

TESTIMONY

BY

COMMISSIONER JONNEL DORIS

NEW YORK CITY

DEPARTMENT OF SMALL BUSINESS SERVICES

BEFORE

**THE COMMITTEE ON SMALL BUSINESS & COMMITTEE
ON CONSUMERS AFFAIRS, AND BUSINESS LICENSING**

OF THE

NEW YORK CITY COUNCIL

TUESDAY, DECEMBER 1, 2020

Good morning Chair Gjonaj, and Chair Cohen, and members of the Committee on Small Business and Consumer Affairs and Business Licensing. My name is Jonnel Doris, and I am the Commissioner of the New York City Department of Small Business Services ("SBS"). I am joined by Jackie Mallon, First Deputy Commissioner at SBS, Julie Schipper, Deputy Chief of Staff, Rebecca Zack, Assistant Commissioner for Intergovernmental and Community Affairs, and Emily Weidenhof, Director of Public Space at the Department of Transportation.

It is my pleasure to testify before the City Council today. These are difficult times, and it is my sincere hope that each of you and your loved ones are staying safe and healthy.

Last week, I testified that our Open Restaurants program, done in partnership with the Council and with industry partners, has been one of our most far-reaching and successful initiatives. To date the program bolsters over **10,700 participating restaurants**. Following this success, four weeks ago, Mayor Bill de Blasio announced the **Open Storefronts program**, which aims to help small retail businesses rebound during these challenging economic times. This initiative could impact **40,000 establishments** and **450,000 employees**.

And while **70% of retail sales** occur during the holiday season; the Open Storefronts program gives customers additional options to shop in-person while socially distancing.

I was happy to launch our outreach efforts in the Bronx on the very first day of the Open Storefronts program; my team and I were on the ground on Southern Blvd, connecting directly with business owners. This included our mobile outreach unit, which has provided guidance and resources on-site in some of the hardest-hit communities of our city.

SBS ensures that businesses that are participating in the Open Storefronts and Open Restaurants programs understand how to comply with key City rules and avoid potential fines through our Virtual Compliance

Consultations. Since the onset of the pandemic, we have held **236 virtual consultations** at no cost to businesses. These free virtual one-on-one consultations aim to clarify existing regulations and help businesses understand common compliance challenges.

Through our reopening resources, we have reached over **48,000 attendees**, we've hosted over **233 webinars**. With a focus on equity of opportunity for all, **84% of entrepreneurs** attended our webinars in a **language other than English**. We have also published plain-language industry guides available in multiple languages and are made available on

our website. The SBS hotline directly engages and answers small business owners' questions. To date, we have received over **47,300** calls for reopening guidance, outdoor dining winter guidance, financing assistance, legal services, compliance support, and more.

One of the most common challenges we hear when we are in the communities are issues around commercial rent. Our **Commercial Lease Assistance Program ("CLA")** offers free legal services to commercial tenants citywide. Since the onset of COVID-19, we have increased funding for this program. The CLA program has assisted several hundred businesses, primarily from marginalized communities, with their lease-related matters. We also partnered with the City Bar Justice Center via their Neighborhood Entrepreneurship Law Project to connect business owners to free legal assistance and support with navigating insurance-related claims, contracts, and access to federal relief programs.

Last week, I joined Mayor Bill de Blasio in announcing a **\$37 million investment** to support businesses across New York City's low-to-moderate income neighborhoods.

The **NYC LMI Storefront Loan, Interest Rate Reduction Grant**, and the **Strategic Impact COVID-19 Commercial District Support Grant** will provide critical resources to small businesses to help them build back and

grow beyond the pandemic. We know that Black, Latinx, and Asian businesses are struggling with access to capital, these communities have been historically prevented from accessing the resources they need- and face a higher risk of closing. The launch of these programs is a targeted approach to provide relief efforts in the communities that need it most. In addition, we also launched, on Small Business Saturday, the **Shop Your City** campaign. A call for all New Yorkers to spend their dollars locally. Members of my team and I held a 5-borough tour to encourage New Yorkers to shop locally because we know that for every dollar spent at a small business, \$0.67 of that dollar stays in the local community.

SBS is committed to doing everything we can to support our small business owners and get them the resources they need. I look forward to our continued collaboration with the Council on this effort. Thank you for providing me with this opportunity to update you on SBS's programs and services to assist our small businesses. I am happy to take your questions.



Morris Park Business Improvement District

Testimony Submission

to the NY City Council Committee on Small Business, and Committee on Consumer Affairs and Business Licensing concerning "Oversight – The City's Open Storefronts Program"

December 1, 2020, 10:AM, remote hearing (Virtual Room 1)

Morris Park Business Improvement District, 966 Morris Park Avenue, Bronx NY 10462

Executive Director, Dr. Camelia Tepelus (ed.morrisparkbid@gmail.com)

Esteemed NYC Council Members,

Thank you for the opportunity to address you this morning. We are grateful for your dedicated work exploring new ways to assist the City's small businesses, struggling day-by-day to stay open, to continue providing jobs and be of service to New York City neighborhoods in an unprecedentedly challenging year.

The Morris Park Business Improvement District (MPBID) was established in 2018 as the 75th BID in NYC and the 10th in the Bronx. It serves a solidly middle-class neighborhood that feels like a village with a commercial main street, centrally located in the borough. Morris Park is the Bronx's largest employment center, home to more than 23,000 jobs, representing 12% of all borough jobs, primarily in the medical field.

The MPBID district is a mix of commercial and residential properties stretching along 20 blocks on Morris Park Avenue, with close to 300 businesses in our district. Compared to other commercial areas in the City, Morris Park Avenue businesses fared fairly well under the impact of COVID-19. We had 2 businesses closing, 2 relocating to lower rent spaces still within the district, and 12 new businesses that opened over the last year, 7 of which opened since mid-March. Inspections from NYC Planning on Morris Park Avenue in August found our corridor "shockingly healthy", and a Wall Journal article from September 20, 2020 referring to third-party data, confirmed foot traffic in Morris Park Avenue to be back at the levels pre-pandemic. We credit these results to the strong support from our local community and our intense efforts to keep businesses continuously apprised of regulatory developments and financial assistance mechanisms from City, state and federal level.

The "Open Restaurants" program was a big success, making a significant difference in the streetscape of our corridor over this summer, and kept restaurants afloat at a time when they needed it most. We are pleased that the City extended this program year round. The "Open Storefronts" program was made available on October 30, currently foreseen to run until December 31, a timeframe with weather conditions often adverse to outdoor displays of merchandise over extended periods of time.

We believe that in a manner similar with "Open Restaurants", the "Open Storefronts" program can also potentially make a positive economic development contribution to our neighborhoods, by increasing safe outdoor retail activity. The program **should be given a chance to be further tested beyond December 31, 2020, and further into 2021 spring and summer**. Our main message to the Committees is that we see value in further **extending the "Open Storefronts" program timeframe beyond December 31, 2020**, until the public health risks associated to the indoor spread of COVID-19 situation will be better controlled through the wide-spread of vaccines in the general population.

Furthermore, noting that over the last months businesses were bombarded with an informational avalanche of new regulations, we further believe that the City should initiate additional **business awareness media campaigns on "Open**

Storefronts” and “Open Restaurants”, including TV and social media components, that would explain better the programs to the thousands of NYC small businesses that are not members of merchants associations or BIDs.

An important point needs to be made about **enforcement**. One of the most challenging issues facing City’s commercial corridors is the matter of illegal vendors. There is an alphabet soup of City agencies currently managing parts of this issue, yet nobody can give us a clear answer if any enforcement can be effectively exercised concerning illegal street vending that effectively undermines viability of our brick and mortar storefronts. The City needs to clarify its response to the illegal vending phenomenon.

Couple of observations from the consumers’ point of view: it can be confusing to make the distinction between a small business that appropriately self-certified through the “Open Storefronts” program, and an illegal vendor – both occupying the sidewalk. We would suggest the City provides a “window decal”, or another form of visual recognition signaling that a particular business is in fact authorized to occupy and conduct business on the public sidewalk. Furthermore, we must also acknowledge there must be a simple mechanism to promptly receive and review complaints about businesses operating these temporary outdoor retail spaces. In situations where there are repeated and justified residential complaints of non-compliance with the conditions of the ‘Open Storefront” permit, there should be a clear mechanism to remediate such conditions in order to maintain quality of life of our neighborhoods.

Having expressed our support for the extension of the “Open Storefronts” program, we also acknowledge it is only one tool within a larger, more diversified tool-box of measures that the City, state and federal government need to continue deploying to assist our small businesses. By themselves, “Open Storefronts”, along with “Open Restaurants” are only parts of what should be a more coordinated and comprehensive approach to supporting small businesses, including better access to grants, loans, skilled work force, less red tape and simplified permitting processes.

The Morris Park BID thanks both Committees for opening this matter for inputs, and trusts that this innovation, even though pushed by pandemic conditions, will be a useful pilot towards envisioning an improved use of City public sidewalk space in the future. We thank members of both committees for your work assisting small businesses to cope with the pandemic impacts, and to continue serving the NYC neighborhoods. Thank you for the opportunity to present testimony.

Respectfully submitted,

Dr. Camelia Tepelus
Morris Park BID Executive Director

A handwritten signature in black ink, appearing to read 'Camelia Tepelus', with a stylized flourish at the end.

December 1, 2020



**TESTIMONY BEFORE NYC COUNCIL
COMMITTEE ON SMALL BUSINESS AND CONSUMER AFFAIRS
December 1st, 2020**

Good morning Members of the New York City Council. My name is Mark Caserta and I'm testifying today on behalf of the NYC BID Association. I am also the Executive Director of the Park Slope Fifth Avenue BID. Thank you Chairs Gjonaj and Cohen for holding this hearing today.

The BID Association represents the 76 individual BIDs throughout the City that serve as stewards of our diverse commercial corridors and neighborhood public spaces. Our mission has always been to support the almost 100,000 local businesses we serve, to keep our neighborhoods clean and safe, and to bring prosperity to our communities. Never has our work been more vital and essential than it has been during the COVID-19 pandemic. We are pleased to present testimony today on the open storefronts program.

The BID Association began calling for a plan to help our retail storefronts through the use of their frontage in April of this year in response to capacity limits and an increasing number of business closures. This policy proposal was included as one of nine critical steps to save our small businesses released in July of this year. This Association put forward a formal proposal for an Open Stores program and sent it to the City in September. We are very glad that the administration ultimately enacted an Open Storefronts plan on October 30th, as it's an easy way to provide some relief for storefronts with no cost to taxpayers and little administrative burden for the city. However, early reports are that many storefronts are not taking advantage of this program for several reasons.

First of all, we expect this program will take time to become widely utilized. It is late in the year and many stores have budget and staffing restrictions that may make them hesitant to sign up and implement major operational changes. Most stores have also never been granted an opportunity to use outdoor space and therefore do not have the same experience with such set-ups that restaurants have. We also believe that some stores are simply too busy and stressed to sign up or are concerned about being an early adopter who might be the target of enforcement actions. We are hopeful that more and more stores will use this new initiative as the holiday shopping season begins. Many retail storefronts rely on a spike in revenue from holiday shopping and we're hopeful that they will be able to survive into the new year.

We are grateful for the Mayor's partnership on this program, and particularly the support from SBS and Commissioner Doris who we know have been very supportive of this initiative. However, we have several recommendations for how to improve the program. First of all, the program should be formally extended until at least capacity limits are lifted



from storefronts. As we've seen through the open restaurants program, small businesses need to have confidence in programs in order to make the needed investments in them. Secondly, the City should conduct an education campaign to make sure that as many storefronts as possible are aware of the program – not all small businesses have the benefit of a BID to help them. Lastly, we strongly encourage the City to publicize program data similar to that of the open restaurants portal so that that BIDs and shoppers alike can search for and find stores with outdoor options. Relatedly, we also hope that the city will expand the Open Restaurants and Storefronts programs to allow for the use of adjacent frontage where appropriately authorized.

It is our sincere hope that this program will provide some relief for struggling small businesses across New York City. The BID Association looks forward to being an active partner of the administration, the City Council, and our local business. A full copy of our call to save small businesses from July is attached. Thank you for the opportunity to testify today.



A Call to Action for the Survival of Small Businesses in New York

“Small businesses are the heart and soul of our communities and the backbone of our economy.”

This assessment is universally embraced by public officials, economists and ordinary New Yorkers, and it reflects a rare consensus in public life. Unfortunately, the storefront entrepreneurs – retailers, personal service providers, restaurants – that make New York City thrive are facing unprecedented challenges and the genuine threat of extinction. This was true before the pandemic, when businesses were operating on thin margins due to online competition, unfunded government mandates, and bureaucratic red tape, but the COVID-19 crisis has left small businesses grappling with health concerns, operational challenges, and social unrest in their beloved neighborhoods, all of which make recovery seem like an impossible dream. Now is the time for targeted, innovative assistance and real, fundamental change.

The NYC BID Association represents over 93,000 businesses in 76 neighborhoods across all five boroughs. Our members have been “on the ground” throughout the pandemic, observing how relief measures, despite good intentions, are insufficient and that without further action, thousands of establishments will go out of business, causing their employees to rely on unemployment for survival. Genuine economic hardships have gutted established businesses and have been particularly devastating to the minority, women and immigrant entrepreneurs whose neighborhoods have been especially hard hit. Unless a new approach is taken immediately, many more small businesses will succumb to these historic challenges, and New York’s recovery will be in real jeopardy.

We propose that New York government take the following steps to enable small businesses to come back to life and bring the City’s economy along with them:

1. While different agencies report to different Deputy Mayors, the Mayor should **appoint one senior official in City Hall to oversee and coordinate an all-agency approach to business recovery**. This individual should engage and direct the Department of Small Business Services, Transportation, Parks and Recreation, Consumer Affairs, Health and Mental Health, Buildings, Fire, City Planning, and the NYPD, among others on issues impacting business recovery. All agencies need to get on the same page and follow-through.
2. With little to no income right now, small businesses’ biggest concern is paying rent. Our local, state and federal elected officials must work together to find a way to **bring rent and mortgage relief to our commercial corridors**. We especially need a plan for rent relief for businesses to avoid a storefront vacancy crisis, which will be detrimental to our neighborhoods and the City’s economy. Public funds, mediation, eviction moratoria, rent and tax relief should all be considered immediately to extinguish the ticking time bomb in our recovery effort.
3. The City should **expand the innovations of the Open Restaurants Program to other storefront establishments and retail sectors** by providing reasonable guidelines and rules, then requiring



individual businesses to follow those rules with minimal bureaucratic interference. This program would revive neighborhood commercial corridors by permitting brick and mortar businesses to place temporary signage, non-permanent queuing stations, small rain canopies, seating and the like on adjacent sidewalks during business hours. The City should provide specific criteria, waive all permitting fees and ensure that compliance does not require costly investments such as expensive temporary barriers.

4. The City should **maintain existing siting criteria for mobile vendors and enforce current regulations**. Currently, there is no agency enforcing for food or general vendor activities, despite the legal authority to do so. The sidewalks are crowded and pedestrians are at risk, as are brick and mortar businesses trying to avoid bankruptcy and eviction. Bars and restaurants are being closely monitored to ensure compliance with new laws and all vendors should be as well. The City should consider establishing a protocol where conflicts can be resolved between brick and mortar businesses and vendors, and to protect pedestrian safety.
5. New York State should **streamline the State Liquor Authority process** to support entrepreneurs who are willing to make new investments and allow businesses in NYC to operate on temporary licenses as they are permitted to do elsewhere in the State. Process the backlog of existing applications for businesses that had been waiting to open and may be still willing to do so.
6. New York State should **activate sales tax exemptions** to spur consumer interest similar to those previously employed for clothing in the back to school season.
7. The City should support non-profit organizations working to **create markets and pop-up venues** in parks and city spaces by easing SAPO, FCRC and other rules or by expanding the use of existing, successful programs such as Weekend Walks.
8. New York City should **make patrons responsible for their own actions, not the business owner**. As long as the owner has set up shop in accordance with the rules, enforcement by police and others should be focused on individuals who violate those rules.
9. New York State and City should **continually review and revise outdated and burdensome rules and laws**. We believe that the City and State owe it to small businesses and to our communities to ask of each regulation: is this rule necessary to keep our communities safe both right now and, eventually, in the long term?

Small business cannot remain the backbone of New York City's economy unless government does its part to support their recovery. Let's act quickly and strategically to get businesses back up and running so we can rebuild our economy and save our communities. We look forward to your partnership.



The New York City BID Association

<i>161st Street BID</i>	<i>Hudson Yards/Hell's</i>
<i>165th Street Mall BID</i>	<i>Kitchen Alliance</i>
<i>180th Street BID</i>	<i>Jamaica Center</i>
<i>34th Street Partnership</i>	<i>Jerome Gun Hill BID</i>
<i>82nd Street Partnership</i>	<i>Kings Highway BID</i>
<i>86th Street Bay Ridge BID</i>	<i>Kingsbridge BID</i>
<i>Alliance for Downtown</i>	<i>Long Island City BID</i>
<i>New York</i>	<i>Lincoln Square BID</i>
<i>Atlantic Avenue BID</i>	<i>Lower East Side BID</i>
<i>Bay Ridge 5th Avenue BID</i>	<i>Madison Avenue BID</i>
<i>Bayside Village BID</i>	<i>Meatpacking BID</i>
<i>Bed-Stuy Gateway BID</i>	<i>Montague Street BID</i>
<i>Brighton Beach BID</i>	<i>Myrtle Avenue BID</i>
<i>Bryant Park Corporation</i>	<i>(Brooklyn)</i>
<i>Chinatown Partnership</i>	<i>Myrtle Avenue (Queens)</i>
<i>Church Avenue BID</i>	<i>New Dorp BID</i>
<i>Columbus Avenue BID</i>	<i>NoHo BID</i>
<i>Columbus/Amsterdam BID</i>	<i>North Flatbush BID</i>
<i>Diamond District</i>	<i>Park Slope 5th Avenue BID</i>
<i>Partnership</i>	<i>Pitkin Avenue BID</i>
<i>Downtown Brooklyn</i>	<i>SoHo Broadway Initiative</i>
<i>Partnership (Metrotech,</i>	<i>South Shore BID</i>
<i>Fulton Mall, Court-</i>	<i>Southern Boulevard BID</i>
<i>Livingston-Schermerhorn</i>	<i>Steinway Street BID</i>
<i>BIDs)</i>	<i>Sunnyside Shines</i>
<i>Downtown Flushing Transit</i>	<i>Sunset Park BID</i>
<i>Hub</i>	<i>Sutphin Boulevard BID</i>
<i>DUMBO Improvement</i>	<i>Third Avenue BID</i>
<i>District</i>	<i>Throggs Neck BID</i>
<i>East Brooklyn BID</i>	<i>Times Square Alliance</i>
<i>East Midtown Partnership</i>	<i>Union Square Partnership</i>
<i>FAB Alliance</i>	<i>Village Alliance</i>
<i>Fifth Avenue Association</i>	<i>Washington Heights BID</i>
<i>Flatbush Avenue BID</i>	<i>West Shore Industrial</i>
<i>Flatbush Junction BID</i>	<i>District</i>
<i>Flatiron/23rd Street</i>	<i>Westchester Square BID</i>
<i>Partnership</i>	<i>White Plains Road BID</i>
<i>Fordham Road BID</i>	<i>Woodhaven BID</i>
<i>Forest Avenue BID</i>	
<i>Garment District Alliance</i>	
<i>Gateway JFK BID</i>	
<i>Graham Avenue BID</i>	
<i>Grand Central Partnership</i>	
<i>Grand Street BID</i>	
<i>Hudson Square Connection</i>	



Asian American Federation

Testimony to the New York City Council Committee on Small Business

November 23, 2020

The Asian American Federation thanks Committee Chair Gjonaj and Councilmembers Perkins, Rosenthal, Levin and Rodriguez for holding this hearing on this important subject today. I am Jo-Ann Yoo, the Executive Director of the Asian American Federation. AAF represents the collective voice of more than 70 member nonprofits serving 1.3 million Asian New Yorkers.

AAF sees this hearing as an opportunity to highlight the needs of the Asian American small business community after a catastrophic first COVID-19 wave and an impending second wave and second shutdown. It's important that this committee understands the full impact that the pandemic and its economic collateral damage has had on our small business community so we can frame lessons learned and draw appropriate lessons because our small businesses are reeling, many have not survived, and many more will not make it through the second wave without significant government engagement and assistance.

The Damage Done

Numerous studies are showing what AAF has long been hearing from our small businesses and community members, the Asian American small business economy was hit earlier, hit harder, and encountered significant barriers to assistance that is desperately needed. The first ripples of anti-Asian xenophobia were not only felt in our community but also by our businesses in early January with marked decreases in business patronage and revenue in Asian enclaves like Manhattan's Chinatown, Downtown Flushing, and Sunset Park.

According to data from a survey of Asian small business owners AAF conducted this summer, more than half of respondents (55%) faced a loss of revenue of over 75% in the initial months of the pandemic-related economic shutdown.

Findings from our report, *Impact of COVID-19 on Asian Employment in New York City*, also highlighted two critical points that described the systemic vulnerabilities that explained why our small business were hard hit as well:

- Asian American workers and businesses were hard hit because industries they were concentrated in were particularly vulnerable to pandemic-related economic restrictions, like food services, personal and laundry services and transportation.
- While different Asian ethnicities “depend on a unique mix of industries for jobs,” none were invulnerable to damage from pandemic-related economic restrictions.

An unfortunate side-effect of the pandemic-related shutdown was that industries that were critical, even “essential” to the smooth functioning of local economies in the Asian community were deemed “non-essential” by city and state standards. However, many of these businesses sold relevant COVID-19 products (ex. masks or cleaning supplies) and actively contributed to the pandemic response in other ways.

Assistance Needed and Received

From getting translations of fast-moving pandemic-related regulations to filing applications for city, state and federal assistance, our small businesses faced hurdles navigating processes that were built for them to obey, but not actively take part in and inform. In our small business survey of Asian American small business owners, 41% of respondents said they did not get enough information about assistance programs in their language, and 36% said they could not connect with a service provider.

Furthermore, our survey showed that across all types of financial institutions that small businesses tried to access, more than half (53%) said they experienced difficulty in the application process itself, 13% of respondents said their applications for assistance were not accepted. Notably, almost one in six (14%) of small businesses owners who said they lost more than 75% of their revenue also said applications for assistance that they filed were not accepted.

But one of the biggest barriers small businesses faced was navigating the digital divide. For new immigrants who already face difficulty in communicating or obtaining information due to language barrier, it was and continues to be nearly impossible to engage in the mainstream marketing and e-commerce efforts. Especially in the personal and service industries, Asian American small business owners with limited English proficiency (LEP) are being thrown into the e-commerce deep-end, struggling to navigate the intricate details of new marketing technology, such as customer relations management (CRM) or search engine optimization (SEO). Once again, we’re finding that paths forward for our small businesses aren’t necessarily built with our small businesses in mind.

Regulations and Inspections

And as we move forward, we must acknowledge that government must do more to provide a helping hand to small businesses who are at the mercy of looming shutdowns. In our survey of Asian small business owners in New York City, over 90% of our respondents answered they are not a member of BID or Chambers of Commerce, and had very little access to timely information. Some Asian Americans say they get their information from an Asian consulate. Inspections and ever-changing regulatory frameworks must account for the Asian American small business experience, in the context of the pandemic but also broadly with City agencies who often underestimate the need for language and process accessibility in marginalized communities outside of the business mainstream.

During this pandemic, small business owners have had to take the initiative in sourcing new business opportunities or cobbling together infrastructure with little guidance from City agencies. Only after such investments were made, business owners are subjected to various City regulations they had not heard of previously. To make matters worse, different agencies and inspectors apply inconsistent standards and offer contrasting guidance. It is impossible for small

business owners to get a comprehensive understanding of new policies they are subject to, which results in punitive fines with little opportunity to cure the violation.

Inspections that result in tickets and fines add unbearable logistical and financial burdens on already struggling businesses. Inconsistent practices by inspectors have also added layers of frustration to small businesses who see their relationship with their city as a punitive one, not a mutually-reinforcing one. New regulations that don't account for circumstances in our community are also putting our small businesses in jeopardy.

AAF is hearing anecdotes of interactions with inspectors or difficulty keeping up with ever-evolving regulations due to translation issues. For example, AAF has received reports of multiple cases across the city where DOB inspectors who visited small businesses to monitor COVID-related compliance did not even make the effort of engaging with the business owners to explain what needs to be done if they do not speak English. Instead, they would simply give a URL to a city agency website for reference. However, City agency websites are extremely difficult to navigate for LEP small business owners—giving the address of an incomprehensible website should not replace proper efforts of outreach and information dissemination. Also, different standards for individual inspectors cause much confusion and frustration for small business owners. Inspectors from different City agencies sometimes give inconsistent advice and guidelines to business owners, even in cases where the different agencies are supposed to work together, such as the Illegal Conversion Task Force.

Small businesses need a new way for the City to interact with our most marginalized communities, one that doesn't involve inconsistent language translation, one that acknowledges cultural competence, and that does away with fines and violation processes that are seemingly punitive rather than being helpful.

Recommendations

- Mandate same-day release of in-language material introducing new policies and regulations as the English versions
- Increase funding for community-based organizations that offer direct services and language access to immigrant small business owners with limited English proficiency
- Fund CLA program partners to provide language access to LEP small business owners
- Launch small business assistance programs that acknowledge community-based lenders, formalize community financial transaction models, and simplify application processes with LEP business owners in mind
- Increase culturally appropriate outreach to immigrant small business owners
- Engage ethnic media outlets, using their online presence and social media, to disseminate crucial information regarding policy changes

On behalf of AAF, I want to thank this Committee for giving me the opportunity to discuss what we are seeing in our small business community and where the City Council can offer assistance to help them success. Thank you.

Policy Memo

To: Committee on Consumer Affairs and Business Licensing

From: Lexxus P Brown

RE: Int 1775-2019 Limiting the use of plastic utensils

Date: November 27, 2020

More than 100 million pieces of plastic utensils are used by Americans every day.¹ New York City purchases at least 1.1 million pounds of non-reusable utensils every year.² Plastic utensils have environmental repercussions marine life, wildlife and human life. If not recycled properly animals can attempt to eat the plastic utensils which can be life threatening if consumed. Further, there are 5 trillion pieces of plastic debris in our oceans, which by 2050 may out populate our fish.³ For Humans, the chemicals and toxins that are released from the plastic production contribute to the risk of developing kidney stones, breast and liver cancer.⁴ In New York City, food service restaurants are providing non-reusable utensils with meals that are provided to customers. Perhaps, the scale of this crisis requires NYC to act accordingly and reduce to use of plastic utensils.

Current Policy/Similar: The Environmental Conservation Law ECL Article 27, title 28 also known as the Bag Waste Reduction Law was enacted on March 1, 2020. This law banned all plastic carryout bags from being distributed by anyone required to collect New York State sales tax. This law affects anyone required to collect New York State sales tax, bag manufactures and consumers. Cities and counties are authorized to adopt a five-cent paper carry-out bag reduction fee. This was a great start for NYC in becoming more sustainable, however more needs to be done in regard to 100 million pieces of plastic utensils being served daily. In line with the ECL, New York should impose a similar tax on the cost of plastic utensils to further limit its use, ultimately contributing to the reduction of plastic waste.

Recommendation:

It is recommended that the City Council enact Int. 1775-2019. Int. 1775-2019 would require dining in food establishments to provide reusable utensils, plates, bowls and cups for dine-in meals. Food establishment that provide takeout meals are only able to provide customers with utensils and condiment packets upon request. The previous law banned the use of plastic shopping bags. New York should add a cost similar to the cost of the paper shopping bag that customer would have to pay to acquire plastic utensils.

References

1. Plastic-Free Eats. Plasticpollutioncoalition.
<https://www.plasticpollutioncoalition.org/guides-eats>. Accessed.
2. Office CHP. Mayor de Blasio signs Executive Order to End City Reliance on Single-Use Plastic. <https://www1.nyc.gov/office-of-the-mayor/news/191-19/mayor-de-blasio-signs-executive-order-end-city-reliance-single-use-plastic>. Published 2019. Accessed.
3. Parker L, Geographic N. Ocean Trash: 5:25 Trillion Pieces and Counting, but Big Question Remain. <https://www.nationalgeographic.com/news/2015/1/150109-oceans-plastic-sea-trash-science-marine-debris/>. Published 2015. Accessed.
4. Environmental Impact of Plastic Cutlery and Some Affordable Solutions Conserve Energy Future. <https://www.conserve-energy-future.com/environmental-impact-plastic-cutlery-and-solutions.php>. Accessed.