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Gale A. Brewer, Borough President

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Testimony for the Office of Citywide Event Coordination and Management
October 13, 2016

My name is Gale A. Brewer and I am the Manhattan Borough President. I appreciate the work of the Office of Citywide Event Coordination and Management (CECM) and the leadership of Executive Director Michael Paul Carey. I am grateful to CECM's Street Activity Permit Office (SAPO) and Director Dawn Tolson for this opportunity to testify. Both Mr. Carey and Ms. Tolson attended our recent Manhattan Borough Board meeting to explain the proposed rules to Manhattan's community boards (CBs).

I also thank CECM for extending the deadline to comment on this proposal until October 27, 2016. The extension allows most CBs citywide to engage their communities, discuss the proposal with the public, and adopt resolutions that truly reflect the views of the people.

I am one of the few elected officials who has set up a table at Manhattan street fairs and festivals practically every weekend since 2002. I know from sitting at the table, handing out government material, and interacting with attendees that these local block events and multi-street festivals are important to residents, who turn out for them in significant numbers. I have observed that people in wheelchairs—often with family members and friends—attend because they can easily access the goods and services.

I want to mention that my office has been helping our borough's street vendors—especially those from the African immigrant community—apply for temporary vendor licenses allowing them to work at street festivals and other venues. They need the NYS Certificate of Authority and the NYC Consumer Affairs permit.

Our borough's street and single-block festivals are much more than community events or tourist attractions. They allow community-based organizations (CBOs) to raise money for equipment or programming. Their proceeds have paid for rain gear for the auxiliary police, walkie-talkies for CERT teams, and free outdoor summer concerts. For many ethnic and religious communities, a street festival is often *the* signature annual event, drawing members from the five boroughs and beyond to vend specialty wares and celebrate a shared heritage.

Despite my longtime belief in the benefits of street festivals, I will concede that some communities have way too many and that there is currently a glut of such fairs citywide. Street festivals are important to Manhattan's civic and cultural life, but some of our borough's avenues are used so extensively for fairs that they put an undue burden on the community as a whole.

When Community Board 7 faced the problem of too many street fairs 20 years ago, its members came up with a good solution in deeming that (a) no portion of a street can be used more than twice in any year and (b) sponsors must combine their festival with another sponsor's festival. These measures reduced the total number of festivals in CB7 by almost 50%. CB7 also required sponsors to donate 20% of their revenue to a nonprofit that did not participate in a festival. This is, of course, in addition to the 20% that sponsors must pay to the City of New York.

We need to strike a balance in regard to street fairs and festivals that is in the best interests of all members of the community. Upon reviewing CECM's proposal, I have several concerns I would like to address:

1. *Cap on the Number of Festivals:* The proposal will limit each CB to 10 street and 20 single-block festivals a year. While I support efforts to reduce festival oversaturation, I find that the hard cap fails to accommodate the needs of some of our communities, such as Manhattan CB 6, home to 26 single-block festivals. Under this proposal, some of these smaller festivals may be put out of existence or forced to merge, with their community sponsors facing revenue loss and a forced reduction in services.
2. *First-Come, First-Served Application:* While I acknowledge the interest in an objective application system, I find the proposed system fails to consider the needs of the community sponsors. Street and single-block festivals can only thrive and bring in proceeds if they are reliably held year after year. It is easy to foresee that "first-come, first-served" pits community organizations against one another for an arbitrarily limited resource, and can cause a long-established major event to be discontinued. The new system will also lead to unwanted financial volatility for the community sponsors, as festival proceeds, now a major part of their revenue, could be here this year and gone the next. Why not, following CB7's lead, involve the CB and work to merge fairs where appropriate?
3. *50% Local Vendor Requirement:* This is unworkable. For example, a festival celebrating an ethnic or religious community often features vendors coming from all over the region to the anchor neighborhood where the festival is held. Vendors for the Kehila Kedosha Janina festival, the only Romaniote rite synagogue in the Western Hemisphere, could be members of this particular community from all over the city, the region, and even beyond. The 50% requirement would prevent many of these vendors from participating in the annual gathering and celebration of their religious community, as they may not live or work near their spiritual home anymore. This requirement is also faulty because local storefront businesses may not even want to participate in festivals. The festival sponsor should make some spots available for a reduced or no fee, but not 50% of them. Most festival vendors are unable to afford storefront rents; their livelihood depends on participating in a large number of festivals all over the city, region, and country. And let me add that, as a city, we need to run workshops so that more artisans and ethnic vendors get the proper credentials.
4. *Application Fee:* The proposal would fix the application fee for street and single-block festivals at \$1,375 for the first block on the first day, with the fee for each subsequent block or day at \$705. This represents a substantial departure from the current fee, assessed at 20% of the total fees paid by vendors to participate. I am concerned that the fee could be unaffordable to smaller community sponsors. Although the SAPO Director would have authority to waive or reduce fees, the festival applicant would have to demonstrate that the fee is in excess of 25% of its festival-derived revenue, up from the 20% for which the

applicant is currently responsible. In addition, with the increased application fee, community sponsors will be less inclined to provide space for nonprofit public service organizations, which are also dependent on street and single-block festivals to engage the community.

Street and single-block festivals celebrate our city and its neighborhoods. A festival is a venue for vendors, nonprofits, and residents to interact and intermingle in their joint effort to showcase their community. Over the years, many of our current festivals have thrived despite the constraints and limitations imposed on them. I am concerned that CECM may not have fully taken into account that the provisions of this proposal could seriously jeopardize these successful festivals along with the neighborhoods, community sponsors, and participating vendors behind them. While I fully support the proposal's broader goals, I ask CECM to consider the above concerns, provide for additional flexibility to the rules, and revise the proposal to build in a mechanism to address the highly varied character and needs of the sponsors and communities and provide much greater flexibility to adjust fees and other requirements accordingly.

Thank you again for the opportunity to testify.