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**Testimony of the NYC Mayor's Office of Media and Entertainment
to Committee on Consumer Affairs Committee**

Oversight Hearing: Establishing an Office of Nightlife and a Night Life Task Force

June 19, 2017

Good afternoon Chairman Espinal and distinguished members of the City Council Committee on Consumer Affairs. My name is Julie Menin, Commissioner of the Mayor's Office of Media and Entertainment. Thank you for the opportunity to testify on Int. No. 1648-2017.

Overview of MOME

The Mayor's Office of Media and Entertainment encompasses the key economic and creative sectors of film, TV, theater, music, advertising, publishing, and digital content. All told, these industries account for over 305,000 jobs and an economic output of \$104 billion.

MOME acts as a one-stop shop for all television and film production in New York City, issuing permits for production throughout the five boroughs. In addition to the regulatory role MOME plays in supporting filmed production, our office designs and implements workforce and education initiatives and public programming that support the media and entertainment sectors. We also oversee *NYC Media*, the largest municipal broadcasting entity in the country, which includes five TV channels and a radio station with a reach of 18 million households in a 50-mile radius.

Last year, when Mayor de Blasio appointed me Commissioner, he expanded our portfolio to include music, marking the first time the industry has had a champion in City government. To name a few of the ways we've supported the industry in the short time since it was added to our portfolio:

We commissioned the first ever-economic impact study of New York City's music industry and found that the sector supports nearly 60,000 jobs, accounts for \$5 billion in wages, and generates \$21 billion in total economic output. We helped secure the Grammys' return in 2018, marking the first time the award show will take place in New York in 15 years. And just this month we launched New York Music Month -- the first-ever citywide celebration of New York's diverse and thriving music sector, featuring 30 days of events designed to showcase and support the makers of New York City's soundtrack. As part of New York Music Month, we have done everything from underwrite over 2000 hours of free rehearsal space for local musicians to provide free music walking tours to create a website with a compressive calendar of all the music events happening in June.

Addition of Nightlife Ambassador & Advisory Board

I am pleased to share that last Thursday, as part of his *New York Works* initiative, the Mayor announced that MOME will expand to include a Nightlife Ambassador. The position will serve as a liaison to the music and nightlife community, acting as a central point for coordination between venues, local authorities, and communities. A Community Advisory Board that will include representatives from each of these entities will support the Ambassador. The Ambassador will provide support with licensing and

permits. We are very excited about this new addition to our portfolio, and believe the Mayor's vision for the role echoes the vision laid out in Councilman Espinal's bill. As such, we support the intent of bill in consideration today.

Over 30 cities, including London, Paris, Amsterdam, and Berlin, have offices dedicated to nightlife and have seen reduced noise complaints and increased compliance. Our goal is to produce similar results.

MOME'S Experience and Expertise

As the agency officially tasked with supporting the music industry—from venues to musicians to labels to music tech start-ups— and with a 50-year history of advancing the development of the City's entertainment industry, MOME is uniquely suited to house the Nightlife Ambassador. Even beyond the industries that comprise our portfolio, our agency brings a unique combination of experience and expertise to the role with a proven track record in balancing the needs of government, creative industries, and community:

MOME's Regulatory Function and Expertise

For 50 years now, MOME has served as a "one-stop shop" for all television and film production within the five boroughs. We focus on supporting this creative industry while minimizing impact on residents.

On any given day, our office is managing between 100 and 150 productions, and every year we process over 12,000 permits. Our regulatory scheme, which is codified in Chapter 9 of the City Rules, governs all aspects of permit administration. We work collaboratively with the productions and a variety of City government agencies, including Parks, DCA, NYPD, Fire Department, Borough Presidents' offices, and Community Boards, to coordinate production activity and ensure compliance with permit requirements.

To ensure compliance with permits, we send out field representatives daily to conduct set visits and inspections on parking and safety. If a film production is *not* a good neighbor, we work with them to get them in line with best practices. And every year, our staff invites community boards, business improvement districts, and City Council members to our office to discuss any concerns they have about filming in their communities.

This formula for reconciling creativity with compliance has been extremely successful. While filming in New York City is at an all-time high with 56 episodics shot in the 2016-17 season, the number of complaints from New Yorkers about filming remains quite low. Out of 19,378,299 calls to 311 this past year, only 1,053 – or .005% - were complaints about "film or television production". We attribute this low complaint rate in part to our proactive policies that minimize the impact of filming on communities.

My tenure as Commissioner of the Department of Consumer Affairs also provides a framework for establishing a Nightlife Ambassador. At DCA, over the course of one year, we successfully reduced onerous fines on small businesses by more than half, advocated for curable violations, and called for the issuance of warnings for minor infractions rather than fines. This required the creation of a new infrastructure, and most notably, the creation of the legal ombudsman position that focused on helping businesses navigate complicated rules. At the same time, DCA remained strong on protecting consumers on matters of public health and safety, such as the sale of expired medication or tobacco products to minors.

The role of Nightlife Ambassador presents another such opportunity for a paradigm shift.

Creation of a Nightlife Ambassador at MOME

New York City is home to one of the most famed nightlife scenes in the world. Beyond its cultural and historical significance, this sector serves as a major economic driver for the City. Every year, 56 million tourists from around the world come to New York City, attracted by its vast options for entertainment, shopping and dining, generating \$61 billion in economic impact. NYC has over 26,000 eating and drinking establishments, which employ over 300,000 New Yorkers. The last decade has seen a boom for the industry, as the number of permits for restaurants, bars and cafes rose more than 27% to 23,705.

In terms of entertainment, New York City offers a seating capacity of 436,000 across the major performance venues. Jobs and wages for large-scale concerts/venues are growing at a rate of 7 and 12 percent respectively- fast outpacing the rest of the economy. Local music artist communities comprise roughly 12,000 jobs, producing \$600 million in wages. In 2004, the New York Nightlife Association conducted an economic impact study that measured New York nightlife's economic impact at more than \$9 billion with 65 million admissions per year — more than Broadway, museums and sporting events combined.

That being said, there are challenges. Our music economic impact study revealed that in the past 15 years over 20 percent of small venues have shuttered. These venues are essential incubators of talent and crucial to a vibrant nightlife.

Given the economic and cultural significance of the nighttime economy, New York needs a Nightlife Ambassador. Announced just last week, the scope and structure of the position is still being developed, but I can share with you the broad vision. We believe the vision for this role aligns with the vision presented in the bill being considered today.

First, we intend to balance the needs of the community and the businesses and patrons that comprise the nighttime economy. As I've outlined, we have done this successfully with filmed production and we expect to do the same with the nighttime economy. The Community Advisory Board that will complement the Nightlife Ambassador is key to ensuring this balance.

Second, we believe strongly that venues and other nighttime economy businesses can be brought into compliance with health and safety regulations without curtailing their creative expression or ability to operate. We are open to assessing the merits of the regulations that currently govern this community of businesses.

Third, we are open for dialogue. Critical to the development of this office will be feedback from both industry and community. Though we are in the initial development phases, we plan to hold town hall meetings throughout the five boroughs to hear from both community members and businesses about how the City can better support the nighttime economy and help bars, venues and restaurants be good neighbors.

Conclusion

MOME supports the intention of intro. 1648-2017 and is excited to usher in a new era in City government — one in which the nightlife community has an Ambassador that champions both the needs of industry and the community. MOME intends to support the nighttime economy, and harness the

creative entrepreneurial spirit that defines New York's nightlife scene, while ensuring compliance with the rules and regulations that keep New Yorkers safe and communities healthy. We look forward to working collaboratively with the Council as we define the scope of this new role.