Thank you so much, Chair  
7 Velazquez, and to be after Rafael and Andrew. My  
8 background is very different. I am an architect by  
9 training and I served all my career trying to achieve  
10 equitable urban development, but, as any good  
11 urbanist will tell, you have no city without arts so  
12 I have been advocating for arts, and I am a founding  
13 member of the New York City Artists Coalition and the  
14 Music Workers Alliance. I'm also one of the last  
15 members of the first ever Nightlife Advisory Board  
16 where I served as the Vice Chair to Andrew. I really  
17 hope that we're going to have a hearing about that  
18 report because it's slightly different from what  
19 Ariel presented today, and I think the Council and  
20 the city would really benefit from her hearing that  
21 report during a separate hearing if possible. So many  
22 great things were brought up today from the questions  
23 from the various Council Members, from the questions  
24 from the Chair, from the comments that Ariel made.  
25 Beyond the fact that my group was among the people

2 working in both repealing the cabaret law and I  
3 really believe that we need to amend the zoning but  
4 also passing the transparency legislation around the  
5 multi-agency response to community hotspots and  
6 giving so much work to Ariel and her tiny team  
7 because the reality is they were discriminatory and  
8 we're very happy that this law has made them now  
9 diminish and I hope it will disappear and not waste  
10 our time because we need enforcement but we need real  
11 and serious enforcement. I also am very happy that  
12 Amanda Farias talked about Fair Rent NYC. What we  
13 discovered very early on was the problem were rent  
14 hikes and displacement. New York City is not going to  
15 be appealing to anyone when we lose our grassroots  
16 culture and our identity, and we're losing that  
17 through predatory landlords that are doing exorbitant  
18 rent hikes so Fair Rent NYC Intro 93 has just been  
19 reintroduced, already in 3 weeks has 19 cosponsors,  
20 and we had 28 in the previous session. I really  
21 believe if we care about culture, if we care about...

22 SERGEANT POLITE: Time expired.

23 OLYMPIA KAZI: We need to address the  
24 issue of rent. If I can say one last comment, thank  
25 you so much, I want to say that what Ariel has

achieved with her tiny team, and I need to give a special shoutout to Jose, it is amazing so we need to double their budgets exactly as Rafael Espinal said and we need to allow them to be able to provide the services that the city needs because I think Chair Velazquez was very fair in asking how do we make you're doing this equitably, how can you report, what about the Community Boards, etc., but they cannot do all this stuff without staff. They want to report. They want to do the work, but they need resources in order to do that. In terms of placement and the question that Chair Menin also raised, I think it is very important that this kind of office, wherever it is placed, it is just empowered and listened to because they have been such great connectors. That's what I felt was so important, especially during the pandemic, and with the work that I was doing with artists who were truly the first to be literally going income zero and still to this day are impacted so the work that these, and they helped, recently we had a win in the state budget, and MOME actually helped us as much as they could so this office becomes a way to connect and understand what is valuable in our community and how do we elevate it.

2 Thank you for this hearing, and I could go on  
3 forever. I'll try to submit written comments.

4 CHAIRPERSON VELAZQUEZ: Thank you so much.

5 I just want to jump on. I have several questions, I  
6 guess for all 3 of you, Espinal, Rigie, and Kazi.

7 Hearing the testimonies today from the admin, from

8 your personal experiences, and I think, Espinal, you

9 alluded to this, in having the Office of Nightlife

10 stand on its own and have a larger not only staff but

11 greater resources to our communities, what would a

12 budget like that look like and how many members of

13 staff would that incorporate and how can we on the

14 Council facilitate this?

15 RAFAEL ESPINAL: I would just start off by

16 saying, as I mentioned, I think the team is only

17 about 5 individuals. I think that there's been many

18 talks early on about what the future of the office

19 can look like and it goes beyond this central core

20 team. How can we have teams that are focused in each

21 borough? Just doing that math, I would say she should

22 have a team of 15 to 20 people. That way, each

23 borough can have its proper representation, just as

24 when we have issues with sanitation and garbage, each

25 borough has like a Community Board or community area

2 station in which you're able to get your garbage  
3 picked up or other things so if each borough has its  
4 own unique challenges then it all deserves its own  
5 unique representation and having Ariel to have those  
6 resources that work I think would be extremely  
7 helpful.

8 CHAIRPERSON VELAZQUEZ: Do you also see  
9 any other agency that would handle the enforcement  
10 besides NYPD? Obviously NYPD would come still in  
11 cases of emergencies, but do you find that there's  
12 any other agency that can handle the enforcement  
13 piece?

14 RAFAEL ESPINAL: Enforcement I would say  
15 was always what we were hoping to avoid with this  
16 office. I don't have all the details on what happens  
17 day-to-day in the office, but I've always envisioned  
18 the office being able to have a record of the 311  
19 complaints so they can be able to proactively address  
20 those concerns before they reach the NYPD so giving  
21 the office the power (INAUDIBLE) transparency to that  
22 information, being able to, oh, we also talked about  
23 the ability of creating kind of like neighborhood  
24 ambassadors in which we have folks on the streets,  
25 for example in the Lower Eastside, who would be able

2 to direct traffic, direct individuals, to help damper  
3 down any quality-of-life issues that aren't police  
4 officers so I think there are many creative ways we  
5 can go about it, but the ideas are there. What's not  
6 there is the resources.

7 CHAIRPERSON VELAZQUEZ: Andrew.

8 ANDREW RIGIE: I just asked Ariel about  
9 this the other day. I think there was 3. Really  
10 quick, I don't know the exact number, but what I was  
11 saying earlier is that they need the ability to get  
12 something done. We know that through administration  
13 policies changes. It needs to be in a position where  
14 they are empowered and there is going to be less  
15 internal bureaucracy for them to go to Commissioner  
16 to Commissioner within the different agencies and  
17 actually get something done. If that's a standalone  
18 agency that has its internal legal and coms and  
19 everything, I think that's excellent. I think  
20 whatever we do we need to make sure that yes, it has  
21 staff (INAUDIBLE) there's 3 people there now, but  
22 also needs to actually have the authority that when  
23 they go and say we need to do X, Y, Z, it gets done.

24 CHAIRPERSON VELAZQUEZ: Olympia.  
25

OLYMPIA KAZI: I also think that, everything that Andrew and Rafael have said I agree with them. The thing is we need to be discussing this and this is why this hearing is great. I feel that it's great that with all these problems that they had in being small, it was a new office so we learned a lot so I believe that the next phase should be a step-up process, where they can continue growing on the services that they need, and I think you set up some great priorities today about tracking, who is it that we're serving, who are those who cannot be served right now as Council Member Abreu asked, there are still some barriers, either because of digital literacy or language barriers, etc., I feel in order for this office to be able to operate in a truly equitable way they need to have the resources to do all outreach, especially in those communities that historically have been fearful of city agencies because they see them as something to avoid. One of the hearings that I had attended as the Vice Chair where I think it was hosted by you, Rafael, we had so many testimonies from women, we were talking about sexual harassment and this kind of stuff, and they were saying when this happens I cannot call NYPD



2 because I will end up being instead of the victim be  
3 seen as the person that NYPD needs to focus on so I  
4 feel what the Office of Nightlife has achieved so far  
5 is they opened the channels of communication. I  
6 literally remember when an high-up NYPD officer was  
7 agreeing with all of us and we realized that they  
8 didn't know what a lot of precincts were doing and  
9 how they were weaponizing against people of color and  
10 LGBTQ communities certain programs so I feel that the  
11 Office of Nightlife has opened these channels and has  
12 started a very good reassessment and almost an  
13 internal checkup to other agencies, but I think they  
14 need to build up on that and grow because there is so  
15 much potential.

16 CHAIRPERSON VELAZQUEZ: I think one more  
17 thing I'd like to ask Andrew. Has the Office of  
18 Nightlife been a good partner in the Board's efforts,  
19 and how can we help support the Board? I think you  
20 had mentioned that the board membership is low, out  
21 of 14, we need to fill more seats. How do we get to  
22 that, and who do I need to push?

23 ANDREW RIGIE: I can say the Office has  
24 been an excellent partner any time we have ever asked  
25 for information, any time we've asked for them to

present to us, they've always been there, they've been candid with us. I just want to give a shoutout to Council Member Menin when she was Commissioner of MOMÉ she was really there from building the foundation of this office so I have no complaints there about a lack of responsiveness. I think one of the reasons, and I'm not saying that it wouldn't have happened naturally, but we had really good board members. I became friendly with so many, like I see Andy Praschak that really were committed to this type of work so I guess what I would just say is the Speaker gets an allotted number of appointments to the board and the Mayor gets them, and we should have a thoughtful conversation about perhaps bringing some of those members back who would be interested in coming back, appointing some new voices. They just need to be a real fair representation of all the different segments of nightlife because that's the one thing that I learned. There are so many segments. It's not just the DJ or the owner or the worker or the resident upstairs. There's so many different pockets so I think by having a really strong board that ensures that the Office itself has good board that are pushing them in the right direction and

2 calling them out if need be because they're not doing  
3 anything, but, fortunately, everyone was moving in  
4 the right direction while we were there.

5 CHAIRPERSON VELAZQUEZ: Going back to  
6 Espinal's point about the 5 boroughs designation, how  
7 each borough is different, do you currently think the  
8 outer boroughs have as much attention as they  
9 deserve, and this question is to all 3 of you.

10 ANDREW RIGIE: I would just say quickly,  
11 my response is I don't know if we can ever get the  
12 attention that they deserve, but I think it takes  
13 grassroots effort staff to get out there into the  
14 communities to establish those relationships because  
15 they don't happen overnight. They take time to build  
16 them, and you need to hire smart. Someone that comes  
17 from the communities and understands the different  
18 dynamics that exist so the way that you scale  
19 capacity and get more outreach to more communities is  
20 by hiring people that are qualified to get into those  
21 communities.

22 CHAIRPERSON VELAZQUEZ: Thanks. Olympia,  
23 you want to go?

24 OLYMPIA KAZI: Yes, thank you. One of the  
25 things, of course it's always good to have balanced

2 representation in terms of boroughs or  
3 specializations, etc. One of the things that I  
4 brought to the board and I would love for the city of  
5 New York to continue doing that is a broader view of  
6 what nightlife is because nightlife is not just a bar  
7 or restaurant and this venue. There are so many other  
8 things, and I think I was rewarded with the New York  
9 Post cover this summer while I was away because I  
10 recommended that the New York Public Library should  
11 stay open when people come out of their offices.  
12 Nightlife is also this kind of culture, affordable  
13 culture, for all ages, for younger people, older  
14 people, and I feel that with the limited resources  
15 that we had, because by the way, Andrew didn't say  
16 it, but we also had no staff, no support, the Office  
17 of Nightlife tried to help us as much as they could  
18 but we literally fundraised for our report as  
19 volunteer service members of this board, but I think  
20 it would be great in the future, there are so many  
21 great people involved in this, but that we understand  
22 that nightlife is something broader and it needs to  
23 be equitable and it needs to include all kinds of  
24 culture and labor because labor, fair pay of the  
25 people who are involved in nightlife, it needs to be

discussed separately because trickle down, oh, the industry's thriving, do you know how many industries are thriving and the people who build those industries on their shoulders are underpaid or not paid at all. Ask Rafael. He hears about it every day from the Freelancers. I really hope that whatever the future of this board is it keeps voices around culture and labor included.

RAFAEL ESPINAL: Just building off of what Olympia and Andrew said, and, as we've talked before, there's so much diversity in nightlife that I can't tell you enough how many different folks in many different communities felt like the office wasn't doing enough for them. You have the Caribbean community, you have the Latino community, you have the DIY space community, and everyone wants to feel their voice is heard, and I think that's why we are pushing with everything we have to ensure that she has the resources to expand her office to meet all of those different needs. To Olympia's point, this is just the beginning of this office. There is a lot more to nightlife than just the venues. When we talk about transportation, there was a point when MTA was floating around the idea of shutting down after

2 midnight to allow for repairs, but we knew that that  
3 was going to have a detrimental impact on the  
4 workforce that depended on the transportation systems  
5 to get back home from work so there are many  
6 different conversations that come out of this office  
7 and come out of this topic that go beyond the venues,  
8 which is why it's important this office continues to  
9 have the resources it needs.

10 CHAIRPERSON VELAZQUEZ: Thank you. Those  
11 are my questions. Do any of my Colleagues have  
12 questions? Okay, we're going to continue on with  
13 other public testimony.

14 STEPHANIE JONES, MODERATOR: Thank you,  
15 all. Thank you, Chair. Next, we'd like to call Joanna  
16 Carpenter followed by Arelia Taveras and then we will  
17 be calling Andy Praschak. Joanna.

18 SERGEANT POLITE: Time starts now.

19 JOANNA CARPENTER: Hi, everyone. I'd like  
20 to thank the Committee and Chair Velazquez. I'm also  
21 going to be super quick because I have to sprint to  
22 the airport to catch a flight so thank you all for  
23 holding this and doing this. I'm Joanna Carpenter. I  
24 am the co-founder of Save NYC Bars with my  
25 collaborator Megan Rickerson who is also here. I've

been working in hospitality for about 20 years, coming up on 20 years now, and I'm also one of the freelancers mentioned who in March 2020 lost all of the work, literally all of the work, and most of it hasn't come back. I'll cut to the chase. We all know that the hospitality and entertainment sectors are highly intersectional and that they are also a primary financial artery to our economy and culture here in New York. I truly do not believe that we would be bouncing back to life the way that we are if we did not have a direct liaison to City Hall and, by proxy, Albany. Ariel and her very small team have also been a really instrumental partner to Save NYC Bars. We've been able to create a direct information pipeline from the regulators to customers to bar owners and everywhere in between to just be conduits for information about new legislation and regulations and the rebuilding of this industry that has just been destroyed. Also, I 100 percent agree with Andrew and Rafael that the Office absolutely needs more financial resources to work with. If they can do what they have already done thus far with nothing, imagine what is possible. I'm going to be quick. I love my industry. I love New York City. I would love to see

2 this office continue to be a standalone entity and  
3 independent entity and be able to double and triple  
4 what it's capable of doing based on resources. A lot  
5 of the questions and answers that I'm hearing going  
6 back and forth today seem to just be solvable by  
7 resources. You expand resources, you expand footprint  
8 and impact. Thank you all so, so much for your time.  
9 I'm going to run screaming to JFK, and I appreciate  
10 you. Thank you, Chair.

11 STEPHANIE JONES, MODERATOR: Thank you,  
12 Joanna. Anybody testifying today also who wants to  
13 submit written testimony, remind you the email is  
14 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov). Okay, next we will be  
15 calling Arelia Taveras followed by Andy Praschak and  
16 then Kathleen Reilly. Arelia.

17 SERGEANT POLITE: Time starts now.

18 ARELIA TAVERAS: Good afternoon, everyone.  
19 Thank you, Chair Velazquez and Committee Counsel  
20 Jones. I really appreciate this opportunity. I just  
21 wanted to touch briefly on the state of affairs of  
22 the sectors, mainly retail, independent M/WBE owners,  
23 and underserved communities. Latino minority owned  
24 restaurants inclusive of almost 500 restaurant  
25 establishments in New York City covered by the New



2 York State Latino Restaurant Association, of which I  
3 am the President. We are hurting and we need post-  
4 pandemic COVID recovery. Thank you, Council Member  
5 Powers, for bringing that up. We need money. Our  
6 contribution is 53 percent of the nightlife  
7 community, which contributes 35.1 billion, 300,000  
8 jobs, and 700 billion in revenue. We, as Latino and  
9 minority owners, we account for half of that so I  
10 think our voice needs to be heard and we need to be  
11 part of the conversation. We have DJ Khaled, Cardi B,  
12 Myke Towers, Daddy Yankee, Jay-Z, Beyonce, Raw, 50  
13 Cents, Rauw Alejandro, merengue, bachata, salsa,  
14 (INAUDIBLE), and, of course, cumbia, and that's to  
15 name of the few types of genres, but we do need  
16 economic recovery to recover post-pandemic in this  
17 restaurant industry, bar industry, and lounge  
18 industry. I would be interested in hearing how the  
19 nightlife committee is accessing the Governor's money  
20 for tourism including adding a nightlife component to  
21 the discussion. How are we accessing that tourism  
22 money from the Governor, which she has a lot of money  
23 to bring back New York, are we even tapping into  
24 rather than just going for city monies. On our own,  
25 we're doing this, we are starting the first ball

2 dropping in Washington Heights, an underserved  
3 community comparative to the 42nd Street ball  
4 dropping because we're seeing our sectors are not  
5 going to 42nd Street. They want to stay home. They  
6 want to be local. So at United Palace Plaza, we'll be  
7 dropping the ball on December 31st.

8 SERGEANT POLITE: Time expired.

9 ARELIA TAVERAS: If I may be permitted,  
10 Chair Velazquez. We are trying to bring New York back  
11 in our own sectors. SLA reform is necessary, and we  
12 would like to participate in that Committee that  
13 you're talking about, Ariel, that meets every 4 years  
14 for SLA nightlife suggestions, which we've never been  
15 part of. I would love to be part of that  
16 conversation. We request arbitration clauses for  
17 commercial leases. We're asking City Council, if our  
18 landlords are almost practically forcing us if we  
19 want the space to sign personal guarantees that they  
20 be submitted to arbitration clauses before they're  
21 enforced if they want to be enforced in New York  
22 City. They can go rent anywhere else, but, if they  
23 want to be enforced, we shouldn't be carrying those  
24 obligations for a lifetime, a debt that we're no  
25 longer in the space. That doesn't make sense, but we

realize that real estate wants money as well and an arbitration clause to all personal guarantees, I believe, is necessary. On MARCH operations and inspections, we could go on this forever, but they need to have respectful entrances into our minority-owned businesses, not just turn on the lights and everybody starts running around, like the lights when you turn it's craziness. Our customers don't pay the bill and they walk out quite quickly when we don't. Disrespectful to the owners. Identify yourselves. Don't just barge into our establishments. We pay our taxes too. The overall feeling of my owners is that they're disrespected. They want all of us to work in an environment, we want to work together, we want to bring back New York but we want to work as a team. Noise. I'm advocating that DOB add into every new construction in New York, commercial or residential, that they add a sound proofing requirement and component. They set a sound proofing code that even landlords now, today, they're making us spend 65,000 dollars or more in sound proofing our establishments to stop noise. They're making money too. They need to contribute it. That a new code be established for sound proofing so that landlords can pay sound

2 proofing and they must meet code within a certain  
3 amount of time because if we're paying, they need to  
4 pay too. Council Member Menin, a person who I respect  
5 enormously for establishing the Committee, in the  
6 past I would have advocated for the turning of this  
7 agency. We have not been part of this conversation  
8 for a very long time. However, Ariel has shown that  
9 she can be a true partner. I support this agency  
10 remaining independent if there is a commitment to  
11 including, we have restaurants, we have (INAUDIBLE),  
12 we have clubs, we have lounges, we have the top of  
13 the top, including Latinos, including the black  
14 restaurant and Asian restaurant coalitions that we  
15 are incubating. If she commits to including the  
16 sectors, because if she wants money, if she wants our  
17 commitment to change, we need this agency to change  
18 and be more inclusive, but, otherwise, I cannot  
19 support this agency not being merged into SBS because  
20 we want accountability. We don't want to be on the  
21 side. We don't want to be, just a select few here are  
22 part of that nightlife community and all that  
23 conversation. If they commit to bringing onto the  
24 table, I will advocate for her staying individua and  
25 separate with her agency. Otherwise, we must merge

because I believe Commissioner Kim has all the credentials because he knows SLA, he knows the internal workings, he can bring this all together and make everybody account to what they're doing and where they're going because we need solutions. I support the status quo of the agency with a full commitment to inclusivity. The Latino Restaurant, Bar, and Lounge Association has over 500 members, and we should have representation on that board. We want to be part of the conversation and we want accountability. The reason we're so successful this year is now under my leadership, we have split New York City into quadrants. I believe that that would be helpful to this agency. Get a representative in each borough to be the nightlife commission on that borough and then report to a main borough. You want to hear what's on the ground? It's by putting soldiers all over the place, and that's how I believe this agency would be more effective, but, otherwise, I would support either plan, but if Ariel has committed to helping and to bringing us as part of the conversation. If not, Chair and Commissioner Velazquez, City Council Menin, Farias, and Espinal, I

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 110

2 ask that this be merged into SBS. Thank you for  
3 listening.

4 STEPHANIE JONES, MODERATOR: Thank you for  
5 your testimony. Next, we'd like to invite Andy  
6 Praschak to testify followed by Kathleen Reilly and  
7 then Tara Duvivier. Andy.

8 SERGEANT POLITE: Time starts now.

9 ANDY PRASCHAK: Thank you, Chair Velazquez  
10 and Council Members and my Colleagues. I had the  
11 honor of being one of the first members named to the  
12 Nightlife Advisory Board by then City Council Speaker  
13 Melissa Mark-Viverito in December 2017. My  
14 instructions from the Speaker were clear with that  
15 appointment. She said use this position to help New  
16 York City nightlife thrive, always keeping in mind  
17 the marginalized communities of our city. I listened  
18 to everyone talk about the miracles that Ariel Palitz  
19 and her small but mighty staff have accomplished, and  
20 I too want to join the chorus of voices amazed at the  
21 work they've been able to get done. Today, I want to  
22 share a very personal experience that I hope you take  
23 with you as you consider the future of the Office of  
24 Nightlife. The acceptance that I received from Andrew  
25 Rigie and the other 12 board members when I came out

2 to them as an openly gay advocate for the LGBT  
3 community was genuine heartfelt, and it really meant  
4 a lot to me. I want to thank you all for that. Even  
5 then, I went on to share with them that while I  
6 wanted to advocate for our larger, glitzier, big  
7 money venues like those run by my friend Robert  
8 Fluet, my real passion was to make sure that we reach  
9 out to those on the edges of our community, that  
10 those who sometimes exist in the shadows that we may  
11 not even consider to be a part of nightlife. I just  
12 want to remind you that the Queer history in New York  
13 City is legend. Stonewall is nightlife, and nightlife  
14 is Stonewall, and Stonewall to us is freedom and the  
15 elimination of any repression that we may be feeling  
16 so it's in our DNA. We understand how important  
17 nightlife can be for all of us. When it came time to  
18 recruit community members to testify before the  
19 Advisory Board, I was pretty clear on who I wanted to  
20 hear from and who I wanted the Advisory Board to hear  
21 from and who I want you to learn a little about right  
22 now.

23 SERGEANT POLITE: Time expired.

24 ANDY PRASCHAK: If I may. The first guy  
25 was Freddie Cosmo, a young queer black man trying to

2 find his footing in New York City that I met at one  
3 of Ariel's town hall meetings and Freddy had a dream  
4 of becoming a promoter. He explained to us the unique  
5 intersection of nightlife performers, patrons, and  
6 the homeless population in New York City. Freddy  
7 taught us that oftentimes young queers experiencing  
8 homelessness or living in shelters or runaways will  
9 seek refuge in the neon lights, loud music, and cheap  
10 vices of a nightlife venue to temporarily escape the  
11 harsh reality of displacement and stigma that they  
12 feel. To Freddy, it was vitally important for us to  
13 recognize the homeless population in New York City as  
14 a legitimate part of the nightlife community as he  
15 told us armored in their outfits as club kids. Since  
16 his testimony, I'm happy to report Freddy has gone on  
17 to host his own podcast and is promoting and  
18 performing at various queer venues in New York City,  
19 and we still keep in touch.

20 Another person that I was able to bring  
21 to testify was Michael Aulito. Michael Alito was a  
22 favorite of Andrew Rigie. He was a cisgendered,  
23 affable, straight retired firefighter who has owned  
24 the S&M club, Paddles, in Chelsea for the past 35  
25 years which is, of course, in Eric Bottcher's



2 district. Michael is living his dream of owning a  
3 safe, clean, legal nightlife venue for people  
4 involved in what he told us was the kink scene in New  
5 York City, and Michael went on to confide to us we're  
6 often perceived to be monsters, abusers, and  
7 degenerates by people who have no idea who we really  
8 are. We are no different from anyone else you meet  
9 every day. Most of us have no idea why we're kinky.  
10 We just try to find like-minded individuals to  
11 experience it with. He told us that New York City is  
12 one of the few places in the country where they can  
13 do this legally. Here, we're fortunate. There's no  
14 need to meet strangers in dirty, dangerous motel  
15 rooms. Michael asked us, begged us, please don't let  
16 that ever change. That was his big ask.

17 Finally, we heard from Stephen Mills, a  
18 program coordinator for the Men's Sexual Health  
19 Project at Mount Sinai. Fascinating gentleman. He  
20 provides free HIV and STD testing and education at  
21 sex-positive clubs and parties in New York City. They  
22 provide sexual health services to people who might  
23 not seek it otherwise due to stigma, discrimination,  
24 or maybe just a lack of health insurance. Education  
25 and services without judgement is what Stephen called

it, and he told us that bringing these services directly to the nightlife community has created a bond and a trust between healthcare providers and club owners, promoters, and partygoers. Who would thing that we have that going on in our nightlife?

In summary, I just want to ask you to remember and take with you that on one afternoon during one set of hearings, we heard from 3 pretty amazing, important stakeholders in our community who seldom, if ever, are given a voice, much less a place at a table. Three individuals that we may not have thought of as elements of New York City nightlife, yet they're all important figures in our community that must be heard and must be supported. Without the Office of Nightlife, I can't imagine another space that would welcome them and their messages. Three very personal examples of why the work of the Office of Nightlife must not only continue but expand its mission with increased funding and staffing from the Council. Thank you for allowing me this opportunity.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. Next, we will be calling Kathleen Reilly followed by Tara Duvivier and then Jen Lyon. Kathleen.

SERGEANT POLITE: Time starts now.

KATHLEEN REILLY: Good afternoon, everyone. My name is Kathleen Reilly. I'm the New York City Government Affairs Manager for the New York State Restaurant Association. We're a trade association representing eating and drinking establishments all over the state.

As a bit of background, the hospitality industry including bars, restaurants, and other nightlife establishments continue to struggle and support. Our operators are in debt. They owe back rent. They've suffered sustained lower sales and continuously rising food, supply, and energy prices, and it will take time for them to dig out. Many hospitality establishments that never received federal relief are starting to believe that they aren't going to. They've lost hope it will ever come so the sort of key takeaway on the state of this industry is that while we're excited to see bars and restaurant foot traffic start to pick back up, it's a positive sign, but a busy establishment today does not negate 2 years of losses, and, when you walk around your neighborhoods and see bars and restaurants that are busy, that's something to

2 celebrate but it doesn't mean those operators are  
3 fine now or they're back to normal because they're  
4 almost certainly in some kind of debt.

5           The hospitality industry is regulated by  
6 so many different moving pieces in city government  
7 between City Council, the Mayor's Office, various  
8 regulatory agencies that touch bars and restaurants,  
9 and we saw during the pandemic some of the confusion  
10 and miscommunication that can happen when the same  
11 set of businesses are hearing many messages from many  
12 messengers and inspectors so we really do value the  
13 mission of the Office of Nightlife to prioritize a  
14 comprehensive approach to nightlife establishments,  
15 and we support increasing the resources that are  
16 dedicated to this office.

17           As the new administration continues to  
18 establish a relationship with the industry, and it  
19 already appears to be off to a good start with even  
20 more value from the hospitality industry in New York,  
21 we see a real critical role to be played by the  
22 Office of Nightlife to help coordinate and navigate  
23 the way nightlife establishments, the administration,  
24 and the community relate to one another. As one  
25 example, we heard about MEND today, and I think that

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 117

2 initiative could potentially play a really important  
3 role helping us achieve a big goal for New York City  
4 in permanent outdoor dining.

5 SERGEANT POLITE: Time expired.

6 KATHLEEN REILLY: Do you mind if I  
7 continue?

8 CHAIRPERSON VELAZQUEZ: How much longer?  
9 Just because I was just told that we have over 30  
10 people waiting so I don't want to keep it too much  
11 longer.

12 KATHLEEN REILLY: Okay. Just a minute.

13 CHAIRPERSON VELAZQUEZ: Okay, go ahead.

14 KATHLEEN REILLY: Okay. Thank you. The  
15 outdoor dining program has met with some quality-of-  
16 life concerns from residents in some neighborhoods. I  
17 wonder if MEND could help navigate that and help  
18 neighbors and businesses come to a mutually agreeable  
19 sort of idea about how permanent outdoor dining could  
20 look and be sustainable for everyone. We're also  
21 appreciative of the administration prioritizing small  
22 businesses already including the executive order  
23 about identifying top violations and suggesting ways  
24 to reduce the burden on businesses including  
25 suspending the liquor license surcharge for New York

2 City and creating a kit of parks for outdoor dining.

3 We see the Office of Nightlife as a great partner for

4 the administration to help identify future ways to

5 improve the business environment for bars and

6 restaurants and nightlife establishments in New York

7 City. Thank you.

8 STEPHANIE JONES, MODERATOR: Thank you for

9 your testimony. Next, we'll be calling Tara Duvivier

10 followed by Jen Lyon and then Adeel Ahmed. Tara.

11 SERGEANT POLITE: Time starts now.

12 TARA DUVIVIER: (INAUDIBLE) has worked

13 with various community groups and the public sector

14 on equity issues around land...

15 STEPHANIE JONES, MODERATOR: Tara, you may

16 want to start from the beginning. Sorry, I think you

17 were muted.

18 TARA DUVIVIER: Okay. Good afternoon,

19 everyone. My name is Tara Duvivier, and I am Senior

20 Planner for Pratt Center for Community Development.

21 For nearly 60 years, Pratt Center has worked with

22 various community groups and the public sector on

23 equity issues around land use. Outside of Pratt

24 Center, I'm a member of the New York Nightlife

25 Community. At this point, I've spent more than half

my life in nightlife, as an attendee, supporter, event promoter, and DJ. I want to echo former Council Member Espinal's and Olympia Kazi's comments on the amount of work the office has done over the past few years implementing these initiatives and I support giving the office more resources. As a nightlife worker and a planner working on issues in New York City, I did want to offer up some comments. In 2020 and 2021, I worked on a chapter of a global nightlife recovery plan with a European-based advocacy group where we surveyed nightlife workers. I've included my section of the report along with my full testimony. Mental health assistance was one of the top 3 needs of respondents. The Office of Nightlife has created a Nightlife Worker Mental Health Support Group. Even prior to the pandemic, it had been noted that mental health is a major concern among nightlife workers, so this support group will help people as they try to recover their livelihood. Despite this initiative, direct assistance to nightlife workers is an area I feel the Office of Nightlife has been lacking. The other top needs identified in the report I worked on included cash and rental assistance. In March 2020, we all know that nightlife workers saw their incomes

2 for the foreseeable future evaporate virtually  
3 overnight. Their classification as gig workers  
4 limited their access to financial relief. Prior to  
5 the pandemic, myself and peers faced challenges  
6 around being paid in a timely manner by venues after  
7 rendering services and have had little to no recourse  
8 available to us. The payment fees and structure  
9 within nightlife make most of us ineligible for  
10 protections under the Freelance Isn't Free Act. I  
11 have made attempts to appeal to local venue owners  
12 for assistance as they should have some concerns as  
13 these bad actors reflect poorly on the industry, but  
14 they do not seem to care. The owner (INAUDIBLE) in  
15 New York largely do not reflect the demographics of  
16 the workers and contributors to nightlife. The Office  
17 of Nightlife needs to do more to address our concerns  
18 and support efforts to increase equity...

19 SERGEANT POLITE: Time expired.

20 TARA DUVIVIER: Just a little bit more,  
21 I'm sorry. Increase equity and ownership...

22 STEPHANIE JONES, MODERATOR: Tara, please  
23 wrap up if you can. Thank you.

24 TARA DUVIVIER: And entering this industry  
25 as an owner has many barriers. People of color,



particularly queer and trans people of color, are originators and drivers of nightlife culture in New York City, and we're often the last to get paid and we get paid the least. I do believe the Office of Nightlife has done some great work since their creation, but I also believe their focus needs to include nightlife workers, and they should be given the capacity and resources to do so. While nightlife is a business, it is first a foremost a culture. It is a sanctuary for many of us who have been excluded and shunned from the larger society and, for many of us, it is our livelihood. Ensuring that those who create the culture also benefit from it in an equitable manner is not an impossible goal but requires that we advocate for it and are given the opportunity to shape this new future with willing partners. Thank you.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. Next, we'd like to invite Jen Lyon to testify followed by Adeel Ahmed and then Megan Rickerson. Jen.

SERGEANT POLITE: Time starts now.

JEN LYON: Thank you all so much for inviting us to join and testify. We did submit a

written testimony so I'm going to go a little bit more off the cuff because I know you want to keep it to 2 minutes and I'm ready for that. I want to thank Keith Powers and Ariel Palitz, Chair Velazquez, thank you for just advocating in general. I represent NYIVA, the New York Independent Venue Association. We represent independent venues, promoters, festivals so you can think Celebrate Brooklyn, Bowery Ballroom, Birdland, Blue Note, and we worked very hard to organize and here we are gratefully to be able to talk to you about what our needs are. The quick kind of top line is that we did get some interaction from the city and from the state, but I would like to say respectfully we just ended up in a very hard situation in New York City. Half of our members are in New York City, and, while we did get some federal support, we really are finding that all of our counterparts in other cities, the majority of other cities and states, are giving support to similar to ours, to venues and promoters, and we're just not receiving that same support. Yet, we're in a harder hit city, we were shut down for 15 months, and the meaningful support we need we haven't been able to find the conduit and the way to really make that

connection. I'd love to provide information about what's happened in other city and states and how our counterparts are now stronger in Oregon, New Jersey, California, all over than we are. Yet, we're the cultural leader. New York City, cultural leader, not finding a way to connect with us, and I feel like that's a real challenge, that we can have rhetoric and conversation all day long, and I'm glad we can, but the truth is I see the members on this group today who had to shut down their venues and that's real because the city has really benefited from what we bring to the table, how we move, how we're economic drivers, and yet we're still not even having a real dialogue about how we can keep venues open and keep jobs...

SERGEANT POLITE: Time expired.

JEN LYON: Thank you so much.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. Next, we'll be calling Adeel Ahmed followed by Megan Rickerson and then Steven Klavier. Adeel.

SERGEANT POLITE: Time starts now.

ADEEL AHMED: Hello. Can everybody hear me?

SERGEANT POLITE: Yes.

ADEEL AHMED: Okay, awesome. Good

afternoon, everyone. My name is Adeel Ahmed, and I am the Community Organizer of the Black Institute.

Today, I'll be reading the testimony of our Executive Director, Bertha Lewis, so these are her words.

Our organization is a racial justice action tank. One of the closest issues to our heart are the inequities that exist among black and brown nightlife owners in New York City and the neglect of the Office of Nightlife's action to address it. In 2019, we released a report, Cabaret 2.0, which showed the MARCH raids which were rooted from the racist cabaret laws specifically target black-owned nightlife businesses through revoking their licenses. It's a fact that minority-owned establishments are targeted at disgustingly higher rates resulting in many of them closing their doors. The Office of Nightlife instrumented this oppression by being severely underfunded under the Mayor's Office of Media and Entertainment resulting in failure to respond to complaints and pleas for help from black and brown operators. Bertha Lewis believes that all of this falls on the shoulders of Senior Executive

Director Ariel Palitz. When we came out with Cabaret 2.0, we attempted to bring the plight of black and brown nightlife operators to her attention only to be met with dismissal and derision in meetings we had with her. She's doing nothing to stop and everything to encourage the oppression of these establishments with these businesses remaining main targets of law enforcement and receiving no help from the Office. There is real opportunity for nightlife in New York City to flourish once again with minority-owned business at the helm, but there needs to be some changes in order for this to happen and so it is necessary that Ariel Palitz be removed as Senior Executive Director for lacking the care and communication on the higher rates and targeting of black and brown operators, the Office of Nightlife be removed from MOME's jurisdiction and stand alone as the Mayor's Office of Nightlife, being abbreviated to MOON, the Office of Nightlife's budget be dramatically expanded to provide the services that nightlife establishments require, all operations and services currently under the Office of Nightlife be overhauled with respect to updated target demographics for these operations and services, and,

2 lastly, the Office of Nightlife must make an annual  
3 report to the City Council and Mayor explaining their  
4 diversity plan and how they help minority nightlife  
5 establishments.

6 SERGEANT POLITE: Time expired.

7 ADEEL AHMED: Just wrapping up. We can  
8 make New York City nightlife more vibrant and  
9 diverse, but we must recognize that a broken system  
10 led by incompetent, racist officials will only serve  
11 to hamper that. Thank you for the opportunity to  
12 speak today, I want to say once again these are the  
13 words of Bertha Lewis, our Executive Director. Thank  
14 you.

15 STEPHANIE JONES, MODERATOR: Thank you for  
16 your testimony. Next, we'd like to invite Megan  
17 Rickerson followed by Steven Klavier and then  
18 Francois Vaxelaire. Megan.

19 SERGEANT POLITE: Time starts now.

20 MEGAN RICKERSON: Hi, all. Thank you for  
21 the opportunity to speak. I'm Megan Rickerson. I own  
22 Someday Bar in Boerum Hill, Brooklyn, I'm on the New  
23 York City Hospitality Alliance Board, and I'm the co-  
24 founder of Save NYC Bars, which we started during the  
25 pandemic mostly due to feeling the inability to reach

our local representatives, our city, our state, and really teach our customers what we were going through so we're clear I had no interest in ever being an advocate, and I was thrust into this and now I can't see my life without it. Through all these experiences, I'm going to speak from an operator. I was only open 7 months before the pandemic hit, and I had very little help, very little resources. Once we started this advocacy and really working with Ariel, I can say that the communication line was instrumental for helping my neighbors, helping people that reached out to our Instagram and linking them, they're a vessel for information has been demonstrated, but I think to say that they can continue operating on the budget they have and it be expected to do the things they did as everyone keeps reiterating, I mean money equals so many things. As we're all talking about people need ROF, they need all of these things, we're literally begging for money so how can we expect an office to continue to support us without the same resources that we are also asking for and expect them to be productive in all of these facets. Obviously, we all need different things. That's all we're hearing is this person needs

this and this establishment needs this. I don't know how we expect anyone to be successful without supporting them, and, while there's obvious growth needed in many areas, I don't think removing them from the Mayor's Office, we need that direct line to speak to them because there was so much misinformation going so without that link, it's a broken system. Thank you for letting me speak.

STEPHANIE JONES, MODERATOR: Thank you, Megan, for your testimony. Next, we'd like to call Steven Klavier followed by Francois Vaxelaire and then Robin Sokoloff. Steven.

SERGEANT POLITE: Time starts now.

STEVEN KLAVIER: Hi, my name is Steven Klavier. I am currently the General Manager of Public Records in Gowanus. I've been a venue operator, independent promoter, musician, and also a queer patron of New York's nightlife industry for over 10 years. Ariel and the Office of Nightlife have been absolutely pivotal in giving a voice to both patrons and business owners across the city. The office puts New York on the forefront of cultural preservation alongside other great cities like Paris, Berlin, Amsterdam. I believe this office is paramount in



2 advancing the safety, visibility, and cultural  
3 relevance of one of New York's most important and  
4 profitable institutions. For the first time, myself  
5 and those in my community are finally beginning to  
6 feel seen and heard. For queer, transgender,  
7 nonbinary people of color, nightlife provides a much-  
8 needed refuge and community in a world where violence  
9 and abuse against these individuals is all too  
10 prevalent. We owe it to these individuals and  
11 communities to further protect and support these  
12 spaces and people. We have a long way to go before  
13 the stigma of our community is fully changed, but I  
14 believe that change has started to begin and I  
15 believe it started with this initiative. I would urge  
16 you to not only continue this program but provide  
17 even more resources and budget to Ariel and her team  
18 so that a greater impact can be made. Thank you for  
19 your time. Thank you to the Council and Chair  
20 Velazquez.

21 STEPHANIE JONES, MODERATOR: Thank you,  
22 Steven. Next, we'd like to call Francois Vaxelaire  
23 followed by Robin Sokoloff and then Annarrisa Nathoo.  
24 Francois.

25 SERGEANT POLITE: Time starts now.

2 FRANCOIS VAXELAIRE: Thank you for this  
3 hearing. This is just a short testimony of our  
4 experience with the Nightlife Office. I'm the owner  
5 and manager of The Lot Radio in Greenpoint, Brooklyn.  
6 We are a community radio based on music. We have  
7 around 160 DJs coming to the radio, and they come  
8 from really different music scene of New York City  
9 and different neighborhoods. We finance the radio  
10 thanks to a little coffee shop/beer and wine kiosk  
11 that we have on site, and in 2019 we were shut down  
12 by the Department of Health because we have been  
13 struggling for years to get the right permits, etc.,  
14 and without ever being able to discuss with them  
15 proactively so they just came one morning and shut us  
16 down, and that's when I discovered the Nightlife  
17 Office. I had heard about it, but (INAUDIBLE)  
18 actually reached out because he heard about our  
19 issue, and I just wanted to say that thanks to the  
20 Nightlife Office and his work he literally saved The  
21 Lot Radio. The Lot Radio would not exist today  
22 without that office really simply. He managed to help  
23 me navigate every different administration because it  
24 was linked to the Department of Health, Department  
25 and Building, and other departments, and, without his

2 help, nothing would have been possible to discuss  
3 because I had tried before and so that's just, our  
4 testimony is just to say we are really thankful that  
5 office exists. We really realize that it was a key  
6 element that was missing in this whole city system of  
7 administration and so thank you for that, and I just  
8 wanted to say that.

9 STEPHANIE JONES, MODERATOR: Thank you for  
10 your testimony. Next, we'd like to call Robin  
11 Sokoloff to testify followed by Annarrisa Nathoo and  
12 then Francesco Beclaro. Robin.

13 SERGEANT POLITE: Time starts now.

14 ROBIN SOKOLOFF: My name is Robin  
15 Sokoloff. I'm speaking to you from the City Parks  
16 Foundation Summer Stage, Building Main Stage Central  
17 Park where we serve up free music and dance  
18 programming to New Yorkers all summer long. Pre-  
19 COVID, I built 3 venues in 10 years. I lost my first  
20 2 venues to predatory landlords, to city corruption,  
21 to neighbors, to lawyers, to a thousand papercuts of  
22 overlapping red tape, fines and fees that are rained  
23 down on most public-facing small businesses in this  
24 town. When I dared to open my doors one more time in  
25 2018, my venue became a political football between

2 our landlord, our neighbors, CB1, the DOB, the FDNY,  
3 the Loft Board, and multiple city agencies that claim  
4 to oversee health and safety in New York City. We  
5 were unnecessarily held up from receiving standard  
6 operating permits, our hours were severely limited  
7 before we even began, and I was bled of precious time  
8 and money that should have otherwise gone to our  
9 workers and our community. Our overhead doubled with  
10 no revenue flowing. It was demoralizing and  
11 destructive. Thankfully, there was an Office of  
12 Nightlife in its early formation. Ariel Palitz and  
13 her team stepped in immediately to listen, to  
14 research, to solve, and resolve. The Nightlife Office  
15 waded through intersecting building code and fire  
16 code and noise code and sprinkler and HVAC code. They  
17 brought intersecting city departments and offices to  
18 the table and mediated until things were made clear  
19 and right on our behalf. They uncovered defunct  
20 processes, illegitimate building violations, and  
21 created new avenues for efficiency and communication.  
22 As one of their first test cases for their successful  
23 MASH and MEND programs, they brought conflicting  
24 stakeholders to the table and had great success  
25 moving us all closer and forward together, and they

did so with incredible speed because they were independent. Had it not been for Ariel, Jose, Francesca (phonetic) in those early days, we would've gone under. It took 2 years from lease signing to get us out from under and we finally prevailed just before COVID hit. Simply put, because the Office of Nightlife and that team were doing their jobs, I could finally do mine. Because of this new...

SERGEANT POLITE: Time expired.

ROBIN SOKOLOFF: Because of this new office, we were able to go onto create tens of thousands of hours of free space for local artists, entrepreneurs, and now serving civic leaders, some of which I am thrilled to see here. We raise money...

STEPHANIE JONES, MODERATOR: Robin, please wrap up. Thank you.

ROBIN SOKOLOFF: Yeah, I will.

STEPHANIE JONES, MODERATOR: Okay, thank you.

ROBIN SOKOLOFF: We hold 300 events a year, and we did so primarily for queer communities, trans communities, nonbinary communities, and communities of color. Through COVID, this Nightlife Office made sure we were not alone, and through the

newly formed NYIVE, Jen Lyon, thank you so much, we were able to get through this pandemic. I speak for myself and the 25,000 other culture and hospitality operators and beloved workers and patrons when I say we need this office. We need it to be better funded, we need them to have more people, and we need them to stay independent so they can keep doing their very good work. I hope you all understand that it is so painful and the financial strain and the conflict we feel contributing to this city organized around blind and outdated enforcement, not solutions for support. A city takes your money, but it won't often let anything new take root. Please support this office and please give it the resources that it needs. Thank you.

STEPHANIE JONES, MODERATOR: Thank you, Robin. As a reminder, too, to everybody, we're going to try to stick close to the 2 minute timer now, but if you'd like to submit more extensive testimony, you can do so by emailing the Council at [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

Next, we'll be inviting Annarrisa Nathoo to testify followed by Francesco Beclaro and then Diana Mora. Annarrisa.

2 SERGEANT POLITE: Time starts now.

3 ANNARRISA NATHOO: I just want to let you  
4 know that I may just go over the 2 minutes just a  
5 bit, but I think it's really important that I speak  
6 because I represent the Caribbean community which I  
7 have not heard from on this call at all.

8 STEPHANIE JONES, MODERATOR: Please try to  
9 stick to the 2 minutes if you can, please, because we  
10 do have some other people waiting. Thank you so much.

11 ANNARRISA NATHOO: Sure. My name is  
12 Annarrisa Nathoo. I'm the Executive Director of the  
13 CARA, the Caribbean American Restaurant Association.  
14 This association represents over 200 minority black,  
15 Caribbean, and Hispanic nightlife business owners  
16 throughout New York City, and we were formed to  
17 advocate for and leverage the Caribbean hospitality  
18 businesses and provide resources to eliminate the  
19 adverse action that we've historically faced. The  
20 racism and willful ignorance of the unique cultural  
21 differences the Caribbean community has faced by the  
22 Office of Nightlife and it's Senior Executive  
23 Director Ariel Palitz must end. The Office of  
24 Nightlife at the Mayor's Office of Media was created  
25 to serve as a central point of contact among the

2 nightlife industry, and that has not been the case  
3 for our community. The black, Caribbean, Hispanic,  
4 Latino business owners have contacted the Office of  
5 Nightlife regarding the MARCH raids, NYPD business  
6 enforcement inspections, and the uncountable  
7 harassing visits our community has received, and on  
8 numerous occasions they have been ignored. The Office  
9 of Nightlife has always been aware of these racially  
10 motivated inspections, and it has deliberately chosen  
11 to turn a blind eye to the racial weaponization of  
12 these financially crippling enforcement tactics. The  
13 Office of Nightlife knows the operations were  
14 conducted in neighborhoods with a majority minority  
15 population yet still refuses to intervene and be a  
16 lifeline to the (INAUDIBLE) minority business owners.  
17 There are 6 examples of businesses that I've included  
18 in my written testimony which I won't go into since  
19 time is limited that you guys can view. However, I'd  
20 like to close and say that the hospitality and  
21 nightlife business owners have spent millions of  
22 dollars on fines, legal fees that would have  
23 otherwise been saved had the Office of Nightlife done  
24 its job and intervened...

25 SERGEANT POLITE: Time expired.



2 ANNARRISA NATHOO: To stop the abuse. I'm  
3 closing. The deliberate and racist lack of  
4 intervention has resulted in tens of millions lost of  
5 economic impact and thousands of jobs lost through  
6 New York City, and it is a fact that the Office of  
7 Nightlife deliberately dealt a fatal blow to many  
8 while countless others in our community have  
9 struggled to stay open. We believe that the Office  
10 needs a complete overhaul, and we would love to  
11 continue the discussion. Thank you very much.

12 STEPHANIE JONES, MODERATOR: Thank you  
13 very much for your testimony. Next, we'd like to call  
14 Francesco Beclaro to testify followed by Diana Mora  
15 and then Daniel Nardicio. Francesco.

16 SERGEANT POLITE: Time starts now.

17 FRANCESCO BECLARO: Hello. Thank you so  
18 much to Committee and Counsels. My name is Francesco  
19 Beclaro. I represent a Musica Club in New York City.  
20 I actually wanted to thank you a lot the Nightlife  
21 directed by Ariel. They helped us a lot in the first  
22 moment we got in contact with their education and  
23 professionalism. Ariel and her team came to visit our  
24 Nightclub Musica and explained to us all the  
25 initiatives and benefits that the city created for

our industry to help our business. We really appreciated to meet in person. It's the first time, you come from another country, and you are actually opening a club in your dream New York City where the nightlife is probably, as a kid I was dreaming to open a club in New York City and now I'm very, very proud to be here and probably the only city in the planet with an incredible office like they have. During the last couple of months, they actually answered 2 of our questions about regulations, compliance, and COVID-19 requirement. We had an opportunity to attend webinars and marketing, either on the phone or in person, where we discovered how and where to promote our business. We also attended the Narcan Behind Every Bar webinar, which trained us on how to prevent an overdose from opioids. It's very important to know that you have somebody that gets drugged or who has a drug problem in a club, there's somebody behind you teaching you what to do. The Nightlife actually directed by Ariel helped us out a lot. We were informed about MEND NYC, the beautiful initiative that provides free mediation and conflict resolution services and not just neighborhood disputes and about the Elevate Nightlife program

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 139

2 which offers free mental health support and operators  
3 of our industry. We think that the Office of  
4 Nightlife is an essential resource to promote the  
5 night entertainment...

6 SERGEANT POLITE: Time expired.

7 FRANCESCO BECLARO: I close right now.

8 STEPHANIE JONES, MODERATOR: Thank you.

9 FRANCESCO BECLARO: (INAUDIBLE) support  
10 300,000 people that work in our industry and make New  
11 York City even more attractive to New Yorkers and  
12 visitors alike and people from other countries like I  
13 so thank you so much.

14 STEPHANIE JONES, MODERATOR: Thank you for  
15 your testimony. Next, we'd like to call Diana Mora  
16 followed by Daniel Nardicio and then Barbara Sibley.  
17 Diana.

18 SERGEANT POLITE: Time starts now.

19 DIANA MORA: Great. Thank you for your  
20 time. I'm here to testify in support of the Office of  
21 Nightlife. I also own Friends and Lovers in Crown  
22 Heights, and I also started Nightlife United during  
23 COVID, which is an advocacy group prioritizing BIPOC  
24 and LGBTQIA-owned businesses and members of the  
25 ecosystem. Personally speaking, I have had a lot of

2 experience with the Office of Nightlife. It was the  
3 first time that I felt like we have a voice and a  
4 direct line should anything arise, but just a  
5 resource. They're not the solution to everything, but  
6 they are a good ear and they listen and they try  
7 their best to bring solutions to the table or point  
8 me in the right direction. I've never had that  
9 before. As a business, we've been raided 3 times. I  
10 was never able to figure out why or get to the bottom  
11 of it. I've been to precincts, and they disregarded  
12 me. It was so obnoxious and so rude. It wasn't until  
13 the Office of Nightlife led the round tables where  
14 things just changed drastically. Being able to have a  
15 microphone and talk to everyone at once and get the  
16 answers that I needed changed things and also part of  
17 what Office of Nightlife enabled to happen in Crown  
18 Heights was creating more and a healthy relationship  
19 with the local precinct, which I thought was so  
20 pivotal for our growth. Since the inception of the  
21 Office of Nightlife, it's really a centering culture  
22 and making us part of the conversation and giving us  
23 a seat at the table. I've personally seen them try to  
24 help as many as possible within BIPOC and LGBTQIA  
25 community. I just look forward to seeing what they

2 have ahead of them, really hope that they get funding  
3 to grow the team so that they can clearly help others  
4 who feel like they're not getting the support that  
5 they need right now.

6 STEPHANIE JONES, MODERATOR: Thank you for  
7 your testimony. Next, we'd like to call Daniel  
8 Nardicio followed by Barbara Sibley and then Meghan  
9 Joye. Daniel.

10 SERGEANT POLITE: Time starts now.

11 DANIEL NARDICIO: How's it going? It's  
12 Daniel Nardicio here and Tabasco. As a longtime  
13 promoter, producer, and bar owner in New York City, I  
14 want to take a moment to say how important and  
15 ultimately really helpful the Office of Nightlife in  
16 general and Ariel Palitz in particular has been in  
17 disseminating information resources and just plain  
18 old good advice sometimes. When my bar, Club Cumming,  
19 a gay bar in the East Village, was challenged for  
20 having live music by a very aggressive Community  
21 Board 3, Miss Palitz was a groundswell of resources,  
22 support, and ideas. I loved being able to turn to her  
23 because she was very helpful and wise. We ended up  
24 winning the case against CB3 thankfully. During the  
25 pandemic, I was honestly surprised how Miss Palitz

and her office kept people in nightlife informed and offered reassurance and resources we otherwise wouldn't have known about. For instance, a lot of the fentanyl stuff. It hadn't really reached the gay community as much. I really heard about it with her, and in my new space we're going to implement this information. Because of this info that she disseminated during the pandemic, I was able to open a new space which I'm working on right now so everything she's done has been super informative as to what nightlife needs, as least from my perspective. Everyone here knows, but it bears repeating, nightlife brings 3 billion dollars in revenue to New York City, I think is the number I heard, countless jobs, and, lets face it, Studio 54 is as important to New York City's reputation and draw as the Guggenheim Museum. For this reason, I'm thrilled that the previous Mayor had the foresight to bring Miss Palitz and create an Office of Nightlife for it should be nurtured and preserved. That's all I have to say and thank you guys.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. Next, we'd like to call Barbara

2 Sibley followed by Meghan Joye and then Tony Touch.  
3 Barbara.

4 SERGEANT POLITE: Time starts now.

5 BARBARA SIBLEY: Good afternoon, and thank  
6 you for having us here, City Council. I'm speaking  
7 really in support of the Office of Nightlife and  
8 Ariel Palitz's work during COVID. As a long-term  
9 operator in the East Village, I recently got a  
10 national award as Operator of the Year. I've been an  
11 operator in the East Village since 1984. I worked for  
12 (INAUDIBLE) and so I've seen through her work, it's  
13 just been such a remarkable change to have somebody  
14 who both understands supporting the whole nightlife  
15 world as well as the people in it, not just our  
16 businesses but also so that we can take care of our  
17 teams, with very thoughtful and informative support  
18 during this whole time, but also, on the side of  
19 policy, where you have someone who actually  
20 understands how businesses work in the city, what  
21 it's like to be a business owner, and so really it's  
22 been invaluable, and I really, really support. I'm  
23 very glad to have a voice supporting us and helping  
24 everybody in the city. I think it's been great.

2 STEPHANIE JONES, MODERATOR: Thank you for  
3 your testimony. Next, we'd like to call Meghan Joye  
4 followed by Tony Touch and then Patrick Chang.  
5 Meghan.

6 SERGEANT POLITE: Time starts now.

7 MEGHAN JOYE: Hi. My name's Meghan Joye. I  
8 own six bars and restaurants in New York City. I was  
9 also a member of Community Board 3 for 12 years where  
10 I worked very closely with Ariel Palitz, and I now  
11 currently sit on the board of the Lower East Side  
12 Business Improvement District. Through all these  
13 experiences, I think I developed a broad knowledge of  
14 community and small business relations, and I really  
15 found that the majority of the problems in our  
16 industry lie in lack of communication. I feel like  
17 that's where the Office of Nightlife has really made  
18 its biggest contribution. It bridged the gap between  
19 neighbors and nightlife establishments. It bridged  
20 the gap between nightlife establishments and city  
21 agencies. It's advocating for our future needs. We're  
22 such a massive industry in New York City, and the  
23 majority of the money that's generated from our  
24 industry stays in New York City, which is why I think  
25 we're so special and so critical to the city, but,



2 even as important as we are, I never felt like we  
3 were really seen or appreciated by the city of New  
4 York. Our only interactions were kind of regulatory,  
5 and that's where it changed with the Office of  
6 Nightlife. I felt like we really have our woman on  
7 the inside. Ariel was there advocating for all of our  
8 needs. The MEND program that connects neighbors to  
9 nightlife operators. Before that program, their only  
10 resource was if you had a complaint about a nightlife  
11 operation was to call 311 endlessly and then the cops  
12 would come by and tell you to turn it down or  
13 whatever the issue was, but it would never actually  
14 solve the problem. Now, you're getting both people at  
15 the table with mediation actually solving the  
16 problem, which could be something as simple as moving  
17 a speaker...

18 SERGEANT POLITE: Time expired.

19 MEGHAN JOYE: Or changing (INAUDIBLE)

20 Anyway, there's a lot our industry needs, but one of  
21 the biggest things right now going forward is that we  
22 need to shorten the red tape of opening a business.  
23 We shouldn't have to wait for 6 months to get a  
24 certificate of occupancy from the Department of  
25 Buildings in order to then file for the (INAUDIBLE)

2 system which takes another 6 weeks. We gotta cut that  
3 red tape. Thank you very much.

4 STEPHANIE JONES, MODERATOR: Thank you so  
5 much for your testimony. Next, we'd like to call Tony  
6 Touch followed by Patrick Chang. Tony.

7 SERGEANT POLITE: Time starts now.

8 TONY TOUCH: Hello. Good afternoon,  
9 everyone. Thanks for having me. Thanks for allowing  
10 me to speak. My name is actually Joe Hernandez. My  
11 professional name is Tony Touch. I've been DJing and  
12 producing events for the hip-hop and dance community  
13 for over 30 years here in New York City. I'm here to  
14 speak on behalf of the Office of Nightlife and its  
15 Director, Ariel Palitz. I can say without a doubt  
16 that this office has genuinely supported the  
17 nightlife community and culture throughout the  
18 pandemic and before. Their work is important to the  
19 future of the industry because the nightlife scene is  
20 lucrative and part of the DNA that makes New York  
21 tick. For years, this city has been at the forefront  
22 of setting standards musically and culturally  
23 throughout the world. With the Office of Nightlife in  
24 place, there is now a system designed to mediate the  
25 needs and wants of residents, businesses, and

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 147

2 consumers along with the people like myself who mold  
3 and curate the much-needed events so that we can  
4 express our arts. Ariel Palitz has so much history in  
5 our city and culture. She created a place, Sutra  
6 Lounge, on (INAUDIBLE) 1st Avenue. It was a place for  
7 us to congregate and made a home for the hip-hop and  
8 dance community when others wouldn't. We've had  
9 everyone from Questlove to Jazzy Jeff to the biggest  
10 names in the industry come to this venue and felt at  
11 home. She understands the needs and wants of both  
12 business owners and consumers alike. The notoriety  
13 that came from that is talked about to this day  
14 globally. In closing, I can say that being a DJ,  
15 event coordinator, radio personality, music producer,  
16 recording artist, and NYC Tastemaker for over 30  
17 years that this office is an imperative instrument in  
18 continuing to carry on tradition of this great city...

19 SERGEANT POLITE: Time expired.

20 TONY TOUCH: Thriving nightlife's scene  
21 both for business and cultural reasons. Thank you so  
22 much.

23 STEPHANIE JONES, MODERATOR: Thank you for  
24 your testimony. Next, we'd like to call Patrick Chang  
25

2 followed by Arline Bronzaft and then Taylor Shubert.  
3 Patrick.

4 SERGEANT POLITE: Time starts now.

5 PATRICK CHANG: Hello, everyone. My name  
6 is Patrick Chang. I am the Assistant General Manager  
7 at Somewhere Nowhere. I just wanted to take this  
8 opportunity to provide comments regarding the support  
9 the Office of Nightlife has provided to us as a venue  
10 that opened right in the middle of a pandemic with a  
11 lot of challenges. During our early days of  
12 operations, we had some misunderstandings with our  
13 neighbors, specifically with the building next door,  
14 so we engaged with the MEND program to help mediate  
15 these misunderstandings. From there, the Office of  
16 Nightlife and Ariel came down and we were able to  
17 have productive discussions which ultimately helped  
18 identify 3 different items which we ended up  
19 adjusting to meet the needs of our neighbors. Since  
20 then, we've had a great relationship with them, and  
21 they've appreciated our commitment to the  
22 neighborhood. In closing, the MEND program and the  
23 Office of Nightlife really were tremendous resources  
24 for us. The ability to have someone neutral come in  
25 and take a look at the situation and really helped to

2 provide achievable solutions was invaluable, and  
3 we're very grateful for them. Thank you for your  
4 time.

5 STEPHANIE JONES, MODERATOR: Thank you,  
6 Patrick. Next, we'd like to call Arline Bronzaft  
7 followed by Taylor Shubert and then Eric McGriff.  
8 Arline.

9 SERGEANT POLITE: Time starts now.

10 ARLINE BRONZAFT: My name is Arline  
11 Bronzaft. I'm a psychologist and professor emeritus  
12 of the City University of New York. I'm also a board  
13 member of Grow NYC as a mayoral appointment, nonpaid,  
14 I've served for 5 mayors. While Grow NYC is known for  
15 green markets, recycling, gardening, and educational  
16 programs, it is also concerned with lessening noise  
17 pollution in New York City, and I have conducted  
18 research and written extensively on the effects of  
19 noise on mental and physical health for many years  
20 and so I oversee that program. In this capacity for  
21 the past 30+ years I've been asked by many New  
22 Yorkers to help resolve their noise problems, and  
23 this includes complaints about loud music and loud  
24 sounds from lounges, bars, and restaurants in their  
25 neighborhoods. When Ariel Palitz was asked to be the

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 150

2 head of the Nightlife Committee by former Mayor de  
3 Blasio, I asked Julie Menin, who was then the  
4 Commissioner of Media and Entertainment, to introduce  
5 us. I wanted to make contact with the individual who  
6 I feel could assist me in resolving these loud music  
7 and loud sound complaints. We met and spoke, and I am  
8 pleased to say that these past 4 years when I call  
9 Miss Palitz to discuss a noise complaint, she  
10 responded quickly to me as well as the individuals  
11 making the complaints, and she did her best to assist  
12 the complainant in resolving the loud music or loud  
13 sound problem. The establishment of MEND, which Miss  
14 Palitz oversees, provides business establishments and  
15 community residents the opportunity to discuss noise  
16 issues in a way that can lead to resolutions to the  
17 satisfaction of both parties. I am looking forward to  
18 reading the MEND report on its successful  
19 resolutions. Such resolutions are important not only  
20 to settle noise complaints but they can foster  
21 relationships between businesses and nearby  
22 residents.

23 SERGEANT POLITE: Time expired.

24 ARLINE BRONZAFT: This report will indeed  
25 encourage the continuation of a program that can

2 contribute in such a positive way to the vitality of  
3 New York City. Thank you.

4 STEPHANIE JONES, MODERATOR: Thank you so  
5 much for your testimony. We'd like to call next  
6 Taylor Shubert to testify followed by Eric McGriff  
7 and then Doris Rodney. Taylor.

8 SERGEANT POLITE: Time starts now.

9 TAYLOR SHUBERT: Hi, everyone. My name is  
10 Taylor Shubert. I am a Stonewall Democrats board  
11 member. I've also served as a County Committee Member  
12 and a judicial delegate here in Manhattan. I am a  
13 bartender at Flaming Saddles in Hell's Kitchen. I am  
14 a performer. I'm also a producer. I started a  
15 production company to produce live theater in  
16 exciting spaces like bars, like restaurants,  
17 unconventional spaces that are going to help the  
18 artistic community grow here in New York and now I'm  
19 a bar owner of Red Eye NY, a new space coming on 41st  
20 Street, and I'm here to testify in support of Ariel  
21 Palitz who I had the opportunity to meet when I was  
22 producing an off-off Broadway show at Bedlam in the  
23 East Village. Ariel showed up to our show and offered  
24 herself as a resource to be able to continue to  
25 create art, especially in a time, this was pre-

pandemic, when it was hard to create independent art. Now, it's even harder post-pandemic, and Ariel offered to be a resource to speak with unions, to talk about workers' compensation, to create art and nightlife that is above board, that's on the books, that empowers workers, and I couldn't be more grateful for her support. Moving forward, I just want to say that I hope more people, more people on the City Council, more people on the Mayor's Office learn by her example and show up. It's really easy to sit here in hearings and say support nightlife, support nightlife, give them funding, create agencies that speak to workers, but it's a different thing entirely to actually show up in bars to put your money and your physical presence where your mouth is and to be somebody who's talking to bartenders on the ground, talking to bar owners, finding out what they need, and being a physical resource, and I couldn't be more grateful to Ariel for her physical support, and I appreciate it and I hope it continues.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. Next, we'd like to call Eric McGriff to testify followed by Doris Rodney and then Loycent Gordon. Eric.



2 SERGEANT POLITE: Time starts now.

3 ERIC MCGRIFF: Hi, everyone. My name is  
4 Eric McGriff. My pronouns are he/him/his, and I'm a  
5 Violence Prevention Specialist working at a nonprofit  
6 here in New York City, and I'm a spokesperson and  
7 global peace ambassador for United Nations and United  
8 Nations Women helping organizations and communities  
9 address the intersection of gender-based violence and  
10 violent extremism.

11 I'm here though on behalf of my role as a  
12 coordinator of the OutSmartNYC project. OutSmart is a  
13 collective of folks like me who specialize in working  
14 with people impacted by domestic and sexual violence  
15 and offer free legal, medical, and therapeutic  
16 services to folks impacted by any type of violence,  
17 and the other half of us is nightlife industry  
18 professionals. We all work together to provide  
19 comprehensive prevention and support services that  
20 are led by data but also the expertise on the ground  
21 in New York City. We offer free education and  
22 training on bystander intervention, sexual violence  
23 prevention. We offer policy support and advocacy. We  
24 work with Rutgers University and nightlife  
25 professionals to create a best practices toolkit that

looks at policy and the physical environment of the venues we work with and helps them find places that they can enhance and make more proactive policy environmental changes. We are very proud to combine the expertise of nightlife folks and folks who have specialty working with survivors of violence. We do that on a local level through monthly meetings with Manhattan Sexual Assault taskforces, through NYPD, the DA's office, and hospitals across the city. We also do it on a state level on the Healthy Nightlife Working Group with the Department of Health and the Governor's Office for the Prevention of Domestic Violence but most importantly we are proud of the way that we work with frontline folks. Folks like the bartenders and the front of house, back of house staff, NYCHA, Nightlife Advisory Board, Brooklyn Allied Bars and Restaurants, the Drug Policy Alliance to provide nightlife-specific services. We are so inspired by the NYC nightlife community and the work that you've done as you've thought about what it means to reimagine nightlife, and we look forward to collaborating more with...

SERGEANT POLITE: Time expired.

2 ERICK MCGRIFF: Mayor's Office because if  
3 there's something we do know about victims' services  
4 and marginalized communities, they don't report, they  
5 don't go to state agencies, and so having a  
6 nightlife-specific space, that is super, super  
7 important as we've seen on the state level  
8 implementation of healthy nightlife where efforts are  
9 evidence based but not inclusive to nightlife have  
10 been far less effective than the New York City  
11 approach, which has included them and has had many  
12 more times the number of impacts than those evidence-  
13 based resources. Thank you.

14 STEPHANIE JONES, MODERATOR: Thank you,  
15 Eric. Next, we'd like to call Doris Rodney to testify  
16 followed by Loycent Gordon and then Paul Italia.  
17 Doris.

18 SERGEANT POLITE: Time starts now.

19 DORIS RODNEY: Are you hearing me?

20 SERGEANT POLITE: Yes.

21 DORIS RODNEY: Thank you very much. Good  
22 evening, Council Members. My name is Doris Rodney of  
23 course. I'm the owner of the Hills Restaurant located  
24 4706 Church Avenue, Brooklyn. The average patrons  
25 that used to come to my bar because, of course I

2 don't have a bar anymore because my license was  
3 cancelled, is between the age of 50 to 70. My  
4 business is suffering financially and may close at  
5 the direct harassment, racist enforcement by the 67th  
6 Precinct, that was then, not now, and the State  
7 Liquor Authority. I endure frequent visits from the  
8 NYPD in those days asking me for the same documents,  
9 liquor license, health department, building  
10 department permits over and over and over again, many  
11 occasions, for consecutive weeks. On many occasions,  
12 the SLA accompanied NYPD on those harassing visits. I  
13 observed many times the SLA staff would direct the  
14 NYPD officers and other agency for them to look for  
15 frivolous violations. I really think that wasn't  
16 nice. The enforcement, Bertha Lewis, tried helping me  
17 to save my business by taking me to the Office of  
18 Nightlife and the leadership. I spoke to Ariel Palitz  
19 and other leaders. I begged them and I spoke to them  
20 and nobody get back to me, nobody even call me. Right  
21 now, I am under severe pressure. My license...

22 SERGEANT POLITE: Time expired.

23 DORIS RODNEY: Yes, one minute. I got my  
24 license January 2020, and they take it back on  
25 September 18th, after paying 40,000 dollars where I

2 borrowed money from friends and family. They took  
3 back that license from me, and to this day I cannot  
4 get back to where I was so I am begging you guys just  
5 to let's all come together and see what we can do for  
6 each other. Thank you very much.

7 STEPHANIE JONES, MODERATOR: Thank you for  
8 your testimony, Doris. Next, we'd like to call  
9 Loycent Gordon to testify followed by Paul Italia and  
10 then Varun Katara (phonetic). Loycent.

11 SERGEANT POLITE: Time starts now.

12 LOYCENT GORDON: Hi. My name is Loycent  
13 Gordon. I own a little tavern in Queens, New York.  
14 2009, I foolishly jumped in to own this little place  
15 because it was threatening to close. In January 2020,  
16 it was threatening to close because of a unfair rent  
17 hike that was tripled, and, yes, commercial rent  
18 stabilization is something that needs to be looked at  
19 to keep our nightlife businesses opened and  
20 profitable, especially post-pandemic, but I kept  
21 fighting for this little place, but I foolishly just  
22 kept fighting, and I think that I was really unaware  
23 of the difficulty of operating a bar and restaurant,  
24 even before the pandemic. Like many of our industry,  
25 we were shut down like everyone else, faced myriad

new generic COVID-19 rules to follow, and tremendous economic loss due to the pandemic. With every town call webinar put on by the Office of Nightlife, I kept saying to myself what would've happened if we didn't have an agency to extract and decipher what these generic rules actually mean for bars and restaurants and how to actually apply them. It really would've been disastrous, and we probably would've lost a lot more of these bars and restaurants that's trying to make a comeback now. There's so many unique challenges that we face. I can't tell you the benefits of what I now call an industry partner and not just another city agency. Yes, a partner. When we are faced with a new resident that comes into the neighborhood or a complex or a condo complex that moves into the established community of a vibrant nightlife that wants to shut you down with a barrage of 311 calls rather than trying to find an amicable solution for the root cause. That's why I love the commercial and residential mediation program called MEND that really aims to allow residents and bars to coexist in a mutually beneficial way...

SERGEANT POLITE: Time expired.

2 LOYCENT GORDON: Through mediation, not  
3 fines. Just 30 seconds. We're also faced with the  
4 unique challenge of having an onslaught of over a  
5 dozen agencies to which bars and restaurants  
6 constantly have to answer or risk being shut down.  
7 ONL is really now a liaison to demystify this  
8 confusion when we're dealing with so many agencies  
9 and remember the human toll, owners, with the passion  
10 for this industry. Mentally, it's hard to withstand  
11 the pressures of operating under the thumb of these  
12 agencies that really threaten to close you down and  
13 want to lose all the hard work and the savings that  
14 you put into your business because you foolishly  
15 think that you can follow your passion for this  
16 industry. That much change, and that's why I love  
17 Elevate, the mental health program, established by  
18 the Office of Nightlife. Many of us cannot join this  
19 culture of great resignation despite the challenges  
20 we face. We want to continue...

21 STEPHANIE JONES, MODERATOR: Thank you,  
22 Loycent. Please try to wrap up. Thank you.

23 LOYCENT GORDON: Thank you very much, and  
24 I'm supportive of the Office of Nightlife. Let's  
25 refund this properly so we can do a good job.

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 160

2 STEPHANIE JONES, MODERATOR: Thank you so  
3 much for your testimony. Again, participants can  
4 submit more extensive testimony at  
5 [testimony@council.nyc.gov](mailto:testimony@council.nyc.gov).

6 Next, we'd like to invite Paul Italia to  
7 testify followed by Varun Katara and then Augustine  
8 Hope. Paul.

9 SERGEANT POLITE: Time starts now.

10 PAUL ITALIA: Hi, everyone. Thank you,  
11 City Council Members, panelists, and everyone on the  
12 call. I'm here to testify on behalf of New York City  
13 Nightlife Office in support of it in every possible  
14 way. When it was formed in 2019, I couldn't have been  
15 more ecstatic. Being in this business for, at that  
16 point, probably 8, 9 years, there was never any  
17 agency formed or any spotlight on us as operators and  
18 venue owners to help us navigate the treacherous  
19 waters of the DOB, FDNY regulations, and, again,  
20 agency upon agency full of rules and regulations that  
21 we have to comply with on a daily basis, not to  
22 mention on a launch of a specific business. Since  
23 then, and obviously the pandemic just amplified the  
24 need for an agency or a partner where you don't feel  
25 alone as an operator or an owner of a business like



this. We can't tell you how crucial it's been to be working with the Nightlife Office. I don't know if I would've made it without the help of organizations like that office and Ariel Palitz, organizations like New York NEVA and a bunch of other people. I think what we started to form which didn't exist for a long, long time was a sense of community and a lot of like-minded individuals putting their resources together. Organizations are very role in supporting each other in times of need, no more so than we experienced in the pandemic. I think moving forward it's important that the New York Nightlife Office stays on its own 2 feet and helps the countless of people it's going to take to rebuild the nightlife business, the restaurants, the bars, the nightclubs, the comedy clubs, and live entertainment venues like myself. I can see how much harder it would be without that office in existence, and, myself, I had an opportunity to open up 2 more businesses, I wouldn't have done so if they weren't around to help us out..

SERGEANT POLITE: Time expired.

PAUL ITALIA: In, again, one of the biggest times of need. Thank you again. Thank you for everyone.

2 STEPHANIE JONES, MODERATOR: Thank you for  
3 your testimony. We'd like to call Varun Katara to  
4 testify next followed by Augustine Hope. Varun.

5 SERGEANT POLITE: Time starts now.

6 STEPHANIE JONES, MODERATOR: I believe  
7 Varun is no longer present in the Zoom so we will  
8 move on to our final panelist, Augustine Hope.  
9 Augustine.

10 SERGEANT POLITE: Time starts now.

11 AUGUSTINE HOPE: Hi. Thank you very much  
12 for having me at your hearing. I'm very glad to be  
13 here. My name is Augustine Hope. I'm with the West  
14 Village Residents Association in Manhattan's  
15 Greenwich Village. I'm not sure I'm at the right  
16 place. I came here to talk about the seemingly  
17 intractable problems that we're having with the Open  
18 Restaurants Program and as nightlife moves into our  
19 streets and sidewalks permanently. DCWP seemed to be  
20 the right place to talk. You used to manage the  
21 Sidewalks Program. You did a really good job at it.  
22 Office of Nightlife seemed to be the place to talk  
23 about it, but you guys seem to only represent the  
24 industry. DOT has been fired, DCP doesn't want to  
25 talk to us, and so on and so on all the way down the

2 alphabet soup of New York agencies. Nobody seems to  
3 represent us, the residential community. It's kind of  
4 ironic because our members are patrons of hundreds of  
5 restaurants, museums, concerts halls, theaters. All  
6 around the city, we spend our money lavishly, but we  
7 don't seem to be able to get anybody's attention.  
8 We've been talking about this for a couple of years  
9 now since the emergency program was first mentioned  
10 to us. We were enthusiastic supporters of it, and we  
11 came to regret that when very opportunistically the  
12 city decided to make this a permanent program. Ever  
13 since, the emergency program and the permanent  
14 program have been (INAUDIBLE) with each other, and we  
15 can't seem to get these separated out. We're big  
16 supporters of the emergency program. The permanent  
17 program's a problem. If the Office of Nightlife is  
18 interested in talking to the community and dealing  
19 with the people who actually at the thin end of this  
20 problem...

21 SERGEANT POLITE: Time expired.

22 AUGUSTINE HOPE: To join your board, can  
23 we put up some people to join your advisory board  
24 because I think it would be very helpful if the  
25 community could talk to the industry at a slightly

2 higher level than just talking to neighborhood  
3 restaurants who just call the police on us when we  
4 make a complaint or we say you're making too much  
5 noise so maybe there's an opportunity for us to get  
6 together and talk. Thank you very much.

7           STEPHANIE JONES, MODERATOR: Thank you for  
8 your testimony. We have one final public panelist.  
9 Leif Arntzen would like to testify. Please proceed,  
10 Leif.

11           SERGEANT POLITE: Time starts now.

12           LEIF ARNTZEN: Thank you. Can you hear me?

13           SERGEANT POLITE: Yeah.

14           LEIF ARNTZEN: Okay. Thank you. I echo a  
15 little bit what Augustine has just said. I'm a  
16 trumpet player. I come from an entertaining family  
17 generationally. I've lived in the Village for 30  
18 years. I depend on the nightlife industry. It's been  
19 a big part of my life and family's life and so I  
20 understand that industry and I've taken over the  
21 stage that Jen Lyon actually mentioned and dating way  
22 to many other stages. The problem of the nightlife  
23 industry moving outside into our neighborhood streets  
24 and on our sidewalks is too much for residents to  
25 bear and it's too much to ask. It's too much to

absorb. It's too much to accommodate the noise and the impact for the streets and general neighborhood hygiene really affected.

I've learned a lot listening to this entire hearing, and there's many in this hearing that I would be friends with and probably depend on or depend on each other for our livelihoods, but the industry as a whole really needs to listen to residents. We need to be part of the process, and we should be on that advisory board. We bring valuable insight. We want to bring balance back into our neighborhoods. We want to recover from this pandemic just like everybody else, and we should all equally gain from whatever benefits we can derive together. That's all I have to say at this point in time. We need to be part of the process. Thank you for your time, and I hope you'll hear us when we speak.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. If we have inadvertently missed anyone who is registered to testify today and has yet to be called, please use the Zoom raise hand function, and you will be called on in the order that your hand was raised.

We see one Zoom user with their hand raised. If you'd like to testify, please do so now.

MIZAEL RAMOS: Hi. My name is Mizael Ramos. I am testifying on the behalf of Office of Nightlife. I would like to say that if it was not for the Office of Nightlife to create a safe space for Elevate on Mondays to deal with our mental health from the pandemic and talk about recovering and getting the resources from to pantry to mental health and to health services, I don't know where I would be at. I am part of the LGBTQ community, and I feel like they have done a tremendous job with implementing the harm reduction. I also am in sobriety and I also feel that they have done so much work and they need to do so much more work, but they're just only 5 people, and we're also thinking about dealing with people that are in the LGBTQ community that are people of color that (INAUDIBLE) do to your world today, and everything is digital, and we need more people to be inside the venues talking about harm reduction and connection to the resources that the nightlife is offering and New York City is offering. A lot of people get lost with the digital content that is being pushed out because we're so used to scrolling

that it gets lost. We need more people inside these venues talking about substance use and harm reduction and the prevention of fentanyl. I just want to say thank you so much for New York's Office of Nightlife. They have tremendously helped me and my community with the resources that they have offered. Thank you for letting me share.

STEPHANIE JONES, MODERATOR: Thank you for your testimony. I will now turn it over to Chair Velazquez to offer any closing remarks as our public testimony has now concluded. Chair.

CHAIRPERSON VELAZQUEZ: I want to take a moment to thank everyone who participated from the admin section, MOME, SBS, Office of Nightlife. I'd like to thank my Colleagues in the Council for coming and asking the tough questions that they always do come ready with, and, more importantly, I want to thank the members of the public who took the time out to not only patiently wait but to give their testimony so that way we can work together at the community to make sure our nightlife is back and that New York City is back for all. None of this could ever be possible without the awesome team that I've got, my central staff, Stephanie Jones and Noah

1 COMMITTEE ON CONSUMER AND WORKER PROTECTION 168

2 Meixler, and also my team here at the DO, which is my  
3 Chief Nick Roloson and my Deputy Alex Anderson. Thank  
4 you, everyone. Be safe. Be well. [GAVEL]

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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 June 11, 2022