

Committee on Fiscal Stability and Intergovernmental Cooperation
December 16, 2020

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FISCAL STABILITY AND
INTERGOVERNMENTAL COOPERATION

Remote location using Microsoft® Teams
Wednesday, December 16, 2020
10:00 a.m.

PRESENT:

COUNCILMAN ALLAN DOMB, CHAIR
COUNCILMAN BRIAN J. O'NEILL, VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KENDRA BROOKS
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN DEREK S. GREEN
COUNCILWOMAN HELEN GYM
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA
COUNCILMAN ISAIAH THOMAS

RESOLUTION: 200699

1 - - -

2 COUNCILMAN DOMB: Good after --
3 good morning, I should say. This
4 hearing is called to order. I recognize
5 the presence of the quorum of Committee
6 members. Members of the Committee in
7 attendance today this morning are
8 Councilmember Cindy Bass, Councilmember
9 Kendra Brooks, Councilmember Mark
10 Squilla, Councilmember Helen Gym,
11 Councilmember Kenyatta Johnson,
12 Councilmember Katherine Gilmore
13 Richardson, Councilmember Curtis Jones
14 and Councilmember Derek Green.

15 This is the public hearing of
16 the Committee of Fiscal Responsibility
17 and Intergovernmental Cooperation. The
18 purpose of this public hearing is to
19 hear testimony on Resolution 200699. I
20 introduced this resolution with
21 co-sponsors Councilmembers Johnson,
22 Squilla, Henon, Gilmore Richardson,
23 O'Neill, Gym, Oh, Bass, Jones and
24 Gauthier.

25 I understand that state law

1 currently requires that the following
2 announcement be made at the beginning of
3 every remote public hearing as follows:

4 Due to the current public health
5 emergency, City Council Committees are
6 currently meeting remotely. We're using
7 Microsoft Teams to make these remote
8 hearings possible.

9 Instructions for how the public
10 may view and offer public testimony at
11 public hearings of Council Committees
12 are included in the public hearing
13 notices that are published in the Daily
14 News, Inquirer and Legal Intelligencer
15 prior to the hearings and can also be
16 found on PHLCouncil.com.

17 The Clerk will now please read
18 the title of the resolution before this
19 Committee today.

20 THE CLERK: Authorizing the
21 Fiscal Stability and Intergovernmental
22 Cooperation Committee to hold hearings
23 examining the economic impact of the
24 coronavirus-related restrictions on
25 Philadelphia's restaurants and other

1 significantly affected businesses and to
2 explore how these actions will impact
3 the safety of our citizenry and the City
4 of Philadelphia's Five-Year Financial
5 Plan.

6 COUNCILMAN DOMB: Thank you.
7 First, I want to thank my colleagues,
8 all of you, for being here today. I
9 know we've all been working crazy
10 overtime to try to respond to the
11 growing needs of all of our communities.
12 I've seen the letter writing, the
13 briefings, the impact statements, the
14 conference calls with our state and
15 fellow representatives and I've sat with
16 all of you in our Council hearings. And
17 all our goal is an effort to help our
18 people and our businesses get through
19 this extraordinarily difficult time.

20 I want to say a special thanks
21 to my task force, colleagues,
22 Councilmember Kenyatta Johnson and
23 Councilmember Cindy Bass. Thank you for
24 your continued support to find solutions
25 for the struggling industries we're

1 about to hear from today.

2 Just yesterday, a special thank
3 you to Councilmember Kenyatta Johnson.
4 We spoke with Senator Casey and our
5 Philadelphia Congressional Delegation to
6 talk about where things stand and how we
7 can get resources to hospitality
8 businesses and their employees as
9 quickly as possible.

10 And we're all here today
11 because the hospitality industry has
12 been decimated by this pandemic. The
13 unfortunate truth is that this
14 devastation has happened to them and not
15 because of them, they did nothing wrong.
16 When I talk about hospitality, I'm
17 including restaurants, we're including
18 hotels, arts and culture and fitness
19 centers. All of these businesses are
20 focused on how we bring people together
21 for a social experience, and they're all
22 suffering and on the verge of closure,
23 many have already closed, which will
24 have a long-lasting very negative impact
25 on our people and our City.

1 I appreciate and welcome
2 members from the Kenney Administration
3 who have been managing these complex and
4 ever-changing pandemic circumstances.
5 Let me say this: There is no one here
6 today who should doubt the work of the
7 Administration, of these folks, and what
8 they're doing to protect the health and
9 safety of everyone in Philadelphia.

10 This is uncharted territory.
11 And as Majority Leader actually said
12 last week in Council, no one had a
13 playbook for this event. It's
14 uncharted for all of us and we
15 appreciate the leadership that
16 encourages mask-wearing and safety
17 precautions that protect lives. But
18 it's also important that we maintain
19 transparency in what we do and how we do
20 it.

21 So with that in mind, we expect
22 to hear about how the decision-making
23 process has been occurring on business
24 restrictions, what data, what
25 information is being used or monitored,

1 how guidelines are being developed, how
2 the enforcement is applied across
3 industries and discussed where areas of
4 opportunity exist to improve that
5 process going forward. We're all in
6 this together. This is a constructive
7 hearing today. So having an open
8 dialogue and an open mind to suggestions
9 today is our goal.

10 So with that, we have a lot of
11 people to hear from today, so let's get
12 started. Ms. Grbach, please start the
13 first panel of witnesses.

14 THE CLERK: The first panel,
15 we'll hear from Jim Engler in the
16 Mayor's Office and the following people
17 will also be available for questions
18 from Members, Dr. Farley, Dawn
19 Summerville from the Commerce
20 Department, Rob Dubow who's our Finance
21 Director and Michael Carroll from OTIS.

22 COUNCILMAN DOMB: Good morning.
23 I guess we can start with Jim Engler,
24 our Mayor's Chief of Staff.

25 MR. ENGLER: Good morning,

1 Chairperson Domb and members of the
2 Committee on Fiscal Stability and
3 Intergovernmental Cooperation. My name
4 is Jim Engler, Chief of Staff to Mayor
5 Kenney. Along with me to answer
6 questions, our Health Commissioner
7 Dr. Thomas Farley, Deputy Commerce
8 Director Dawn Summerville, Finance
9 Director Rob Dubow and Deputy Managing
10 Director for the Office of
11 Transportation, Infrastructure Systems
12 Mike Carroll. Thank you for allowing me
13 to testify on Resolution 200699,
14 authorizing hearings to discuss the
15 economic impact of the
16 coronavirus-related restrictions on
17 Philadelphia's restaurants and other
18 significantly affected businesses.

19 As this Committee knows, the
20 coronavirus pandemic has had a
21 devastating impact on the health of
22 Philadelphia's residents. As of
23 December 14th, more than 81,000
24 Philadelphians have had infection with
25 the virus and more than 2100 have died

1 from their infections. Currently, more
2 than 920 people are hospitalized in
3 Philadelphia with COVID-19.

4 For comparison sake,
5 Philadelphia's hospitalization rate was
6 just over 1,000 individuals. Rising
7 case rates and hospitalizations have
8 forced the Administration to make very
9 difficult decisions on how to best
10 protect residents as we navigate our way
11 through this pandemic.

12 It is important to emphasize
13 that our priority is, was and always
14 will be the health and safety of
15 Philadelphians. This priority has
16 guided our decision-making every day for
17 the last 10 months. While we know much
18 more about the COVID-19 virus now and
19 the first vaccines are becoming
20 available, the most effective way to
21 preventing people from becoming
22 affected, hospitalized and possibly
23 dying from COVID-19 is to slow the
24 spread of the virus through social
25 distancing. COVID-19 is spread more

1 indoors when people are close to each
2 other and especially when not wearing
3 masks.

4 In imposing additional
5 restrictions in the current fall, winter
6 wave of the pandemic, we focused on
7 activities that posed higher risks of
8 transmission, specifically where people
9 from different households can come in
10 contact with each other. We focused on
11 indoor gatherings of any kind, indoor
12 exercise activity and indoor dining
13 where mask wearing is impossible.

14 Three weeks after the City
15 imposed these restrictions, Governor
16 Wolf imposed substantially similar
17 restrictions across the Commonwealth.
18 This obviously poses great challenges to
19 restaurants and other businesses. This
20 fact is not lost on our Administration,
21 and that is why we began work in May to
22 support businesses by coordinating and
23 permitting outdoor commercial activity.
24 Our staff with the Streets Department,
25 Licenses and Inspections, Health

1 Department, Commerce Department,
2 Planning Commission and OTIS working
3 with our partners here in City Council
4 have all been deeply engaged in
5 coordinating with businesses, sharing
6 best practices and exploring innovative
7 solutions to common issues that arrive
8 in conducting business in the
9 right-of-way.

10 We have participated in and
11 convened numerous conversations and are
12 preparing this winter to explore
13 creative ways to facilitate outdoor
14 dining and related outdoor commercial
15 activity. To date, hundreds of
16 businesses have been sustained over the
17 past several months through
18 opportunities that have been made
19 available to serve through to sidewalk
20 cafes, streeteries and through temporary
21 street closures throughout the City.

22 These opportunities as well as
23 others have been made at no cost to
24 businesses, and thanks to recent
25 legislation, has been extended through

1 at least December 31, 2021. Recognizing
2 that our businesses need to extend
3 beyond facilitating alternate ways of
4 operating, the Administration has also
5 provided financial assistance. As soon
6 as the initial rounds of business
7 closures took effect in March, the City
8 announced a \$13 million Small Business
9 Relief Fund, which supported over 2,000
10 small businesses.

11 While the need was far greater
12 than the amount available, these funds
13 serves as a critical lifeline as we
14 waited for the federal government to
15 provide more robust aid. The Payroll
16 Protection Program loans infused
17 billions of dollars into our region,
18 although we know that many small- and
19 minority-owned businesses were not able
20 to access these loans for a variety of
21 reasons.

22 Again, the City stepped in to
23 provide an additional \$30 million of
24 funding to supplement the Commonwealth's
25 \$40 million of statewide funding for

1 businesses in Philadelphia with less
2 than \$1 million in annual revenue, with
3 a heavy emphasis on the hard-hit
4 industries, businesses and low- to
5 moderate-income areas and owners from
6 historically disadvantaged backgrounds.

7 And in just the past week, City
8 Council approved an additional \$20
9 million that we will use to prevent the
10 closure of critical businesses that
11 continue to be severely impacted during
12 the COVID-19 pandemic. We are currently
13 evaluating how to best contribute these
14 funds to businesses in need.

15 Philadelphia's small businesses
16 are crucial to the health and well-being
17 of our communities, providing tens of
18 thousands of jobs for residents along
19 with countless goods and services.
20 We're proud to commit more funding for
21 much-needed relief to struggling small
22 businesses. Yet even with these various
23 rounds of financial assistance, local
24 small businesses are still in
25 overwhelming need of more support,

1 estimated at more than \$300 million.

2 The City will continue to advocate for
3 state and federal governments to provide
4 more flexible funding to meet the needs
5 of Philadelphia's small businesses
6 impacted by the pandemic.

7 Finally, the pandemic has had a
8 devastating impact on the City and
9 School District's finances. Before the
10 pandemic hit, the City had built up its
11 largest ever fund balance at \$438
12 million and it made its first ever
13 contribution to our Rainy Day Fund.
14 Now, our projected fund balance stands
15 at less than \$23 million, even after we
16 took a series of budget-balancing
17 actions in response to a loss of \$750
18 million in revenue through the end of
19 Fiscal Year '21.

20 With the pandemic's continued
21 spread, even that narrow fund balance is
22 now threatened. If revenue for the
23 remainder of the fiscal year is as weak
24 as it was during the first quarter, we
25 can see further revenue deadlines

1 between \$70 million and \$100 million
2 necessitating additional cuts to restore
3 balance.

4 As for the School District, its
5 latest quarterly report projected that
6 its FY21 tax revenues would be over \$70
7 million lower than they were in Fiscal
8 Year '19. The largest projected
9 reductions were \$26 million in the Use &
10 Occupancy Tax and \$23 million in the
11 Liquor Tax. Both of these taxes are
12 likely to see further reductions if the
13 pandemic surge is unabated.

14 Make no mistake, while this
15 testimony paints an unfortunate and
16 bleak financial picture for businesses,
17 the City and the School District, it
18 would undoubtedly be much worse had we
19 not taken the steps we did to mitigate
20 the spread of this deadly virus. We are
21 hopeful that with the modest
22 restrictions temporarily reimposed first
23 by the City and now statewide by the
24 Governor, vaccines becoming available
25 and a new incoming Administration in

1 Washington, we will see brighter days
2 ahead.

3 Thank you again for the
4 opportunity to testify today. My team
5 and I are happy to answer any questions
6 that you might have.

7 COUNCILMAN DOMB: Thank you,
8 Mr. Engler.

9 Is there another testimony from
10 the Mayor's Legislative Directors or
11 they're just here for questions?

12 MR. ENGLER: The rest of our
13 folks are just here to answer your
14 questions.

15 COUNCILMAN DOMB: Okay. So I
16 have a few questions and then I'm going
17 to turn it over to my colleagues. There
18 was an article this morning, I don't
19 know if you saw this, in governing -- I
20 guess we'll get that email -- it's kind
21 of relevant though, and it was, by the
22 way, an editorial in today's Inquirer by
23 John Longstreet that everyone should
24 read, I think he's the President of the
25 Pennsylvania Restaurant Lodging

1 Association, but the article this
2 morning I think is very relevant.

3 I'm just going to share some
4 details of it and go into some
5 questions. It said that the central
6 business districts of cities across the
7 United States have been particularly
8 hard hit by the virus and the two main
9 activity generators, office employment
10 and the tourism, events, hospitality
11 sector have basically gone into what
12 they're calling a deep freeze. That's
13 clear in Philadelphia because 90 percent
14 of our offices are unoccupied.

15 Economist Rich Florida also
16 suggested that central business
17 districts could see a 20 to 30 percent
18 hit on their employment base due to
19 remote work. The shift towards remote
20 work will reduce the level of
21 city-suburb cohesion that comes from
22 workers commuting from one place to the
23 other. Suburban residents who are
24 employed downtown have a real physical
25 connection to the City, and keep in

1 mind, it was 41 percent of our residents
2 in the suburbs, the suburban residents
3 commute to jobs in the City.

4 When they're in the City, they
5 have a connection to the City by
6 spending 40 hours a week working here.
7 So they're in the City, engaged in the
8 City. And not being here, they hurt our
9 whole hospitality sector. Last, less
10 commuting to the office means less City
11 suburban engagement. The other piece
12 they pointed out, which I found kind of
13 interesting, is that one of the biggest
14 concerns of the suburbanites is whether
15 it's reality or perception of the
16 feeling of being safe. Nothing makes
17 the suburbanites want to avoid coming
18 into the City more than the perception
19 again or reality of violent crime.

20 Not only does increased urban
21 crime reduce city-suburban cohesion by
22 curtailing visits between them, but the
23 apparent inability of some Mayors to
24 address it makes suburbanites less
25 likely to view helping the city as a

1 priority.

2 I'm bringing these up because
3 these factors suggest that the
4 city-suburb cohesion will be under
5 increased strain post-COVID, but
6 sustaining that regional collaboration
7 is really critical, especially to
8 Philadelphia. The rise of remote work
9 will make competition for talent in our
10 City even more difficult.

11 This will allow workers to live
12 where they choose rather than where the
13 jobs used to be physically located. In
14 fact, there's some cities and towns
15 across the country that are now called
16 the Zoom towns, because people can go
17 there and live and work remotely.
18 Creating and sustaining this
19 attractiveness is a regional challenge I
20 believe for Philadelphia.

21 So a question is, suburban and
22 City leaders, we need to find a way
23 together to connect a time when new
24 forces are pulling us apart. So my
25 question, Jim, is what are we doing as a

1 City to answer these issues and concerns
2 of working with our suburbs and working
3 together?

4 MR. ENGLER: Sure. So I think
5 you raised a number of issues there.
6 There are -- just to your last point
7 around discussions with our suburban
8 colleagues, I have a three-times-a-week
9 call with County Commissioners of
10 surrounding counties where we discuss
11 our response to the COVID-19 pandemic
12 and our shared responsibility to guide
13 our region through these difficult
14 times. We work in collaboration. I'll
15 let Dawn Summerville from the Commerce
16 Department talk about our coordination
17 with organizations like PIDC and the
18 Center City District about how we
19 respond to office-based businesses and
20 their desire to either relocate or
21 relocate some of their employees or
22 downsize or how we could otherwise
23 support their continued operations in
24 the City.

25 And I think there was a long

1 hearing earlier this week on Monday that
2 discussed the City's shared
3 responsibility to respond to our gun
4 violence epidemic and our violence in
5 general, and I think you heard some
6 testimony from the Police Commissioner
7 or from the District Attorney and other
8 partners as to how we are attempting to
9 respond to that crisis.

10 But I'll let the Deputy
11 Commerce Director talk about some of the
12 specific engagement with those entities.

13 COUNCILMAN DOMB: Thank you.

14 MS. SUMMERVILLE: Good morning,
15 Councilmember Domb and the rest of the
16 Council body. I'm Dawn Summerville,
17 Deputy Commerce Director for Business
18 Development here in the City of
19 Philadelphia. As Jim Engler just
20 mentioned, the Commerce Department
21 continues our outreach efforts with our
22 leadership and CEOs and c-suite. We are
23 currently in the middle of implementing
24 strategy to talk about what their needs
25 are and what the retention efforts look

1 like for the City, whether or not the
2 businesses will continue to work
3 virtually.

4 I am encouraged because of what
5 we're now seeing with the vaccine that
6 is now coming out. A lot of the
7 feedback that we are getting from the
8 business community is wait and see,
9 hopefully a desire to come back into the
10 offices to work. Although Zoom land and
11 Zoom city, Councilman Domb, as you
12 mentioned is a reality, but people
13 desire and need to be in situations
14 where they can collaborate, talk and
15 brainstorm.

16 We will continue to partner
17 with PIDC, the rest of our Chambers, the
18 Greater Chamber, the various Chambers as
19 we continue our efforts to move back in.
20 I can tell you as of earlier this week,
21 I had a conversation with GSA, as you
22 know, a federal agency that controls a
23 significant amount of employers in the
24 central business core, over 30,000
25 employees. They control 6 million

1 square feet of office space with
2 (inaudible) square feet.

3 Our leadership at Commerce
4 learned that they have secured --

5 (Background noise.)

6 COUNCILMAN JONES: Derek,
7 you're not on mute. Councilmember
8 Green.

9 MS. SUMMERVILLE: I -- I --

10 COUNCILMAN DOMB: That's okay.
11 Go ahead.

12 MS. SUMMERVILLE: All right.
13 Many of those leases have been signed
14 for multi-year leases. Moving forward,
15 I can also tell you that the Commerce
16 Department is in attraction efforts with
17 new business looking to come into the
18 City. Business is still happening. But
19 to your point, Councilman Domb, we are
20 in unprecedented time, challenging times
21 with the pandemic. And in order for us
22 to move forward, we have to be able to
23 control the spread of the virus. But to
24 let you know, we are working around
25 strategy, outreach efforts are happening

1 and we look forward to what the future
2 is for the City.

3 COUNCILMAN DOMB: Thank you.

4 And I just have two quick comments for
5 you, Dawn. One is the cost of opening a
6 new business, which I said I think in a
7 week or two ago in Councilman Derek
8 Green's Finance Committee, it's far
9 greater than supporting an existing one.
10 And the existing one's jobs have so many
11 more jobs that our focus right now has
12 to be on helping these existing
13 businesses, it is crucial.

14 In a big picture, and I spoke
15 to the new Commerce Director about this,
16 we should put a lot of focus into the
17 life sciences. That is the future 5,
18 10, 15, 20 years out for Philadelphia.
19 And we all like to hear good news. And
20 last week we honored two of the doctors
21 at the University of Penn who developed
22 the ability for these drug companies to
23 come up with a vaccine. That happened
24 at Penn, their development that allowed
25 those drug companies, which is pretty

1 amazing and that was in cell therapy and
2 other things that they are doing.

3 So from an economic standpoint,
4 I don't know if you're aware of this,
5 but the economic job multiplier of cell
6 therapy is like 5 to 1. So for every
7 job we create in cell therapy, there's
8 five more trickled-down jobs which is
9 huge for the City. So I know we're all
10 aware of that, but I just wanted to
11 mention that. So thank you for your
12 testimony, Jim Engler. I am sure my
13 colleagues are going to have some
14 questions.

15 Before we move on, I do want to
16 recognize Councilman David Oh as being
17 present.

18 COUNCILMAN OH: Thank you very
19 much, Chairman.

20 COUNCILMAN DOMB: Thank you.
21 And I do have a couple of questions.
22 The first one is for Dr. Farley.
23 Dr. Farley, first, thanks for everything
24 you've done and your Department is doing
25 right now. This is unprecedented and we

1 all appreciate everything you're doing,
2 and you're probably working 24 hours a
3 day, 7 days a week and just really
4 appreciate everything you're doing.

5 We're hearing a lot of
6 information about contact tracing and
7 our process for trying to understand
8 where or how folks are contracting this
9 virus. Can you maybe walk us through
10 how you and your team are implementing a
11 contact-tracing program and how that
12 information is being used to develop
13 your thoughts around how this virus is
14 spreading in our City or even around our
15 City? And presumably, you're using
16 other research in the decision-making
17 process, so tell us how all of this data
18 and information is being used to develop
19 the public health guidelines and
20 business restrictions that we're
21 currently under.

22 DR. FARLEY: Thank you,
23 Councilmember. So our contact-tracing
24 system got in place around June of this
25 year when case rates were compared to

1 now very, very low. We were having
2 between 100 and 200 cases per day. And
3 the process for those people who are not
4 familiar with it is when we hear of a
5 case, we have a staff person call that
6 person, find out who they -- have a
7 discussion with them to find out who
8 they might have exposed, therefore who
9 those contacts are, who are high risk
10 for themselves developed the infection
11 and then try to find the phone numbers
12 of those people who they might have
13 exposed, refer them as contacts, and
14 then either that person or another staff
15 member would call those contacts and
16 say, you may have been exposed and we
17 would ask you to go into quarantine for
18 14 days.

19 We hired a large number of
20 staff to do that. That process worked
21 fairly well. But in late September,
22 case rates started to rise very, very
23 quickly here and around the country.
24 This virus changed behavior with the
25 changing seasons as other respiratory

1 viruses did. So now we're getting close
2 to 1,000 cases a day. So we do not have
3 the staff to call even a minor fraction
4 of those people, so we still do some
5 calling for contact tracing. But for
6 the most part, the contact tracing is
7 not taking place just given the sheer
8 number of people involved.

9 As far as how we use that
10 information, again the primary purpose
11 of this is to identify the contacts so
12 that we can stop the chain of spread.
13 The purpose for this is not -- the
14 primary purpose anyway is not to try to
15 understand how the person who is
16 infected got infected. That would be a
17 different sort of study, not an easy
18 study to do. We do get qualitative
19 information, anecdotal information from
20 those interviews that give us some
21 indication for where the person might
22 have been infected.

23 For example, we'll say, who do
24 you think you might have gotten this
25 from. And often they'll say, well, I

1 think I got it from a household member
2 of mine who was sick three days earlier.
3 If that's the case, that's probably
4 true. About half of the people though
5 that we talk to have no idea where they
6 got it from. And so, it's a much more
7 difficult step to take to figure out
8 where a lot of people in Philadelphia
9 are getting infected. So we do take
10 that qualitative, anecdotal information
11 into account in trying to understand
12 where the virus is spreading now.

13 For example, we do get lots of
14 comments about social gatherings and
15 that's why we've had lots of
16 communications around small social
17 gatherings. But we also take into
18 account studies that are done more by
19 researchers and other people in other
20 areas when we think about what sort of
21 policies and restrictions we want to put
22 in place to try to limit the spread of
23 this.

24 So, for example, the
25 restaurants had been demonstrated

1 through a number of studies to be very
2 high-risk settings for spread, and it's
3 not a surprise. Restaurants are where
4 people get together, close to each
5 other, were not wearing masks and that
6 information comes from other sources.
7 We do get anecdotes on that, but we use
8 the other sources more I would say for
9 the decision-making process around
10 future policies.

11 COUNCILMAN DOMB: Okay. I will
12 say that there was a study from New
13 York, just to be put on the table, that
14 said that I think restaurant infections
15 were 1.4 percent. I'm sure you're going
16 to hear some of these statistics from
17 the people testifying today.

18 But let me ask you this other
19 question, Dr. Farley: We heard from
20 folks in the hospitality work group, and
21 when I say hospitality, I'm including
22 arts and culture, restaurants, fitness
23 centers, hotels, and some of them feel
24 like they've been targeted and made to
25 feel like the villains while others feel

1 like they don't have someone to talk
2 with about the disparities in the rules.

3 And I know you have a few small
4 groups that you've talked with, but the
5 business leaders here today that are in
6 this session today are from restaurants,
7 fitness centers, arts and culture and
8 hotel industries, and many haven't felt
9 like they've had a seat at the table. I
10 realize we're all upset at the virus and
11 often times we all face that anger and
12 we're trying to make the best decisions
13 as possible, we all understand. But
14 with the country's leadership, politics
15 have played a role in managing this
16 public health crisis. So when there are
17 inconsistencies in the policies, of
18 course people are going to be upset and
19 they're going to jump in.

20 An example that came up
21 yesterday is the difference between a
22 fitness gym and a physical therapy gym.
23 Fitness centers are considered unsafe
24 for indoor operation while physical
25 therapy locations are considered safe.

1 Both focus on the physical and even
2 mental health of people, so why would we
3 treat them differently.

4 We may have an answer for that,
5 but these businesses haven't heard it
6 yet and they're closing in some cases
7 just shutting their doors permanently,
8 so I feel like we need to do a better
9 job for them going forward. Can you
10 talk about your ideas for how we improve
11 business relationships for those hit
12 hardest by this pandemic and these rules
13 and how do we have a better dialogue
14 with them going forward?

15 And I think the goal here is
16 that everyone wants to operate safely.
17 There are ways to do that and I think
18 you're going to hear those today. So
19 I'm curious to hear what your thoughts
20 are on trying to bring back this economy
21 in a smart way, in a healthy way,
22 adhering to the health guidelines but
23 not, you know.

24 We have some businesses, you're
25 going to hear this today, they've been

1 in business 30 or 40 years. They're
2 shutting their doors. They've lost
3 everything they've worked for, for 30,
4 40 years and that is impactful. So
5 share with us how you think we can
6 improve this and what can we do going
7 forward.

8 DR. FARLEY: First, let me say
9 I am very sympathetic to the businesses
10 that have been hit hard by this and I do
11 recognize that they have been hit hard
12 by this. And I recognize that they've
13 been hit hard by this through no fault
14 of their own. They didn't invent the
15 virus. They didn't invent the situation
16 where the virus tends to spread. It's
17 just the nature of the virus. I do
18 recognize it's been very, very tough.

19 What we in the Health
20 Department have tried to do is limit the
21 spread of the virus, to limit the number
22 of people who die from it while having a
23 minimal impact on the economy. Minimal
24 still could be a devastating impact for
25 some corridors. So I know that that's

1 very tough, and individual businesses
2 will say it's not us. I did all these
3 things and I know there was no spread in
4 my particular business, and many of
5 them, most of them, may be right in
6 that. That doesn't mean that that
7 entire sector is safe.

8 We have to, the Health
9 Department, go with the best evidence we
10 have and the best judgment we have about
11 where we can limit the spread of that.
12 Whatever policy we have, people who are
13 just on the restricted side of the line
14 can point to something that is just on
15 the unrestricted side of the line and
16 say, this doesn't seem right to me. So
17 for the example you gave, I can
18 understand why people would be upset
19 about that. You can understand why
20 healthcare facilities ought to be open
21 because if people are sick, then they
22 need to be able to get health care. But
23 gym facilities are risky so it makes
24 sense for them to not be open.

25 So a physical therapy setting,

1 is that really health care or is that a
2 gym. That's one of those that's just on
3 one side of the line versus the other.
4 I can understand why people are upset.
5 But you definitely have to understand
6 that no matter where we draw the line,
7 there are going to be people unhappy
8 about where exactly that line is drawn.

9 As far as how we engage in the
10 future, I've gotten, as you might
11 imagine, many emails from all sorts of
12 corridors across the City with their
13 opinions and their suggestions. I'm
14 happy to engage to talk with these
15 industries to talk about how we make
16 things more safely. I frankly don't
17 have the time to respond to each
18 individual email and I don't have the
19 time to respond to each individual
20 business. If we can come up with a
21 structured way to have a conversation, I
22 would participate.

23 I would suggest that that be
24 organized through the Commerce
25 Department because they have the

1 relationships and we're only one piece
2 of that conversation. Financial
3 support, I think, is extremely
4 important. I am not an expert in the
5 sort of financial support for these
6 businesses and what can be done. So I
7 need to have them involved in that. So
8 we are happy to engage with these groups
9 as organized groups to see how we can
10 proceed in a way that's as safe as
11 possible while also supporting
12 businesses economically as much as
13 possible.

14 MR. ENGLER: And if I can jump
15 in quickly, Councilmember. So that
16 organized engagement between the
17 Commerce Department on the various
18 sectors of businesses impacted by these
19 latest restrictions is ongoing. It's
20 been happening to your point about our
21 meetings with several of the folks that
22 are scheduled to testify today as well
23 as other impacted businesses.

24 That engagement will be ongoing
25 over the next several weeks, months and

1 years as we all try and recover safely
2 and adequately from the impact of the
3 virus. So that engagement has started.
4 The new Commerce Director Michael Rashid
5 has committed to that and commit to the
6 business owners, again, who are
7 represented on this meeting as well as
8 in the meetings that we've had, so I
9 would expect that that's going to
10 continue over the long-term.

11 COUNCILMAN DOMB: Okay. Thank
12 you. So I guess, Dawn Summerville, are
13 you going to coordinate these
14 conversations with the businesses that
15 feel they don't have a seat at the
16 table?

17 MS. SUMMERVILLE: That's
18 correct, Councilmember. As Jim Engler
19 just mentioned, my Director Michael
20 Rashid would like to have a Restaurant
21 Advisory Board set up that he will also
22 be chairing along with other members of
23 our Department's team to talk about
24 these issues as we move forward. We are
25 aware that -- we just had an initial

1 meeting with the gyms I want to say a
2 week ago. I'm sure that will take place
3 as well as we continue to move forward.

4 COUNCILMAN DOMB: Okay. Last
5 night I actually read the ten
6 testimonies from all the fitness centers
7 that were submitted. I read through
8 each one of them. And not all of them
9 gave me information, but 9 of the 10
10 did. And they claim there were 16,200
11 visits to their collective gyms.

12 16,200 visits, 3 cases of
13 coronavirus. Now, that's their
14 statistics that they've shared with me.
15 I have no way of verifying that, but
16 that kind of information to me means
17 that many of these people are probably
18 practicing in a very safe way and it
19 might be bad actors. We all know
20 there's always bad actors, but I think
21 that also applies to the restaurants.

22 I think that most of the
23 restaurants today are doing a phenomenal
24 job. I was really pretty proud of the
25 efforts they did as far as health and

1 safety standards. You're going to hear
2 that today from them. But there might
3 be again a few bad actors. And I guess,
4 we shouldn't just punish everyone for
5 the small amount of bad actors, and
6 that's really something that we make
7 sure we don't do.

8 Let me go to the next question.

9 It's for someone from OTIS, this
10 question. And it's through the
11 implementation of outdoor dining. We've
12 seen and you're going to hear today some
13 issues of enforcement differences, and
14 we've talked a bit about this with
15 everyone as they've come up. But in
16 some cases, there's tickets for
17 citations that were issued and in other
18 cases, businesses were given warnings.

19 Can you give us some
20 information about how you're working to
21 enforce consistently or explain when
22 variations make sense? And I see
23 Michael Carroll. Good morning.

24 MR. CARROLL: Good morning,
25 Councilman --

1 COUNCILMAN DOMB: And by the
2 way, Mr. Carroll, let me just say this,
3 thank you for everything you're doing.
4 You've been extremely cooperative and we
5 appreciate everything you're doing, so
6 thank you.

7 MR. CARROLL: Thank you very
8 much. Thank you. This is again Michael
9 Carroll, Deputy Managing Director for
10 Office of Transportation, Infrastructure
11 & Sustainability. I think that people's
12 perceptions about the enforcement are
13 somewhat informed by the fact that we
14 are stretched in many respects. We're
15 trying to coordinate as best as
16 possible, not just within the
17 departments but across departments. So
18 Streets, Licenses & Inspections, Health
19 Department are all involved in some form
20 of enforcement of different sets of
21 rules, which each is sort of signed and
22 authorized by Code to address
23 individually.

24 But when it comes to the
25 question of getting warnings or getting

1 citations, for the most part what we're
2 trying to encourage the inspectors to do
3 is to work with people to rectify
4 situations. And even if there's a
5 notice of violation, the intention is
6 not to punish someone, but to kind of
7 reinforce the message and then identify
8 the corrective action.

9 So often what happens is that
10 the warning is coming first, and it's
11 only after a warning or a conversation
12 which may be with staff and not even the
13 manager, it's sort of happening in the
14 field of that second visit or third
15 visit, resulting in some form of
16 citation, and sometimes that's
17 contributing to what appears to be
18 disparities.

19 There is another dimension of
20 this that I want to recognize as well
21 and we just did some analysis on this
22 question and it has to do with the
23 geographies of where enforcements are
24 taking place, and I think there's some
25 perceptions that people have in outlying

1 neighborhoods that certain areas are
2 being targeted more so than other areas,
3 where it appears, at least from a
4 distance, that there's more leniency or
5 there's sort of like a lack of attention
6 to situations.

7 When we took a look at this and
8 we sort of mapped things out, it seems
9 like that disparity is more a function
10 of where the activity is. So if you
11 have one location which is far out from
12 let's say Center City and it's really
13 the only operation that's going on out
14 there and we do find violation in that
15 location and we do cite them, it's sort
16 of like we hit 100 percent. We hit 100
17 percent of operations in that
18 neighborhood and they could be just one
19 or two, whereas we've seen there's
20 clusters of restaurants, there's sort of
21 corridors that are set up in Center City
22 and we may find five or six of those get
23 cited, but because it's sort of diluted
24 by other acts that are not necessarily
25 involved in the same issues and

1 sometimes there's a little less noise
2 that gets made maybe, at the end of the
3 day it gives that appearance. But so
4 far -- we'll keep looking, but we have
5 not seen systemic disparities in terms
6 of the geography of where enforcement is
7 taking place.

8 But having said all of that, I
9 do want to recognize this system is
10 still somewhat imperfect. We're placing
11 a pretty heavy burden on individual
12 inspectors to use their best discretion
13 to figure out how to address situations.
14 We've tried to reflect on what we've
15 learned and we will continue to do so
16 and try to improve the guidance we give
17 inspectors and take all the feedback we
18 can get, and again, do the best we can
19 to make sure we are as even-handed and
20 we're kind of keeping the main purpose
21 in mind, which is to keep people safe
22 and not to punish businesses.

23 COUNCILMAN DOMB: Thank you.
24 And I appreciate that. It sounds to me
25 like you're trying to use more honey

1 than vinegar here, so that's always a
2 good thing because these businesses are
3 basically really struggling.

4 Let me just pass this -- I'm
5 going to have another question for
6 Dr. Farley. But before I get to that
7 question, I just want to share with you
8 the employment numbers in the country
9 right now. I think what hasn't missed a
10 beat are the employment numbers for the
11 legal world, for the construction world,
12 finance and insurance. Their employment
13 numbers are the same as last year. But
14 what has been affected the most is the
15 group of people basically in this
16 hearing today, the hospitality industry,
17 whether it's restaurants, fitness,
18 hotels. Hotels are off 50 to 75
19 percent. Restaurants are off over 50
20 percent at this point with its latest
21 shutdown. Fitness centers are basically
22 shut down. Those are the areas that are
23 really getting crushed.

24 So looking at this and saying,
25 you know what, I see that sun coming up

1 and that's the vaccine. So, Dr. Farley,
2 we have a vaccine that's being released
3 throughout the country and it sounds
4 like it will be a slow release. Can you
5 give us an idea what we could expect
6 over the next few weeks and give us the
7 program? In the next month, how many
8 Philadelphians do you think we could get
9 vaccinated, in the next two months, in
10 the next three months, in the next six
11 months? If you can, and you may not
12 know this yet, give us some sort of a
13 pathway because right now this is our
14 hope, this is where we hang our hat on
15 because we have to get out of this
16 pandemic.

17 DR. FARLEY: First, I agree
18 with you that the vaccine is really a
19 game changer here. It's going to make a
20 huge difference and I'm very excited
21 about its arrival. I really wish I
22 could give a schedule about how many
23 doses we're going to get per week and
24 per month and then at what point we will
25 have vaccinated enough people to say the

1 virus is no longer a problem, but we
2 just don't have that information.

3 Yesterday at the press
4 conference, I quoted a number that we
5 were scheduled to get 27,000 doses of
6 Moderna vaccine next week. This morning
7 we were told, well, maybe it won't be
8 that amount. So it's very unpredictable
9 how many doses we're going to get each
10 week. I can only say it's going to be
11 months before we have a lot of the City
12 vaccinated just because of the rate
13 they're producing it.

14 It will be faster if there are
15 more vaccines that are approved by the
16 FDA. There are more vaccines that are
17 in the final phase of trials. Overall,
18 I will say things are going to start
19 getting better in January and I think
20 they should continue to get better not
21 just because of the vaccine, but also
22 because this is a respiratory virus
23 that's behaving like other respiratory
24 viruses. They tend to be at their worst
25 in January and get better from there.

1 And so, we're going to have two
2 things operating in our favor after
3 January. I can't tell you when though
4 it's going to hit the peak. Maybe we've
5 already hit the peak or maybe the peak
6 is going to be a month from now. It's
7 going to definitely be getting better in
8 2021, and I just wish I could give you
9 better timing.

10 COUNCILMAN DOMB: Well, thank
11 you. Look, if there's anything this
12 legislative body can do to help you in
13 that area, I know that every one of my
14 colleagues and I will give you 110
15 percent because this is the hope,
16 especially for this hospitality
17 industry. We need that vaccine
18 desperately to come into Philadelphia.

19 So I want to recognize
20 Councilmember or Vice-Chair Brian
21 O'Neill who's joined us. Good morning,
22 Councilmember O'Neill.

23 And I know we have several
24 questions. And I want to start with
25 Councilmember Curtis Jones.

1 COUNCILMAN JONES: Thank you,
2 Chairman, and I appreciate you staying
3 focused on the small business community
4 which is the driver for employment in
5 neighborhoods and taxes for the City of
6 Philadelphia to provide services. So
7 thank you for this hearing.

8 The first thing I want to do is
9 acknowledge some of the efforts of the
10 Commerce Department, Health Department,
11 Streets Department, L&I. Most recently,
12 Chairman, they did a walking tour on
13 Main Street in Manayunk, and that was
14 helpful in regard to, A, encouraging the
15 businesses there to hang in there, to
16 power through, push through this
17 pandemic.

18 And one of the things that I
19 appreciated about the walking tour with
20 the new Commerce Department Michael
21 Rashid was that they promised not to do
22 harm. You know, the government comes up
23 sometimes and says, hey, I'm the
24 government, we're here to help you as we
25 cite you, tax you, shut you down. That

1 was not the purpose of the tour. And
2 they observed, they took notes, they
3 made inquiries, they offered instructive
4 comments on how to do that. But the
5 purpose also was to look at outdoor
6 dining, which has been one of the saving
7 graces of Main Street and many other
8 commercial corridors around the City and
9 to create, Mr. Chairman, uniformity,
10 predictability about what is acceptable
11 and what is not in our thoroughfares,
12 roadways, walkways throughout the City.

13 Many of these small businesses
14 are investing limited capital that they
15 still have. And if we're going to be
16 open one week, shut down one week, at
17 least if we continue to have outdoor
18 dining, structural improvements where
19 they can place them in that
20 predictability is essential to their
21 survival, because many of them are going
22 to opt to not open, not to continue to
23 fight and wait until hopefully this
24 pandemic passes over.

25 So with that constructive

1 comment to the departments, Mr. Engler,
2 thank you for allowing those departments
3 to come up there, and hopefully God
4 willing, they will make more tours like
5 that to give instructions to merchants,
6 to give hope to those same merchants.

7 One of the things that I ask is
8 a lot of the hotels -- I have several in
9 my District that have been hit hardest
10 as well because of the lack of
11 tourism -- but what do you think of the
12 conversion of some hotel rooms into day
13 offices, where if you cannot work from
14 home all the time and interrupted by our
15 lovely children or can't present the
16 kind of Wi-Fi and meeting space that you
17 need, have you worked with the hotel
18 industry about the possibility of
19 temporary and maybe even permanent
20 conversion of shared hotel space, shared
21 meeting space?

22 MR. ENGLER: So I'll defer to
23 the Deputy Commerce Director to answer
24 that specifically. I think we're open
25 to any and all innovative ideas in how

1 to reuse vacant space, whether that's
2 vacant office space or vacant hotel
3 space. But I'll defer to Dawn for any
4 specific conversations.

5 MS. SUMMERVILLE: Thank you.
6 Good morning, Councilman Jones. How are
7 you?

8 COUNCILMAN JONES: I'm fine.

9 MS. SUMMERVILLE: The name
10 escapes me right now, but I will get the
11 name back to you. There was an
12 introduction made to the Pennsylvania
13 Restaurant Lodging Association of an
14 individual company, a start-up company,
15 who started in Atlanta and I also
16 believe they've done some things in
17 Texas as well as they created space
18 similar to what you're speaking of, that
19 it was a conversion, if you were tired
20 of working at home because of your
21 partner or whatever the circumstances
22 were, you were set up to go work in a
23 hotel space. Basically, it would be an
24 assigned space, you would operate in
25 that space during the day and the hotel

1 according to how many people signed up
2 would bring staff in and you were able
3 to have lunch or dinner or set up
4 meetings and Zoom meetings from that
5 location.

6 There has not been a broader
7 conversation with the Hotel Association
8 regarding this, but it is something that
9 should be entertained and thought about.
10 But I will get you the name of the
11 company that we initially spoke to
12 because they wanted introductions into
13 the Philadelphia market to do just that.

14 COUNCILMAN JONES: Well, I
15 think when we look at shared space,
16 what's the one down by the Clothespin
17 building on the third or so floor, there
18 is a shared space operation that works
19 well and a hotel is uniquely set up to
20 be able to convert to that in a short
21 amount of time. So something that I
22 would like to see promoted to hotel
23 space.

24 Is there thought given, and I
25 know there's a difficult balancing act

1 between tax amnesty and keeping the
2 services moving in the City of
3 Philadelphia, but U&O taxes and things
4 like that where there's been a seismic
5 shift in both restaurants, commercial
6 spaces that they're really aren't using
7 them, is there a formula amnesty program
8 being developed to be a one-time-only
9 lifeline for some of these businesses?

10 MR. ENGLER: Yes, Councilman.
11 So we announced some changes to the
12 application of Use & Occupancy taxes for
13 impacted businesses, specifically
14 restaurants. I'll let the Finance
15 Director talk about that in detail.

16 MR. DUBOW: So we announced a
17 couple of weeks ago that we would allow
18 restaurants to essentially omit from
19 their calculation of the space their
20 using, their indoor space, because we
21 were saying that that couldn't be used.
22 So we set that up just for this period
23 and that is in place through January 1st
24 when the restrictions are scheduled to
25 end. And then we'll have to re-examine

1 that if the restrictions are extended.

2 COUNCILMAN JONES: Finally, is
3 there going to be -- God willing, the
4 Biden Administration will send some
5 relief not only to individuals that are
6 struggling but to businesses. And I
7 want to thank again PIDC and Commerce
8 Department for working diligently not
9 just downtown, but in neighborhoods and
10 commercial corridors to assist. But
11 there needs to be some focus given to
12 insurances in the City of Philadelphia
13 in urban areas, in high-impact areas and
14 quite frankly risky areas. And what we
15 found was a lot of people couldn't take
16 advantage of it because they were
17 underinsured and they took the bare
18 minimum insurance and there were
19 covenants in those policies that did not
20 include pandemics, did not include
21 social unrest and businesses that were
22 interrupted by them, by those two
23 things.

24 So the insurance industry makes
25 a lot of money in the City of

1 Philadelphia in spite of its risk. And
2 there should be a pooled risk
3 assignment, especially for small
4 innercity businesses in light of all
5 they went through in 2020, to give them
6 some type of the, A, technical
7 assistance about what type of insurance
8 that will cover these kinds of things,
9 but also to lower their premium payments
10 because we haven't seen the worst of the
11 wave of financial problems that some of
12 these businesses are going to have when
13 they get their new premium in order to
14 be able to operate in the City of
15 Philadelphia. So I'd like to get ahead
16 of that curve to make sure that someone
17 advocating on behalf of small businesses
18 in the City of Philadelphia does just
19 that.

20 MR. ENGLER: Thank you,
21 Councilman. I'll defer again to Dawn if
22 there's been any ongoing discussions
23 with the Commerce Department with that.
24 But I think with the Administration's
25 perspective, we're happy to work with

1 businesses, work with the state
2 insurance department, a General Assembly
3 if there needs to be legislative changes
4 as well.

5 MS. SUMMERVILLE: No. And I'm
6 in agreement with Engler, there is a
7 need for a broader conversation around
8 that, Councilmember Jones. As Commerce
9 Department's working, we have heard
10 about those horror stories. They speak
11 primarily in some of our inner
12 neighborhoods, not in the central
13 business core where the insurance that
14 was in place, either they didn't read
15 the fine print or the information wasn't
16 communicated to them what was going to
17 be covered and what wasn't. That is an
18 ongoing discussion as well internally as
19 to how we make sure that our small
20 businesses are building to a capacity
21 and understanding financial
22 responsibility as it relates to their
23 operations, as it relates to a crisis.
24 And many of our businesses are just a
25 crisis away and here we are in a

1 pandemic and understanding that some of
2 them will not survive. So, yes, these
3 are all things that are in discussion
4 and for consideration.

5 COUNCILMAN JONES: Finally,
6 Mr. Chairman, during the uprising and
7 civil unrest, some of the peaceful
8 protests turned into looting. And I
9 would like to encourage the City of
10 Philadelphia, particularly the Commerce
11 Department, to come up with an early
12 warning system, almost like an Amber
13 Alert in respect to a protest of sizable
14 nature.

15 You know when this sun goes
16 down you can predict certain problems,
17 but are we working with business
18 associations, small owners and managers
19 to say, all right, you need to not only
20 expect us to help you, but you also need
21 to help yourselves by maybe bringing on
22 private security personnel to guard your
23 shop, and if we were to do that in a
24 collective way, we could set up almost
25 like a fire drill around the City so

1 that the devastation of looting doesn't
2 further set us back. Is there any
3 consideration for that?

4 MS. SUMMERVILLE: Through the
5 civil unrest that occurred throughout
6 this time with the pandemic and the
7 civil unrest, the Office of Business
8 Services led by NazAarah Sabree was in
9 coordination with the Office of
10 Emergency Management as well as other
11 offices as well as Stacy Irving with the
12 Police Department, so there were several
13 interagencies that were collaborating
14 and watching out also for social media.

15 There were disruptions that
16 occurred that we did anticipate for.
17 And I would say, you're correct, the
18 coordination was in place. But
19 understanding where the disruptions and
20 where the looting and tracking, that has
21 to do with keeping your ears to the
22 ground, has to do with monitoring social
23 media, which a lot of the collaboration
24 happened there and some of it didn't
25 happen on social media platforms.

1 But to answer your question, we
2 did speak to managers that took care of
3 different places. City Line Avenue,
4 Bakers Square, we were in coordination
5 and conversations with them. Those that
6 were able and could afford had already
7 placed -- Franklin Mills, I know that
8 they had security in place so they
9 welcomed the opportunity to also have
10 the National Guard and the alerts that
11 we were able to provide them as a
12 heads-up and we continue to do that on
13 an ongoing basis now.

14 COUNCILMAN JONES: So thanks to
15 Mr. Sabree, we were able to in some of
16 our corridors minimize some of the
17 looting. We couldn't stop it all, but
18 we were able to minimize. But I also
19 want us to looking forward,
20 forward-thinking, set up that early
21 alert system. Because coordinating with
22 the police and private security, we were
23 able to minimize it in certain areas
24 where people pulled up, looked, saw it
25 was covered and moved on to the next

1 commercial corridor. But I would
2 encourage that to be a city-wide
3 program.

4 Thank you, Mr. Chairman.

5 COUNCILMAN DOMB: Thank you,
6 Councilmember Jones. Great questions.

7 I just want a little follow-up
8 on your questions. They were really
9 good. The Revenue Commissioner,
10 Commissioner Breslin, has been extremely
11 receptive. We met with him several
12 times since September. They have
13 programs for businesses. I just want
14 everyone to be aware where they can help
15 them with some of their tax issues and
16 work out deferments. So I want to thank
17 the Revenue Commissioner and his
18 department for working with all the
19 businesses. They've been really, really
20 good. So thank you.

21 And let's see, the next
22 questions I guess would be from
23 Councilmember Katherine Gilmore
24 Richardson.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Thank you so much,
2 Mr. Chair. I truly appreciate this
3 resolution and the hearing as we
4 continue to work through the devastating
5 economic impact of COVID-19 on our City,
6 and particularly, with our restaurant,
7 hospitality and business community which
8 in turn affects a number of
9 Philadelphians who are employed in these
10 industries.

11 So I wanted to start off with a
12 thank you to the Department of Health
13 and Dr. Farley and his team, and
14 especially the Commerce Department for
15 the COVID-19 Small Business Relief Fund
16 and all of our City partners who have
17 been working so diligently to try to
18 provide relief to business owners at
19 this time.

20 I wanted to circle back quickly
21 to Dr. Farley with a question around
22 contact tracing. You said in June that
23 100 to 200 cases, when we were at 100
24 to 200 cases per day, that staff members
25 were reaching out to individuals who

1 have presumptive positive cases of
2 COVID. Now that we're at 1,000, are we
3 still contacting 100 to 200 people per
4 day around contact tracing?

5 DR. FARLEY: It's about that
6 many, yeah. We're still doing some
7 number like that, which ends up being a
8 small fraction of the total people who
9 are diagnosed.

10 COUNCILWOMAN GILMORE

11 RICHARDSON: Okay. And you said from
12 that information, the 100 to 200
13 individuals who are contacted, we can't
14 properly ascertain even from that small
15 sample where a majority of the
16 presumptive positive cases are coming
17 from in this City?

18 DR. FARLEY: That's correct.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Okay. And then I wanted to
21 shift to another question for Commerce
22 relative to historically disadvantaged
23 businesses. I heard our Deputy Mayor
24 Engler talk about working with business
25 owners, but particularly historically

1 disadvantaged business owners. And I've
2 heard some of them, some prominent, who
3 particularly are in the restaurant
4 industry are in danger of closing their
5 locations, some who have already closed.
6 And some of them have told me that for
7 whatever reason they may have had an
8 issue with the City from a revenue
9 perspective, needing to get into a
10 payment plan, et cetera, but because of
11 that, they were unable to qualify for
12 any of the funding offered to the City,
13 and I'm talking about restaurants and
14 businesses that are internationally
15 acclaimed that are a part of our
16 promotion and marketing materials for
17 the City. So how are we helping those
18 businesses sort of get into compliance
19 so that they can be eligible for
20 whatever funding may be forthcoming?

21 MS. SUMMERVILLE: Thank you for
22 that question. Councilmember
23 Richardson, I know early on when the
24 Commerce Department was able to put this
25 small business relief money to the

1 street and the onslaught on COVID and
2 pandemic, we worked very closely with
3 the Revenue Department and other
4 departments to get these businesses into
5 a compliance or payment plan.

6 Once we received -- and when I
7 say get them, we had someone that was
8 assigned to working directly with them
9 and with the Revenue Department to get
10 payment plans initiated or the
11 agreement, let me say the agreement of a
12 payment plan. Once we got a sign-off
13 from the Revenue Department, those folks
14 went through and were able to receive
15 funding from the City.

16 If there are cases that were
17 more complicated or were not able to get
18 funding, the Commerce Department, the
19 Office of Business Services works with
20 those businesses to get them compliant
21 and then to an agreement. If there is
22 someone in particular that, you know,
23 we'll be happy to look into that
24 immediately as we begin to think through
25 the next phase of funding to hit the

1 streets.

2 COUNCILWOMAN GILMORE

3 RICHARDSON: Okay. Thank you for that
4 response. I also wanted to know if you
5 all are still working on a capacity
6 building for some of these organizations
7 who really lack the internal structure
8 to adequately participate in the
9 application process?

10 MS. SUMMERVILLE: Yes, that
11 work is happening through the Office of
12 Neighborhood Economic Development under
13 Deputy Commerce Director Karen Fegely as
14 well as the Office of Economic
15 Opportunity with Iola Harper. So we are
16 working with businesses to build
17 capacity to see where the areas are, so
18 to speak, weakness where we can
19 strengthen them to prepare them for
20 opportunities in the future.

21 COUNCILWOMAN GILMORE

22 RICHARDSON: Okay. Thank you very, very
23 much.

24 My next question is for our
25 Finance team. For the record, I just

1 wanted to know how we are continuing to
2 look at our current tax structure in our
3 City relative to our heavy reliance on
4 the wage tax in light of the new
5 work-from-home opportunities that a
6 number of companies have offered as a
7 result of the pandemic? What type of
8 collaboration is happening with our
9 state partners and others to continue to
10 figure out how we really look at our tax
11 structure in a significant way so that
12 we don't have an overreliance on the
13 wage tax?

14 MR. DUBOW: That's a really
15 important question that we are talking
16 about as we prepare for the FY22 budget
17 process. We're at the stage where we're
18 talking about it internally and whether
19 there are things we need to do. And
20 once we've determined that, I think then
21 we'll start to reach out and work
22 collaboratively with our partners in the
23 state.

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Okay. Thank you for that

1 response.

2 And thank you so much,
3 Mr. Chair.

4 COUNCILMAN DOMB: Thank you,
5 Councilmember Gilmore Richardson.

6 I just want to follow up on
7 that question, Rob. 41 percent of the
8 residents of the workers in the City
9 live in the suburbs. What do you
10 anticipate of that 41 percent will be
11 lost wage tax? What percentage?

12 MR. DUBOW: So we built that
13 into our initial projections and we
14 assume that there would be a two-part
15 fall-off. One that would be immediate
16 and then a long-term fall-off. I have
17 to get back to you with the exact
18 amount, but we did build in an
19 assumption that there would be a
20 permanent hit to our wage tax because
21 there are people who would never come
22 back.

23 COUNCILMAN DOMB: Okay. Thank
24 you. Thank you very much.

25 I would like to also recognize

1 Councilmember Maria Quinones-Sanchez as
2 being present. Good morning.

3 And now I note that
4 Councilmember Derek Green has some
5 questions. I would like to recognize
6 Councilmember Derek Green.

7 COUNCILMAN GREEN: Thank you,
8 Mr. Chair. I want to thank the
9 Administration and the Health Department
10 and all the City departments in
11 reference to the work you have done, the
12 yeoman's work that you have done in
13 reference to addressing this pandemic.
14 This has been unprecedented the way it's
15 impacted every aspect of the world and
16 the steps that you have taken to try to
17 prevent the spread. And the sense of
18 urgency that you have used to address
19 this global pandemic is commendable.
20 But this pandemic has also been an
21 economic crisis.

22 And my question focuses on I
23 don't get the same perspective of that
24 same level of urgency in reference to
25 the economic crisis, in reference to the

1 small businesses that are impacted, as
2 our Chair said and I agree with him, due
3 to no fault of their own, have been
4 impacted by this pandemic.

5 In particular, as I think about
6 some of the steps that have been taken
7 and the measures, just concerned in
8 reference to how we continue to move
9 forward and demonstrate a greater sense
10 of urgency to address small businesses,
11 in particular. I know a number of the
12 neighborhood improvement districts were
13 pushing the Administration to open up
14 outdoor dining.

15 I know my work in talking with
16 a number of those districts and also
17 through my work with National League of
18 Cities and other organizations, I saw
19 what other cities were doing to more
20 readily open up outdoor dining for
21 businesses because time is money, and we
22 all know that Philadelphia is in
23 Northeast. And so, we knew we were
24 going to have a finite amount of time to
25 provide outdoor dining. And in each

1 week that we lost in doing that, that
2 was another week that a number of the
3 businesses that have been really
4 significantly impacted by this pandemic
5 did not have the opportunity to at least
6 try to convert some of their operations
7 to outdoor dining.

8 So I say that from this
9 perspective: When the new measures were
10 introduced, and we all have seen the
11 increase in the spread not only here in
12 the City of Philadelphia but across the
13 nation, but then it was a period after
14 that that the relief measures on the Use
15 & Occupancy weren't announced. And I
16 think this goes to that lack of
17 coordination and communication. And I
18 know that Dr. Farley said that you're
19 open to talk with groups about this
20 issue and I know the Commerce Department
21 has been doing that throughout this
22 pandemic. I've worked very closely with
23 them on the PHL Small Business Grant
24 Loan and Relief Fund.

25 I guess my question is that

1 going forward these new measures are
2 into effect until January 1. I'm sure
3 prior to that time period there will be
4 some steps to decide whether to extend
5 it or to pull back on those measures.
6 So in this regard, is there going to be
7 a coordination not just the Commerce
8 Department because the Commerce
9 Department has been doing that, they've
10 been reaching out and having
11 conversations, but it's not a siloed
12 approach? We need to have a more
13 combined approach, which is the Commerce
14 Department, the Mayor's Office and the
15 Health Department in a collaborative
16 perspective in reference to how we're
17 going to communicate to those businesses
18 that are going to be testifying here
19 today about what's going to happen after
20 January 1.

21 MR. ENGLER: Sure. Thanks,
22 Councilperson. So we've asked the
23 Commerce Department to convene those
24 groups so that we can get feedback from
25 them to figure out what are the levers

1 that we might be able to pull in order
2 to impact their businesses and to
3 support them if there's going to need to
4 be restrictions that are extended past
5 January 1st or 4th in the Governor's
6 order.

7 I think going back when we
8 imposed the restrictions in November, I
9 think we tried to move quickly, probably
10 not quickly enough for a number of
11 businesses that were concerned about how
12 these would impact them and how the
13 measures that we did put in place,
14 whether it was Use & Occupancy or
15 Business Income and Receipt Tax were not
16 strong enough, I think we are working
17 with the resources we have, with the
18 levers that we can pull to support
19 businesses. But we have said from the
20 beginning that we're not going to be
21 able to make it through this pandemic
22 without substantial support from the
23 federal and state government.

24 The state General Assembly
25 decided to take over \$1 billion in CARES

1 Act and use it to plug their budget hole
2 instead of supporting either local
3 governments or supporting small
4 businesses. I think that was an
5 unfortunate decision, but it has put us
6 in a decision where our resources are
7 limited.

8 And while we advocate for
9 additional federal relief, there's an
10 opportunity things may move this week.
11 That money may flow through previous
12 formulas that we know have not supported
13 our local businesses. That's why we've
14 argued for substantial support for state
15 and local governments where we know we
16 can get the dollars through to
17 businesses who need it most.

18 And it looks like the
19 Republicans may decide to block that.
20 So we continue to lobby there.
21 Appreciate your support. Appreciate
22 Councilmember Domb's support in
23 organizing those lobbying efforts with
24 our partners at the federal level and we
25 will do all we can to present a

1 coordinated approach to any additional
2 restrictions and any additional relief
3 measures and we're just trying to do it
4 in the best and fastest way we can as a
5 large government.

6 COUNCILMAN GREEN: And I
7 appreciate that, and you know through my
8 membership on the Board of National
9 League of Cities, I've been pushing
10 cities are essential. Every time I get
11 information from NLC, it can be 11:30 at
12 night, I'm sending that information to
13 the Administration about what I'm
14 hearing.

15 I do agree with you that it
16 seems like the bipartisan package that
17 is moving through the federal government
18 more likely than not unfortunately will
19 not include state and local aid from
20 what I've been hearing in the past
21 number of hours, but that's a separate
22 perspective and I agree with a lot of
23 those points. My question is, and I
24 want to come back to this, I know you're
25 asking the Commerce Department to

1 convene those conversations. But the
2 City of Philadelphia is not a silo.
3 It's not just the Commerce Department.

4 A lot of the decisions that are
5 being made are being made by the Health
6 Department and also in coordination with
7 the Mayor's Office. So the question is
8 when you're having these conversations
9 and Dr. Farley said he wants to
10 participate, are these conversations
11 going to be convened with the engagement
12 of and participation of Dr. Farley or
13 Senior Executives in the Health
14 Department as well as the Mayor's
15 Office, so that way it's not just people
16 going back to the Commerce Department
17 that's been having those conversations
18 throughout this entire pandemic, but
19 also other parts of the Administration
20 that are making these decisions on these
21 issues, so people can feel that their
22 issues are being heard, not just by the
23 Department that's been really listening
24 and doing those things, but also the
25 Health Department and the Mayor's

1 Office, because I think that's part of
2 this lack of communication and why
3 people feel not being included because
4 of this issue.

5 And I say that now even though
6 we've had these challenges over the past
7 number of months, but we're going into a
8 period of a new year and these
9 restrictions are now into January 1,
10 there may be a decision to extend those
11 restrictions based on some of the
12 numbers I've seen that Commonwealth of
13 Pennsylvania are holding steady in
14 reference to our infection, we want
15 those infections to go down, but that's
16 the engagement that people are looking
17 for. They're looking for that
18 engagement, not just with Commerce, but
19 with the Mayor's Office as well as the
20 Health Department. So will both other
21 departments be willing to be part of
22 those engaged conversations with some of
23 the organizations and groups that are
24 represented here today?

25 MR. ENGLER: Yes. There's that

1 commitment that has been made in the
2 meetings that we've had again with some
3 of the representatives that will testify
4 today and their industries and we will
5 do that as well, the Health Department,
6 the Mayor's Office and other City
7 departments involved and necessary to
8 those conversations, we will participate
9 in those convenings.

10 COUNCILMAN GREEN: Okay. I'm
11 clearly familiar with the challenge that
12 the City has from a fiscal perspective
13 and I know our fund balance is dismally
14 low at this point. And if there is some
15 measure of hope that there is some
16 additional state and local aid, it
17 seemed like it may not come out of this
18 bill package that is moving through
19 Congress this week, but I know from my
20 information that the President-Elect is
21 also looking to do another package going
22 forward hopefully in the first or second
23 quarter of 2021.

24 My question is how we're going
25 to use some of those dollars, and this

1 goes back to that urgency, for economic
2 development and promotion, especially
3 for these industries and these segments
4 and these small businesses that have
5 been so fundamental for the growth of
6 the City?

7 When you think about where we
8 were in the early '90s in reference to
9 our Center City core and where we are
10 now from both conventions and visitors,
11 from hospitality and restaurants, from
12 arts and culture, we've gone a
13 significant long way which has helped to
14 provide additional dollars into our
15 City. Our budget this year pre-pandemic
16 was \$5 billion. So my question is will
17 there be a commitment to spend more
18 dollars than we have done?

19 And I do want to thank the
20 Administration for putting some
21 additional dollars into helping the
22 initiative that Governor Wolf had and
23 Senator Hughes support to help small
24 businesses that did not get that Payroll
25 Protection Program dollars. But when I

1 look at what other counties did, when I
2 look at what Montgomery County did, when
3 I look at Allegheny County, they put
4 more of their CRF or Coronavirus Relief
5 Funds into those initiatives.

6 Just last Monday or Monday
7 before last during the Bills v. 49er's
8 game, Baltimore had a commercial about
9 promoting and asking people to come to
10 Baltimore to enjoy and spend their
11 dollars there. Are we going to have
12 that same type of commitment going into
13 2021 if there are additional dollars
14 that come to the City of Philadelphia?
15 And not just a small amount, but a real
16 sense of urgency that we really got to
17 promote our economic development and our
18 hospitality and these industries and
19 these businesses in order to move our
20 City forward to try to at least get back
21 to where we were before.

22 MR. ENGLER: Sure. So it's
23 hard to make a commitment because we
24 don't know the size of the stimulus
25 packages as well as the restrictions.

1 As you know, the Coronavirus Relief Fund
2 dollars that we received come with
3 significant restrictions that the
4 Finance Director can speak to. The
5 other --

6 COUNCILMAN GREEN: Mr. Engler,
7 if I can just say in all due respect,
8 yes, they do come with restrictions and
9 you know I'm very familiar with a lot of
10 those restrictions, but a number of
11 other entities like Baltimore -- Bucks
12 County is using their CRF dollars to do
13 marketing in Bucks County right now. A
14 lot of other entities are doing this.
15 And I had conversations with various
16 agencies within the Administration about
17 these issues in the summertime and I
18 understand that we were trying to focus
19 on relief for hospitality and some of
20 the other initiatives that we have
21 provided dollars for and I commend the
22 Administration. I'm just saying going
23 forward into the next year there should
24 be a greater commitment in that regard.

25 MR. ENGLER: Understood. And I

1 talk regularly again with the County
2 Commissioners, their allocation of their
3 CARES Act dollars. The situation of the
4 counties are substantially different.
5 They're not dealing with the same level
6 of municipal expenses that we are. And
7 in the case of Baltimore, both Baltimore
8 County and Baltimore City were able to
9 receive separate CARES Act allocation in
10 addition to what Maryland received and
11 how Maryland decided to dole out those
12 dollars.

13 I think you have our commitment
14 to continue to support businesses that
15 are impacted by COVID and industries
16 that are impacted by COVID, specifically
17 the hospitality industry. When we reach
18 mass vaccination levels that Dr. Farley
19 has talked about and there are ease of
20 travel and we are seeing the return of
21 our hospitality sector in a big way,
22 it's going to require additional support
23 from the City government, from the state
24 government and from all of our partners.
25 So you have our commitment to that. I

1 can't again speak to specific
2 allocations based off of what we expect
3 to see in a relief package and what
4 restrictions come with those new
5 dollars, but we are committed to
6 supporting these industries and sectors
7 as we move forward and to do it
8 collaboratively with City Council.

9 COUNCILMAN GREEN: And I do
10 appreciate that. We do have a number of
11 expenses that a lot of other
12 jurisdictions do not have based on a
13 high level of poverty. The fact that we
14 are a city and a county, I would agree
15 with you we get short-changed whereas we
16 should be getting -- even the funding
17 formula I saw for this possible \$160
18 billion showed an allocation for states,
19 counties and cities. And because
20 Philadelphia is both a city and a
21 county, we probably are not going to get
22 the full range of dollars that we should
23 get and that's very unfortunate.

24 And I also think we should be
25 putting more pressure on the Wolf

1 Administration to provide more dollars.
2 Because as our Center City core goes,
3 that's how the City goes. As our City
4 goes, that's how the region goes. And
5 as the region goes, there goes the
6 Commonwealth of Pennsylvania. And so,
7 that's very important that we should be
8 getting those additional dollars that we
9 need and I'm glad we do have some new
10 leaders in the General Assembly that can
11 help push that, but we need to push that
12 even more because it's important.

13 Last question I have is -- and
14 I know the challenges of trying to
15 navigate this budget has been very
16 precarious, you mentioned the fund
17 balance which I know is very concerning.
18 I know the other pressures we have in
19 reference to our labor contracts and the
20 School District, other things that have
21 been coming up as part of not only this
22 calendar year as we manage our cash flow
23 until we get to the new fiscal year
24 which starts on July 1.

25 Are there nonfinancial means

1 that we could use to help better promote
2 the region, going to some of our
3 corporate partners who may have
4 marketing dollars or reserve cable or
5 television dollars? And when I think
6 about the work that we did collectively
7 as a City, in reference to Philadelphia
8 Delivers in responding to the Amazon
9 proposal, can we have that same type of
10 energy in reaching out to a number of
11 different entities who can help us
12 promote these industries, hospitality
13 and other means that are done in
14 nonfinancial ways where we can bring
15 other things to do that, because we're
16 really in a situation that is very
17 concerning?

18 When I think of where we were
19 in the early '90s when the City was on
20 the verge of bankruptcy, but other
21 cities and counties around us and the
22 Commonwealth were not really in the same
23 financial situation, it was really more
24 Philadelphia. We're in a different
25 dynamic where all cities are in a very

1 precarious situation in reference to
2 trying to get banks to what some will
3 say is normal. And so, they're
4 competing.

5 I'm already seeing
6 advertisements and discussions about how
7 to get people that live in the
8 Philadelphia region to go to this city
9 or that city for hospitality and
10 tourism. So from the perspective of
11 using nonfinancial means, and I'm going
12 to say nonfinancial to the City because
13 we're in a very challenging perspective,
14 but reaching out to various entities to
15 help us to promote Philadelphia, the
16 region, our economy and use that same
17 sense of urgency that we've been using
18 to really prevent the spread and wear a
19 mask and do what we need to do in
20 reference to the infection rates in the
21 City, but using that cooperative
22 collective spirit that we used in
23 reference to the Philadelphia Delivers
24 and Amazon proposal?

25 MR. ENGLER: Sure. And I'll

1 turn it over to Dawn to speak
2 specifically about some of that
3 engagement. We have had that engagement
4 with our Greater Philadelphia Chamber of
5 Commerce and our business partners
6 there, so I'll turn it over to Dawn.

7 MS. SUMMERVILLE: Thank you.
8 Councilman Green, as discussed -- and
9 you know some of this, you've been
10 included in some of these
11 conversations -- there have been
12 discussions with the Chamber in
13 collaboration efforts of the four R
14 framework, reimagine, restart, reopen,
15 so those conversations are happening and
16 moving forward as well.

17 To the side of that, with the
18 new Director of Commerce in place,
19 Director Rashid has begun to have
20 conversations as well with different
21 corporations and entities about
22 Philadelphia and our presence here in
23 the market. And as you spoke to the
24 region, Philadelphia is a major
25 contributor of work, employees,

1 businesses that all want to operate
2 within our region, within our core.

3 We also did outreach to several
4 other corporations to speak to them
5 about just that, how do we continue to
6 promote the City without a nonfinancial
7 commitment. There are also corporations
8 as our budgets have been strained.

9 Corporations have cut in their budgets
10 as well. Just recently, Councilman Domb
11 spoke earlier about life science. We
12 thought about how we continue to promote
13 Philadelphia for life science for
14 attraction efforts.

15 And as of yesterday, with
16 selected in partnership with PIDC and
17 the City of Philadelphia, we conducted a
18 virtual sight tour of the City of
19 Philadelphia for life science business.
20 These are the type of initiatives and
21 efforts that we are doing to keep
22 Philadelphia up front, to keep our name
23 there, that we are open for business and
24 to continue to promote the City. But
25 the efforts are going to have to be

1 collectively not just for us here in the
2 City, but working through the region for
3 all of us to continue to strengthen our
4 position in the market for those
5 efforts.

6 So that work is being done. It
7 will continue to go on not just for this
8 year, but for the next several years as
9 we look to rebuild the region beyond
10 former years to strengthen our region
11 moving forward.

12 COUNCILMAN GREEN: Well, thank
13 you for those comments. I just want to
14 reiterate that we need that same level
15 of urgency that we've shown to keep
16 Philadelphians safe from the virus and
17 also trying to keep Philadelphians
18 employed and maintain and run small
19 businesses.

20 Thank you, Mr. Chair.

21 COUNCILMAN DOMB: Thank you,
22 Councilmember Green, and thank you for
23 your questions. Very good.

24 I want to recognize
25 Councilmember Isaiah Thomas who's joined

1 us. Good morning, Mr. Thomas.

2 I also want to mention I'm sure
3 that Jeff Guaracino from Visit Philly is
4 going to mention this, but some good
5 news is that Philadelphia was named by
6 Condé Nast Traveler, I think, as one of
7 the top eight places to visit in 2021,
8 so that's a positive. We just want to
9 make sure things are open for people to
10 visit.

11 And to follow up on
12 Councilmember Green's comment, in 14
13 days many of the people testifying today
14 are wondering what rules are they going
15 to have to operate their business under.
16 They have no idea. And I think one of
17 the issues for them is that we can't
18 just give them two, three, four, five
19 days' notice on rules. We have to give
20 them advanced notice and that's that
21 sense of urgency.

22 And I'm listening to the
23 commentary. The City doesn't have
24 enough money to support all of these
25 different problems and businesses. We

1 just can't afford it. So I really
2 think, and you're going to hear from
3 more testimony and my colleagues, we
4 have to start focusing on how do we
5 reopen in a safe way, a smart restart,
6 how do we open those gyms in a safe way,
7 how do we get back the restaurants in a
8 safe way. And I think if we hear from
9 the fitness people, gym people, the
10 restaurant people, hotel people, they'll
11 tell you how they can do it in a safe
12 way. I think we really need to listen
13 to them and do it. Because otherwise,
14 we will destroy this economy.

15 I'd like to call upon
16 Councilmember Cindy Bass next. I know
17 she has some questions and she's been
18 very patient. Councilmember Bass.

19 COUNCILWOMAN BASS: Good -- is
20 it still morning, good morning. So I
21 want to thank everybody. I thank you,
22 Mr. Chairman, for conducting this very
23 important hearing. As you mentioned
24 earlier in your comments, we have been
25 having conversations with the restaurant

1 industry and the hospitality industry
2 about some of the challenges they face.
3 And I can only imagine how difficult it
4 must be.

5 We did an event -- I did an
6 event on Saturday and we had it all
7 planned out. It was going to be
8 outdoors. And when the Governor's new
9 rules came down, we had two days to sort
10 of scramble. So it really did give me a
11 taste of what it's like to try to
12 quickly change up and go in a different
13 direction.

14 So I had a whole line of
15 questions prepared just thinking along
16 those lines, but I got a call this
17 morning so I'm going to switch up just a
18 little bit. I got a call this morning
19 that Ray Murphy who many know, I know he
20 knows Councilman Curtis Jones very well,
21 passed away. Ray Murphy was a titan in
22 North Philadelphia in the business
23 community on North 22nd Street, and
24 beyond North 22nd. He wasn't just
25 limited to that area.

1 He was someone who knew the
2 pulse of the neighborhood and also owned
3 and ran several businesses, including
4 Tommy's Mens and Boyswear, which was a
5 staple in the community for decades and
6 still is. And so, we lost him to COVID,
7 which is really hard as we prepare for a
8 vaccine that's getting ready to be
9 distributed in high hopes and hopes for
10 a brighter tomorrow. It's really hard
11 when you lose someone who was just such
12 a wonderful person as you get down
13 almost to the finish line.

14 And so, one of the things that
15 I wanted to do is talk this morning with
16 the Administration about enforcement.
17 Because one of the things that I'm
18 seeing within the African-American
19 community is the spread of COVID. I'm
20 seeing some corner stores where it's
21 almost as if there is no pandemic going
22 on, and we need enforcement in our
23 neighborhoods.

24 We need enforcement not just in
25 Center City, but a lot in our

1 neighborhoods. A lot of our corner
2 stores, the takeout restaurants, folks
3 are still going, still packed in. And I
4 would like to hear from the
5 Administration, how do we get the
6 enforcement from the Health Department,
7 how do we get enforcement from L&I and
8 from the Administration to make sure
9 that anyone who is operating in a manner
10 which puts other people at risk, because
11 you just don't put other businesses at
12 risk, some of this behavior has really
13 shut down the activity in Center City,
14 you know. There's a ripple effect to
15 all of this. And so, it's caused COVID
16 to spread. It's caused a large number
17 of infections here in the City of
18 Philadelphia.

19 And so, if we don't pinpoint
20 areas where we know that people might
21 not be playing by the rules, why not
22 target in on those businesses first.
23 Why not make sure that we get down to
24 the businesses that we know they're not
25 following the rules. And I can give you

1 a list. If you don't know, I can let
2 you know.

3 I think every District
4 Councilmember can probably give you a
5 list of areas you can go to and find
6 lots of people congregating without
7 masks, without social distancing, not
8 doing any of the things we recommend.
9 And as a result, again there's a ripple
10 effect, so businesses are closed, people
11 are out of work.

12 And as you know within the
13 minority community, when everyone else
14 is hurting, we're dying, okay. So what
15 can we do around the enforcement that we
16 all know we need to do to be able to
17 help businesses function, operate, get
18 back on their feet, but we've got a few
19 bad players that need to be addressed?

20 MR. ENGLER: So thank you,
21 Councilmember, for that. I'll turn it
22 over to Dr. Farley to talk about some of
23 the Health Department's specific
24 enforcement. The Health Department has
25 inspectors out across the City visiting

1 those businesses. Obviously, your offer
2 to share a list of businesses I think
3 would be appreciated so we can, again,
4 target those efforts to the most serious
5 offenders.

6 COUNCILWOMAN BASS: Yes.

7 MR. ENGLER: I think we are
8 trying to balance being supportive of
9 businesses to Councilman Jones' previous
10 point, supportive of businesses
11 operating safely and correctly and not
12 overenforcing against businesses that
13 may just not understand the rules or may
14 not just be interpreting them in the
15 right way. But I'll turn it over to
16 Dr. Farley to talk through what the
17 Health Department has done so far.

18 DR. FARLEY: Thank you,
19 Councilmember. So we do have inspectors
20 that for the most part under ordinary
21 circumstances they inspect restaurants,
22 and they're still inspecting -- they
23 inspect restaurants and food stores.
24 They're still out there doing them on a
25 schedule, but then they're also

1 available on complaint.

2 So any complaint that comes
3 into 311 or any complaint you want to
4 send to me, we will send to our
5 inspectors. We will be more than happy
6 to send them out. And if it is as Jim
7 Engler just said, if it looks like
8 they're just being a little laxed and
9 need a little warning, then they get
10 that. On the other hand, if this is
11 really something that is defying what
12 the rules are, then we will shut them
13 down. And we have shut down a number of
14 businesses in the City and we'll
15 continue to do that.

16 There is a problem though that
17 there's a lot of businesses in the City
18 and there's probably more out there who
19 are not following the rules than we have
20 inspectors to get to. So it's always
21 going to be -- we'll follow up on all of
22 them. We're not going to be able to be
23 there every day when people are defying
24 this.

25 COUNCILWOMAN BASS: And I

1 understand that, and that's part of my
2 concern. Because I know you're not
3 going to be able to be there all day,
4 but if you're going to shut down an
5 entire industry, then if we're telling
6 you that this location is a problem,
7 then they need to be shut down too
8 because they're causing the ripple
9 effect that I'm speaking of.

10 I don't think it should be a
11 warning. I think if you go out and you
12 observe 20 guys standing close together,
13 you know, in a 10-foot space and
14 nobody's wearing a mask, nobody's social
15 distancing, then this location is a
16 breeder. This is a place where this
17 virus is allowed to flourish. And so,
18 the idea of waiting for Health or L&I or
19 whomever to come back out I think is
20 unacceptable.

21 We wait and we wait and we wait
22 for enforcement. We need enforcement
23 now, especially because of the dire
24 consequences to health and to the City's
25 finances and to the industry itself. We

1 need more action immediately that's not
2 going to be, well, we're going to give
3 you a warning and then we might or might
4 not get back to you, and meanwhile it
5 just keeps going on and on and on.

6 DR. FARLEY: I appreciate that.
7 And there definitely have been a number
8 of places that we have shut down and
9 we'll continue to do that. But I take
10 that suggestion. Thank you.

11 COUNCILWOMAN BASS: Okay.
12 Well, I hope you'll take it and act on
13 it, so thank you.

14 My last question is I just
15 wanted to go back, and I have a bit of a
16 different perspective than my good
17 friend the Chairman, Councilman Domb, as
18 we talked about supporting businesses.
19 I know that the Councilman felt very
20 strongly that we should not support or
21 that there just aren't enough
22 resources -- I won't say not support,
23 but there's just not enough resources to
24 support newer businesses that are
25 starting up now. And I would say that I

1 will take exception with that with
2 African-American businesses and Latino
3 businesses because we have had so little
4 support. And we operate as African-
5 American businesses -- I'm not sure what
6 the percentage is for Latino -- but we
7 own, operate about 2 to 3 percent of all
8 businesses here in the City of
9 Philadelphia. So I would say that if
10 there is a small minority business and
11 is a start-up, then we have to support
12 them as well.

13 I think we can do both. I
14 think that we can do both. We can
15 support existing businesses and provide
16 them with the support they need and we
17 can give support to new minority
18 businesses, knowing that 97 percent of
19 the businesses in the City of
20 Philadelphia don't look like those. So
21 I think we have to, we must, we must
22 encourage and support African-American
23 and Latino businesses. And that's my
24 last statement.

25 Mr. Engler, I don't know if you

1 wanted to comment or anyone else about
2 that.

3 MR. ENGLER: No, I appreciate
4 that. We have made a commitment to
5 historically disadvantaged businesses
6 owned and to support them through this.
7 I don't know if Dawn wants to speak
8 specifically to those efforts, but I
9 think we absolutely hear your comment,
10 appreciate it and have been working to
11 try and address it.

12 COUNCILWOMAN BASS: Thank you.

13 MS. SUMMERVILLE: Real quick,
14 Councilmember Bass, thank you for that
15 question. We do have a guided work
16 based on the equitable entrepreneurship
17 strategy that the City and PIDC will
18 focus our collective commitment on new
19 investment and resources to grow local
20 and small Black- and Brown-owned
21 businesses. So some of these efforts
22 will include a more affordable, flexible
23 capital targeted business support and
24 resources for these small businesses and
25 owners that are seeking to acquire real

1 estate --

2 COUNCILWOMAN BASS: Okay.

3 MS. SUMMERVILLE: -- and wealth
4 in their business. As many know, there
5 are so many great minority businesses
6 along the corridors, but they do not own
7 the real estate that they're in. And
8 ownership, ownership is one way of
9 building wealth and creating legacy. So
10 we want to make sure that we are taking
11 a very targeted and intentional look at
12 that. So that work has begun.

13 COUNCILWOMAN BASS: Very good.
14 I just want to make sure it's not a
15 situation where we're not asking
16 questions of are you a new business and
17 then when it's a Black or Brown person,
18 all of a sudden now it's a new set of
19 criteria or a different set of questions
20 and say, oh, are you a new business.
21 Sorry, we can't help you. I just want
22 to make sure that we're paying
23 particular attention as we grow this
24 economy. Almost it feels like start
25 over all over again, that we're paying

1 attention to what commerce in
2 Philadelphia is going to look like. So
3 I thank everyone for their work.

4 MS. SUMMERVILLE: Thank you.

5 COUNCILMAN DOMB: Councilmember
6 Bass, let me just clarify, I'm in
7 support of helping new business and
8 existing businesses. But I will say
9 today we're hearing from the existing
10 businesses and they need to stay open.

11 COUNCILWOMAN BASS: Yes.

12 COUNCILMAN DOMB: They've made
13 investments. They've made commitments.
14 They've been loyal to the City of
15 Philadelphia and many of them are
16 minority businesses, many are. And so,
17 we cannot let them go down. This is no
18 fault of theirs that this is happening.

19 COUNCILWOMAN BASS: Councilman,
20 I certainly do agree with you. And I
21 think that -- and you've heard me say
22 many times that we can recover, but what
23 are we recovering to. We don't want to
24 recover and have no place to go, nothing
25 to do, no restaurants to sit down and

1 eat at, no place to shop, what are we
2 going to be recovering to. So
3 obviously, it's a great concern of mine
4 as well.

5 But what I am saying is that we
6 can support our existing businesses that
7 have been here in the fight with us in
8 Philadelphia and have invested their own
9 time, talent and treasury to make this
10 City great. We can support them and we
11 can also support newer minority
12 businesses. Because as you said, there
13 are about 3 percent of commerce in the
14 City of Philadelphia. That number has
15 long been unacceptable. And so, I just
16 want to make sure that the
17 Administration understands that it
18 cannot continue this way, and this is a
19 perfect opportunity to make sure that we
20 engage and encourage small minority
21 businesses.

22 COUNCILMAN DOMB: Well, you
23 know, I actually think the numbers -- we
24 can clarify this -- of minority
25 businesses are closer to 30 percent.

1 The problem is minority businesses that
2 have employees, which we really need to
3 work on. We need to teach minority
4 business owners how to scale up their
5 businesses. That's a separate commerce
6 conversation, but that's really what we
7 need to do because we have a lot of
8 minority entrepreneurs.

9 COUNCILWOMAN BASS: And thank
10 you for that clarification on the
11 numbers. But most of those, that 30
12 percent, is a one-stop shop. It's me,
13 I'm doing everything. And it's not the
14 kind of growth that we need for the
15 City. So I'm talking about the
16 businesses that are significantly able
17 to contribute to our tax base, to hire
18 other employees, to grow, to have other
19 locations. We want to support that.

20 COUNCILMAN DOMB: Right. And
21 also supporting those 30 percent who are
22 the one-person places because --

23 COUNCILWOMAN BASS: Absolutely.
24 Absolutely.

25 COUNCILMAN DOMB: All right.

1 Thank you.

2 COUNCILWOMAN BASS: So as long
3 as we're supporting minority businesses
4 and making sure that there's room at the
5 table for everyone. We just need to
6 make sure that there's a commitment to
7 do so.

8 COUNCILMAN DOMB: Right. Our
9 goal should be that everyone who's here
10 in the City should be supported because
11 this pandemic --

12 COUNCILWOMAN BASS: Yes.

13 COUNCILMAN DOMB: -- is no
14 fault of theirs, zero.

15 COUNCILWOMAN BASS: Absolutely.

16 COUNCILMAN DOMB: All right.
17 So thank you, Councilmember Bass.

18 Let's go to the next question
19 which I think is Councilman Squilla.

20 COUNCILMAN SQUILLA: Thank you,
21 Mr. Chairman, and great job so far.

22 I know everybody wants to hear
23 from the people and the industry. It's
24 really important. We know and we've
25 asked a lot of questions. But my big

1 thing here is we understand what we have
2 done as far as the businesses closures
3 and how that has impacted them. I think
4 what we need to do as a City, and maybe
5 we could ask Jim Engler, as we go to
6 open up and, Councilmember Domb, as you
7 mentioned a smart restart, we got to
8 start thinking about how do we safely
9 open up and how we do it in a way with
10 the proper procedures and policies in
11 place.

12 We understand what the
13 close-down and we know January 4th is
14 the state closure and the re-evaluation
15 of how that would happen in February,
16 and Dr. Farley has stated that this
17 virus is taking the same track as many
18 other viruses, that December, January
19 are going to probably be the highest
20 numbers.

21 What we need to do is work
22 together with Commerce. And I want to
23 thank Commerce, and I think
24 Councilmember Jones said this, Commerce
25 L&I, Streets, Revenue, everybody's

1 really been working hard to try to get
2 resources out. Yes, we as a City do not
3 have enough resources to give to
4 everybody and, yes, they are struggling
5 and we support the federal stimulus
6 that's hopefully coming shortly. But I
7 think our concentration now has to be on
8 how do we smartly open up our
9 hospitality industry and our arts and
10 culture industry.

11 We know that our museums that
12 are out there, our places of arts and
13 culture are struggling through this, a
14 lot of nonprofits. We need to really
15 address those issues and look at ways
16 that they can operate safely. Even with
17 the vaccine, this probably wouldn't be
18 until the summertime until we start to
19 get back to some type of normality or
20 some type of immunity.

21 So we really need to help these
22 folks come up with these ideas. And
23 this hearing is perfect for that because
24 we get a chance to hear from the
25 industries of how they can do things

1 safely. We get a chance to hear from
2 museums of how they're making sure when
3 people are coming in there, they're
4 wearing proper PPE and keep them social
5 distancing and doing these things,
6 because we're going to have to do this
7 for a long time.

8 So closure may be what's
9 happening now, but I think we're looking
10 into the future of opening and I think
11 that's what we really need to
12 concentrate on. I know Jim Engler said
13 that they're committing to meeting with
14 these industries and them having a seat
15 at the table, whether it's the
16 restaurants and hospitality industry,
17 the hotels and then whether it's the
18 museums and the arts and culture
19 industries. But what is our plan for
20 opening and making sure we're listening
21 to -- they have the ideas.

22 We as elected officials, and
23 sometimes in our space we look at a
24 global picture, but they're very concise
25 on what they want. So what are we going

1 to do to work with them and to make sure
2 we put things in place as we do the
3 smart reopening and as they feel like,
4 all right, we're starting to see the
5 light at the end of the tunnel, so that
6 we could get them up and running?

7 MR. ENGLER: Sure. Thank you,
8 Councilmember.

9 So as mentioned previously,
10 we've started that engagement. We
11 started that engagement with some folks
12 that will testify today as what was
13 other industries who may not be
14 represented in today's testimony. We've
15 asked Commerce Department to convene
16 that. But as previously committed,
17 we'll have folks from the Health
18 Department, from the Mayor's Office,
19 from other impacted City departments
20 participate in those discussions.

21 We want to hear directly from
22 businesses about their ideas and how
23 they can operate safely. We've started
24 those conversations with restaurant
25 operators about ventilation support, in

1 ways that they could allow for indoor
2 dining with improved ventilation. We
3 want that level of feedback. We're
4 watching what happens in other
5 jurisdictions, in other countries,
6 what's happening in Europe as they ease
7 off some of their restrictions and
8 what's happened in other areas of the
9 world where they've seen significant
10 mitigation of spread, places like
11 Australia and New Zealand, those types
12 of places.

13 So we're anxious to work with
14 business owners here about how they can
15 reopen safely, but we are still
16 operating on an emergency basis. The
17 restrictions that we implemented in
18 November was because of a brewing
19 emergency, specifically around
20 hospitalizations that continues today.

21 We have more people
22 hospitalized today than just about any
23 point in the last year except for the
24 very peak of the pandemic back in late
25 April, early May, so we need to continue

1 to work to stop the spread of the virus
2 and to limit our hospitalizations so our
3 hospitals don't become overwhelmed. But
4 there's a commitment from the
5 Administration with the convenings that
6 the Commerce Department is doing and
7 with the appropriate representations in
8 City's departments, to hear from
9 businesses directly and to move forward
10 with operating plans that help us
11 mitigate the spread of the virus and
12 allow them to operate safely.

13 COUNCILMAN SQUILLA: And I
14 think we all agree with that, as safety
15 first. But I think the concentration
16 now has to be on as we protect people
17 and make safe, we have to also parallel,
18 be looking at opening, because
19 eventually we're going to be opening.
20 In February when the numbers are
21 starting to go down, you're going to
22 start having openings and doing things.

23 And we still want to do it
24 safely, not everybody's going to have a
25 vaccine. So that's why it's important

1 to do this. And I'm glad to hear that
2 that is happening. I'm glad to hear
3 that this hearing is happening because
4 together I think we can come up with a
5 way to do this. And sometimes making
6 final decisions and not hearing input
7 from everybody, it's overwhelming for
8 the Administration and for the Health
9 Department to come up with those things.

10 So I want to just be -- I guess
11 the most important thing is that each
12 industry has an ability to represent
13 themselves at these conversations so we
14 can hear that, and then make sure that
15 as we roll these things out, we will
16 have to monitor the numbers, we still
17 have to be safe and make sure that they
18 are going to be opening smartly and
19 safely. And then again, I think
20 Councilmember Domb had said this,
21 there's always some people out there no
22 matter what regulations you put in place
23 are not going to follow those guidelines
24 and that's something we need to enforce
25 and to be very engaging on. But at the

1 end of the day you don't want to throw
2 the baby out with the bath water, right.
3 We want to make sure that we do this in
4 a way that's smart, safe and that the
5 people who are involved in these
6 businesses, there is accountability for
7 that.

8 So if you're going to have a
9 business and we're going to operate
10 safely, but you're doing the wrong
11 thing, then there are consequences and I
12 think that's important also. So we have
13 to also besides having these policies in
14 place, we need to also have what the
15 restrictions are and what the penalties
16 are for not following the policies. And
17 if we do that and people know it, that
18 will be easier for the businesses moving
19 forward. So hopefully, that will be
20 part of the conversation also.

21 Thank you, Mr. Chairman.

22 COUNCILMAN DOMB: Thank you,
23 Councilmember Squilla. Stay well.
24 Thank you.

25 I think next up is

1 Councilmember Maria Quinones-Sanchez.

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 Thank you, Mr. Chair.

4 And thank you to the members of
5 the Administration. I personally want
6 to thank everyone who's worked
7 incredibly hard on the really difficult
8 situations to get us to where we are
9 today.

10 I have a couple of questions
11 for Rob Dubow. Because I think one of
12 the important things as we talk about a
13 smart restart is there were some
14 industries that didn't get closed and
15 are doing extremely well, as
16 Councilmember Bass alluded, some of the
17 neighborhood stores and others. Are we
18 seeing that level of activity based on
19 their tax returns, I think of the
20 Walgreens and the Targets and all those
21 others? What are we seeing and what are
22 the opportunities that exist there for
23 these businesses there who've managed to
24 have empty shelves during this troubling
25 time?

1 MR. DUBOW: So part of the
2 reason that our overall taxes have not
3 gone down further than they have and
4 it's going to be consistent with what we
5 thought they would be through the first
6 few months of the year is that some of
7 those businesses have been doing well.
8 I think as you know, we're not allowed
9 to look at specific businesses returns
10 under our agreements with the IRS. But
11 I do think the activity in those
12 businesses have helped us not have worse
13 financial condition than we have right
14 now.

15 COUNCILWOMAN QUINONES-SANCHEZ:
16 But we're able to look at which sectors,
17 again in aggregate numbers which sectors
18 in the City of Philadelphia are doing
19 better. My thing is are the businesses
20 that have not suffered any shutdown, are
21 their returns reflective of the
22 policies, the health policies, that
23 we've established?

24 MR. DUBOW: I'm sorry. Say
25 that again. I missed the last part of

1 your question.

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 I'm saying the businesses who have not
4 been shut down at all, essential
5 businesses as we've described them,
6 again the big stores, the Walmarts, the
7 Targets and stuff, can we not look at
8 their numbers in aggregate to see if the
9 activity based on the decisions we're
10 making about who stays open if their tax
11 returns are reflective of that, are we
12 able to look at that?

13 MR. DUBOW: So we can see, for
14 example, that supermarkets have held up
15 fairly well, but we can't see whether
16 that's large or small. So we can see it
17 by sector, but not -- we can't grade it
18 by the size within the sector until we
19 start to get returns, which comes much
20 later in the year.

21 COUNCILWOMAN QUINONES-SANCHEZ:

22 I think we have to be really prepared to
23 look at all of that information about
24 what we learned around businesses in
25 some of the shutdown, the decisions we

1 made around who pays, right.

2 MR. DUBOW: Yup.

3 COUNCILWOMAN QUINONES-SANCHEZ:

4 As you know, I'm of the belief that
5 these big multi-nationals don't pay
6 enough, don't pay anything sometimes,
7 into the market. And through this
8 pandemic, they've been the ones who
9 really have benefited from our health
10 policy decisions about who stays open
11 and who doesn't. And so, I just think
12 there's an opportunity there for us to
13 look at in a smaller restart, how do we
14 not penalize some of our locally-based
15 businesses who are living through these
16 very localized decisions that we're
17 making. But I understand. We'll work
18 with you.

19 Can we make a request through
20 the Fiscal Stability Committee for the
21 Administration to look at -- I mentioned
22 this before in our last meeting --
23 January 1st, February 1st, March 1st,
24 all of these due dates for businesses,
25 can the Administration crunch those

1 numbers and give us a sense of what are
2 some of these due to the City as you
3 guys have done with the trash refuse
4 delay, are there other pieces of the
5 business component that we can be
6 looking at and potentially waiving, if
7 not delaying payments as we move forward
8 in January, February and March?

9 MR. DUBOW: Sure. We have done
10 that with things like extending the BIRT
11 tax deadline, extending the property tax
12 deadline, changing the way we calculate
13 the U&O. But, yes, we are happy to keep
14 looking at those and see where there are
15 opportunities for relief.

16 COUNCILWOMAN QUINONES-SANCHEZ:
17 There are sectors where we've asked
18 folks to make some sacrifices with us.
19 I can think of the housing world where
20 we've asked people through this eviction
21 stuff to delay on the eviction, you
22 know, what rental licenses, what fees
23 are coming up, due dates for the sectors
24 that are hurting that we can revisit and
25 say, can we waive this, can we delay.

1 I think we had this
2 conversation as it related to the lead
3 implementation and the Health Department
4 pushing forth the lead implementation
5 while we're asking landlords not to
6 collect rent. And again, there's
7 different sectors, we've asked them to
8 share in some of the pain with us what
9 can we as government do to facilitate
10 that. And obviously, no interest and
11 penalties during this time where the
12 Revenue Department has been very
13 cooperative, but more than that is
14 telling folks, you know, we understand
15 that the next three months are
16 precarious, we have a shutdown, what
17 other things can we be looking at. And
18 we need to see those numbers to see what
19 we can do.

20 One of my concerns as we try to
21 balance out how do we provide business
22 support with all of our business
23 measures, starting from our first three
24 portfolios of where we put money in the
25 street, we want to be equitable. We

1 keep saying equitable, equitable,
2 equitable, but when we put out an
3 application and we say, you got five
4 days to fill it out or if not, you don't
5 compete, I think what you're going to
6 hear from some of our Council District
7 as you've heard from Councilwoman Bass,
8 we have folks who just -- we even told
9 them to apply five times and they're not
10 applying anymore, right. So how do we
11 really create some broad-base relief
12 that everybody feels and is more
13 equitable as opposed to some of the
14 things that we've done up to now? And
15 if you guys thought a little bit around
16 that, again rental license, rental
17 suitability license? There's a bunch of
18 things that come due.

19 The numbers may be significant
20 in our cash flow, may not be
21 significant. If people don't get a
22 renter's license, it doesn't mean
23 they're not renting the unit. It means
24 they can't afford the renter's license.

25 MR. DUBOW: Understood. We'll

1 continue to look at that and we'll get
2 back to the Committee.

3 COUNCILWOMAN QUINONES-SANCHEZ:

4 Okay. And then for Jim Engler, I think
5 again this is around where health policy
6 and financial policy come to meet and
7 the importance of the Mayor's Office to
8 be involved in that. We want
9 departments to make decisions about what
10 is right, not because of what they're
11 held accountable to. And revenue is one
12 of those numbers where whether it's L&I,
13 Streets Department, all of those things,
14 it's sometimes unfair to ask these
15 departments around these questions if
16 the expectation is that they're going to
17 bring revenue.

18 What have you heard from your
19 departments and what discussions are
20 happening at that kind of level around
21 where we can ease the burden to the City
22 for folks that we're trying to help
23 through this process, particularly for
24 sectors that we've asked to make
25 sacrifices for us?

1 MR. ENGLER: Sure. So we've
2 had those discussions. I think you've
3 seen the start of that with the pushback
4 of the commercial trash fee collection,
5 the issues around U&O and BIRT to the
6 Finance Director's point. We will do
7 that, we'll continue to have that
8 engagement with the Department of
9 Licenses and Inspections and others.

10 I think that for a number of
11 departments that are inspection-based
12 and for the permits that are
13 inspection-based or the licenses that
14 are inspection-based, it's important
15 that we continue to get that
16 information. To your point about the
17 waiving of the fee, that's something we
18 can absolutely look at.

19 I know it's important for L&I
20 to continue to get rental suitability
21 licenses in so we can do our housing
22 inspections to make sure the housing
23 stock is safe for people to live in, but
24 you have that commitment at the Mayor's
25 Office and the Administration to

1 continue to work through that as we go
2 through the rest of the fiscal year and
3 as part of the next budget cycle, we
4 know we're going to have to continue to
5 look at the different levers that we
6 have to better support these businesses,
7 whether it's through licensing and
8 permitting or through our taxes and
9 revenue. So we're committed to that and
10 you'll see us continue to engage on that
11 over the several next months.

12 COUNCILWOMAN QUINONES-SANCHEZ:

13 Yes. Again, I know we're doing the best
14 we can with what we have and we have
15 small arts groups, as we have some of
16 the commercial corridors piece that
17 we're all very concerned about,
18 including the Center City corridor. So
19 we've done several different
20 initiatives. We did the first ones, the
21 loan, the \$5,000, \$25,000 grant. Then
22 we decide the CDFI one.

23 What would you say were lessons
24 learned, as you know we're working on
25 how do we put this next relief out there

1 and obviously the hospitality industry
2 and the restaurant business being one of
3 the places where Council leadership and
4 the Administration are working on what
5 is the best product line, but what have
6 you heard or where have we missed or who
7 are we missing or who has been missed in
8 this conversation that the
9 Administration feel needs to be
10 prioritized as we move forward?

11 MR. ENGLER: So I'll let Dawn
12 speak to some of the specific lessons
13 learned around those programs. I think
14 from our perspective and looking at the
15 federal programs specifically and how
16 that facilitated and made its way down
17 to businesses or didn't make its way
18 down to businesses here, I think that's
19 a tremendous missed opportunity and the
20 fact that the Congress is about to
21 double-down on that is another missed
22 opportunity. So there's changes that we
23 can make there.

24 For our dollars, I think that
25 we've done a good job trying to limit

1 the paperwork, understand that's still a
2 barrier for folks, but we have tried to
3 be very intentional about limiting that
4 paperwork. To your point about
5 broad-based support, I think that's
6 something that we can absolutely look at
7 doing. But we're trying to balance both
8 broad-based support and very targeted
9 intentional support for the industries
10 that are most impacted by the virus, so
11 it's really trying to find some
12 synergies there where those two points
13 meet.

14 But I'll turn it over to Dawn
15 to talk specifically, because I think we
16 have iterated throughout this process on
17 the business loan and grant side and on
18 the rental assistance side in really
19 tremendous ways that will help us
20 improve the ways we operate going
21 forward.

22 MS. SUMMERVILLE: Yes. Thank
23 you. Councilmember Sanchez, I think or
24 know some of the challenges that we've
25 seen is to ensure that we're not

1 creating layers of bureaucracy when
2 we're trying to get dollars out to the
3 street. I think a lot of the
4 businesses, the small businesses, have
5 been very appreciative of the support,
6 the grants that they received, that we
7 did not try to attempt to make those
8 dollars restrictive to what they needed
9 them for, whether or not it was to
10 secure employees, whether or not it was
11 to pay rent, to get merchandise in to
12 allow them to pivot during the pandemic,
13 and that is something for the next round
14 of dollars going out that I think we
15 need to be mindful of and intentional
16 of.

17 Councilman Jones talked about
18 the lack of insurance coverage. That
19 has been a challenge. Councilmember
20 Richardson spoke to making sure that
21 dollars were going out to the street,
22 and I think our collaboration again with
23 the Health Department, our collaboration
24 with Revenue, just taking a look at what
25 the needs are of the businesses and how

1 we can support them, they don't want
2 restrictions.

3 If we're supplying a grant,
4 they want to be able to use that money
5 to support to keep their business going,
6 and I think that is the best thing we
7 can take a look at, whether or not it's
8 the licensing, whether it's them being
9 able to pay rent. Whatever that is, we
10 need to be able to support these
11 businesses to keep them moving forward
12 without a layer of bureaucracy on top of
13 them going through the process of
14 application.

15 COUNCILWOMAN QUINONES-SANCHEZ:
16 Thank you. And again, no one wants to
17 be kind of told how to spend their money
18 because their making day-to-day
19 decisions as our residents, right, who
20 make day-to-day decisions about food and
21 what they're going to do.

22 With the first profile, and I
23 know we've asked the Commerce Department
24 for some data to share with leadership,
25 we had 10,000-plus applications. Even

1 with all of the different supports,
2 about 6,000 of those were still
3 unfunded. What is the profile of the
4 small business that we've missed, in
5 Commerce's view that we've missed and
6 not had the ability to have access,
7 either they didn't have access to our
8 process or we don't see significant in
9 the profile of those neighborhood-based
10 businesses that we want to support?

11 MS. SUMMERVILLE: I believe we
12 had a good round of restaurants, we've
13 had a good round of small professional
14 service businesses, we've had a couple
15 of manufacturers. I believe we've
16 covered the gamut. I think who we did
17 miss was those who did not have, I want
18 to say, a footprint of business activity
19 in the City, so they didn't have tax
20 records that were readily prepared,
21 either their fault or not their fault.
22 And that comes to technical support that
23 were provided to those businesses to get
24 prepared for next opportunities.

25 We were very intentional about

1 who were targeting these to. We were
2 targeting to small businesses, not the
3 larger corporations that could sustain
4 themselves and that had lobbying efforts
5 already in place, but those businesses
6 that were whether or not on the
7 corridors, the apparel stores, the
8 sneaker stores, the independent
9 mom-and-pop grocery stores, those are
10 the ones that we were targeting for
11 support. And in this next round as we
12 take a look at the restaurant industry,
13 once again the gyms and some of the
14 other sectors that have been named here
15 today, that will be the focus for the
16 next round of efforts.

17 COUNCILWOMAN QUINONES-SANCHEZ:

18 And then lastly, some neighborhoods were
19 hit more than others with the social
20 unrest and the looting. How have some
21 of these supports help some of those
22 businesses directly impacted by the
23 looting and is there a portfolio of
24 those types of businesses that we were
25 able to get to who had twice the

1 challenges, they had pandemic and then
2 they had the social unrest and the
3 looting that impacted their business?

4 MS. SUMMERVILLE: Those
5 businesses, again Commerce Department
6 went out and met the needs of many of
7 those businesses by providing support.
8 We also know a long coordination that
9 we've done with a lot of the corridor
10 managers along 52nd Street, which was
11 severely hit, a lot of those businesses,
12 many that weren't burned down had
13 insurance in place, some of them did
14 not. So we've been coordinating with
15 our support efforts through business
16 associations and CDCs and partnering
17 with them to help stabilize those
18 businesses that are in that community.

19 COUNCILWOMAN QUINONES-SANCHEZ:
20 Can you give me an example of when you
21 say you're working with your corridor
22 folks to help stabilize them? Has there
23 been direct grants or support given to
24 businesses who were impacted by the
25 social unrest and looting?

1 MS. SUMMERVILLE: There has not
2 been direct grants. There were supports
3 coming through connecting them back into
4 talking to our support for small
5 business through the CDCs or working
6 with 52nd Street, for instance. So
7 there was an operation there that was
8 burned down. There was a support -- or
9 Asian store that was burned down, and
10 they received some support from 52nd
11 Street to help clean up and help board
12 up. But the City continues to work with
13 the organizations to figure out next
14 round of support as well.

15 COUNCILWOMAN QUINONES-SANCHEZ:
16 Thank you. Thank you, Mr. Chair.

17 I know this is really difficult
18 and we have to make really tough
19 decisions because we don't have all the
20 resources for everyone. But I think to
21 Jim Engler's point, I appreciate the
22 Administration understanding the
23 different triggers, the money that we
24 can get out in the street and other
25 things, there's levers that we can push

1 and as long as everything remains on the
2 table.

3 I think what we're going to
4 hear from this afternoon is businesses
5 appreciate the health component of this,
6 but also want to be able to present
7 plans that are thought-out about how
8 they can open up in a healthy way to
9 survive. As long as we remain open to
10 that and everything's on the table on
11 how we do this, I think we can do both.
12 So I appreciate everybody's willingness
13 to stick in here today and get us to a
14 better place.

15 Thank you, Mr. Chairman.

16 COUNCILMAN DOMB: Thank you,
17 Councilmember Sanchez.

18 And now good afternoon,
19 Councilmember Oh. I know you had some
20 questions. Councilmember Oh.

21 (No response.)

22 COUNCILMAN DOMB: We can come
23 back to Councilmember Oh. Maybe he's
24 having some technical issues there. So
25 I want to thank the Administration --

1 COUNCILMAN OH: All right.

2 Thank you very much, Chairman Domb.

3 I'm having connectivity issues again so

4 I'm going to keep my video camera off.

5 I hope you can hear me.

6 COUNCILMAN DOMB: Yes.

7 COUNCILMAN OH: Okay. So I do

8 have a question. I'll just state at the

9 beginning that I do meet with small

10 businesses that I don't think meet with

11 the City. I think there are small

12 businesses and businesses that have

13 ability to meet with the City through

14 whatever existing mechanisms there are,

15 but I generally hear from angry, angry

16 businesses all across the City, every

17 different type of ethnic group, angry,

18 upset and they have no ability to access

19 the City. And the money, and I

20 appreciate the efforts on the money is

21 minimal.

22 The application process is very

23 difficult. And as soon as people begin

24 to apply for the money, the money's

25 gone. And this is what the City can do,

1 but I want to assure those people
2 listening who have spoken to me that I
3 understand that the money is not
4 accessible to them. So the idea that
5 we're -- we do the best we can, but it's
6 nowhere, nowhere, I won't even say near.
7 It's nowhere close to the parking lot of
8 the ballpark of what these businesses
9 need.

10 So getting past that, what I am
11 going to ask is -- and I know Dr. Farley
12 has left but I'm going to ask the
13 Administration -- if we are going by
14 science and data, and I believe we're
15 trying to, can someone explain to me if
16 we're going by the CDC study, and there
17 are more extensive studies out there
18 that will only further confirm these
19 issues, but according to the CDC study
20 that we seem to refer to, there is no
21 statistical increase in risk for people
22 to use public transportation and to go
23 shopping. It didn't say what kind of
24 shopping. It just said shopping.

25 So we are allowing people to go

1 to public transportation, but we allow
2 people to go to big box stores to shop,
3 but they can't go to small stores, even
4 those that are complying with
5 restrictions of distancing, masks and
6 occupation, so shopping some places, not
7 all places, public transportation seems
8 to be okay. But the same CDC study said
9 that there's no risk if you go to
10 religious services, synagogue, mosques,
11 church. So you can go to Target and
12 Walmart, but you can't go to church,
13 mega church, tiny church, whatever it
14 is. And I'm okay with that if you could
15 provide the science behind it.

16 And as far as gyms and health
17 clubs, those are extremely safe in
18 numerous studies. So the CDC report
19 shows no risk if you go to a gym, and
20 many people have said, including medical
21 people, that you need exercise and gyms
22 are safe, partly because these are all
23 regulated industries in the sense that
24 they have to comply with inspections,
25 things like that or by the clientele

1 that they have.

2 In other words, people who go
3 to gyms are very healthy people and they
4 don't want to go to a dirty gym and get
5 sick. Very similarly, people go eat out
6 at restaurants, it's highly regulated,
7 and a restaurant does not want someone
8 to get sick or have bad food or food
9 poisoning in any sense, certainly, the
10 ones that are complying with all the
11 regulations and CDC.

12 So I'd like to understand what
13 is the difference with this CDC report?
14 Because when we close off people going
15 to places that they go to that are not
16 of increased risk, they do stay home.
17 Staying home and congregating without
18 all the regulations, the cleanliness,
19 the inspections, the social distancing,
20 that's where people are also getting
21 very sick. They have an increased risk
22 of COVID-19. We've seen that in New
23 York where the very people who will not
24 go out their home, that kind of lock
25 their doors, they're the people that

1 were getting sick with COVID-19. And
2 I'm not endorsing anything like, you
3 know, we should be out and about.

4 What I'm saying is I'd like to
5 understand so that people can have trust
6 in this process how we're distinguishing
7 one thing in a CDC report from another
8 thing. And I think that's important and
9 I'm going to give the Administration a
10 chance to answer this question, because
11 what is not said but which I very much
12 believe is there is an absolute strong
13 correlation between unemployment,
14 poverty and health risk of all sorts,
15 including COVID-19. People losing their
16 jobs, losing their health care, losing
17 their savings, unable to pay their rent,
18 losing their homes, can't pay their
19 mortgage, having depression, we have a
20 sharp increase in drug addiction among
21 restaurant workers, all of this. If it
22 is not necessary, we should avoid it.
23 If it is necessary, we should do it.
24 But there has to be some science or data
25 to show that it is necessary.

1 Thank you, Mr. Chairman.

2 MR. ENGLER: Thank you,
3 Councilmember. Just a couple of points
4 in response. I know Dr. Farley
5 unfortunately had to run to another
6 engagement. I would start off by saying
7 I think that if there are businesses
8 that are engaging with you, they are in
9 fact engaging with the City. So if
10 there's feedback that you have from
11 those meetings that you would like to
12 share with the operating departments,
13 with the Mayor's Office, with the
14 Administration, we're happy to take
15 that. And I think the engagement that
16 our business centers have with all their
17 District Councilmembers and At-large
18 Councilmembers is crucial and we want to
19 get that feedback in addition to what
20 they can deliver directly to the
21 Administration.

22 I'm not familiar with the CDC
23 study that you specifically represent.
24 When we discussed the restrictions for
25 the City of Philadelphia, we looked at

1 certain kinds of activity, certain kinds
2 of activity that would either allow for
3 people to come into contact with other
4 people who are not from the same
5 household or would conduct activity that
6 would either be highly aerobic in nature
7 which can spread additional droplets and
8 then activity that would happen
9 unmasked, so that's where we targeted
10 our restrictions.

11 I'm not certain to your point
12 around retail establishments. What we
13 did was restrict the capacity of retail
14 establishments. We did not require that
15 retail establishments close regardless
16 of their size with the latest rounds of
17 restrictions, so I don't understand that
18 specific point. But we are trying to
19 balance with this latest round of
20 restrictions that I think that the
21 Governor acknowledged in putting
22 additional restrictions statewide that
23 are substantially similar to what we
24 implemented, that we really tried to
25 target the most dangerous activity, the

1 activity that we think has the highest
2 likelihood of possible spread of the
3 virus and could cause the highest amount
4 of spread and that's where we've tried
5 to mitigate.

6 COUNCILMAN OH: I appreciate
7 that. And I appreciate you, Jim Engler.
8 You are always a gentleman and a great
9 representative of this City. So I will
10 say, listen, my concern is, for example,
11 that anecdotally I would agree with you,
12 but data-wise the data is not what I
13 would expect.

14 For example, in addition to the
15 CDC report -- because let's say gyms,
16 that's a typical thing where you're
17 sweating, breathing, sharing equipment,
18 that type of thing, but the Stanford
19 Study and other studies have indicated
20 one of the safest activities in terms of
21 or populations of demographic of people
22 who do not get COVID are people who go
23 to gyms. There have been a lot of
24 studies around gyms, Stanford
25 University, all of them range from no

1 risk to a minimal, minimal risk far less
2 than the average person living in the
3 United States, for whatever reason that
4 is. And I'm not trying to promote the
5 use of gyms.

6 What I'm saying is that I'd
7 like to understand that as opposed to
8 what I may imagine if the data says and
9 shows and the studies show that it's not
10 happening in certain industries -- the
11 CDC study that is being referred to
12 looked at 314 people, 160 who tested
13 positive, 154 who tested negative. And
14 they asked them a series of questions.
15 These are in 10 states nowhere near us.
16 And there was not contact tracing. It
17 was just a question. And it's twice as
18 likely that the people who tested
19 positive in the two weeks prior to them
20 feeling ill had eaten outside of their
21 homes. Now, that's an actual data fact,
22 so I'm fine with that. But it wasn't
23 contact tracing. It wasn't here.

24 And to my knowledge when we're
25 looking at contact tracing and data,

1 which I think is a little problematic in
2 Pennsylvania, we would be able to go
3 back to which restaurant or what
4 location, that's what's happening in
5 Australia, in countries that have really
6 defeated the risk of COVID, the contact
7 tracing and what they do, door-to-door
8 delivery. They are doing that -- we're
9 not doing that in this country overall.
10 But when we do kind of wholesale kind of
11 like, you know, it anecdotally sounds
12 correct, that's when it's troubling to
13 me because the unintended consequence
14 may be increased risk and more COVID-19
15 as opposed to less.

16 MR. ENGLER: Sure. So I think
17 to your point around studies, there's
18 also a study out of Yale University that
19 looked at restrictions, county-based
20 restrictions and continuous county-based
21 restrictions and those that are most
22 likely to reduce the case count and
23 reduce the spread of the virus, and they
24 did center on a number of specific
25 industries, including gyms and

1 restaurants. As when those closures
2 happened, there were significant
3 reductions in the transmission of the
4 virus.

5 Back to an earlier point that
6 you made, I do think that we take very
7 seriously the social determinants of
8 health and their impact on the overall
9 well-being of our residents. So to your
10 point around higher incidence of mental
11 illness and addiction and those that are
12 either facing unemployment or business
13 closures because of this, we take that
14 very seriously.

15 We want to get support to those
16 that are suffering from that and want to
17 overall support our residents through
18 what is incredibly a difficult time,
19 whether it's being separated from
20 friends or family or just from society
21 generally. So we take that very
22 seriously.

23 We've tried to be very targeted
24 in the restrictions that we imposed,
25 understanding that that targeting may

1 impact businesses that have been
2 operating to the best of their ability
3 very, very safely. But we know how
4 respiratory viruses spread. The Health
5 Department is very skilled at figuring
6 out how respiratory viruses spread, and
7 we've targeted those industries that we
8 think are the highest risk for spreading
9 a respiratory virus like COVID-19.

10 We've seen some early success
11 in that. If you look at our data
12 compared to the Commonwealth overall,
13 when we imposed our restrictions, we
14 actually started going down at a much
15 faster rate while the Commonwealth was
16 continuing to go up and our rate of
17 increase since really the Thanksgiving
18 spike of cases has been at a slower rate
19 than the Commonwealth overall.

20 So we're seeing some of the
21 benefits of that in our case count and
22 our slowed hospitalizations, but we
23 understand that there's some businesses
24 that believe that they operate
25 completely safely and maybe they have.

1 But we try and operate based off of a
2 certain risk factor.

3 COUNCILMAN OH: Thank you very
4 much. Thank you, Chairman.

5 COUNCILMAN DOMB: Thank you,
6 Councilmember Oh.

7 And I want to thank the
8 Administration for being here today and
9 for your ongoing oversight of our City's
10 health and safety and we hope this is
11 the start of more discussions about the
12 data policies. And we're also going to
13 hear a lot of testimony this afternoon
14 from people in the business, and I hope
15 we have an open mind to figure out how
16 we can have that hopeful middle ground
17 where we can maybe have some sort of
18 safe restart of our economy.

19 So, Ms. Grbach, please call the
20 second panel of witnesses.

21 THE CLERK: All right. On our
22 second panel, we have Lauren Gilchrist,
23 Ben Fileccia, Mike Palermo and Nicole
24 Marquis, who I believe will be
25 testifying first.

1 COUNCILMAN DOMB: Okay. Thank
2 you. In the spirit of time, I know
3 you've been very patient. Thank you.
4 If you can keep your verbal testimony to
5 around two minutes if that's possible.
6 I know you've submitted written
7 testimony and that's great, so let's
8 start with I believe Nicole Marquis
9 first.

10 MS. MARQUIS: Yes. Good
11 morning or good afternoon, City Council
12 and the members of the City
13 Administration. Thank you from the
14 bottom of our hearts for all you are
15 doing to try to keep our residents safe
16 and keep our businesses running during
17 the most challenging times imaginable
18 and thank you for giving us a seat at
19 the table now.

20 Save Philly Restaurants
21 Coalition is relieved to be meeting with
22 the Mayor's Office, Commerce and Health
23 Department each week. I know some of
24 you have heard some of my impact
25 statement before. But since we met last

1 week, things are more dire for our
2 industry and our City. We have lost
3 more restaurants and we are more
4 desperate for any kind of assistance.

5 We join you in seeking the path
6 that presents the safest path forward
7 for all of Philadelphia. We ask that
8 you truly look at the current science
9 and the current data. We are proposing
10 only science-based safe solutions that
11 serve the public. Yesterday I spoke to
12 one of my employees, Vance, who has been
13 one of my dishwashers for four years.
14 He called me because he was upset
15 because he doesn't understand why he's
16 not on the schedule this week. I had to
17 console him. The mental and the
18 emotional trauma of being let go from
19 work again without any certainty of
20 support from the City, state or
21 government is devastating. He has a
22 family to feed.

23 These are things that we can do
24 now to keep people working. I will
25 speak about them, and to do it safely

1 without spreading the virus. A lot of
2 people who are being let go are in jobs
3 where they can't easily find other work
4 and they are most economically
5 vulnerable. For example, one of our top
6 asks in the past has been free COVID
7 testing for our staff so we can keep
8 employees and customers safe, reassure
9 them and quickly control a scare and get
10 back to business if anyone on our teams
11 does test positive as well as save
12 thousands of dollars of testing when a
13 COVID scare does occur.

14 After waiting in vain for nine
15 months for some kind of action on this
16 from our elected leaders, just this week
17 Save Philly Restaurants announced that
18 we were able to secure free weekly
19 testing for our workers and their entire
20 families, but there is more that we can
21 do right now. Save Philly Restaurants
22 is a coalition representing over 250
23 restaurants and bars in the Philadelphia
24 area, we employ tens of thousands of
25 fellow Philadelphia citizens and seen

1 millions of dollars in City taxes each
2 year and we're a major part of
3 Philadelphia role's as a national
4 tourist destination. We are essential
5 businesses in that we feed Philadelphia.

6 We've joined together during
7 the COVID-19 pandemic. We fight for the
8 safety for our employees and customers,
9 the livelihood and well-being of our
10 staff and vendors and to prevent more of
11 our fellow business owners from closing
12 their doors forever because of the
13 unique and crushing challenges presented
14 at this time.

15 We believe we can effectively
16 protect the public in our venues while
17 preserving the essential restaurant
18 industry in Philadelphia. We recognize
19 the gravity of the situation and we take
20 our responsibility very seriously as
21 essential businesses who are feeding the
22 public and providing jobs and tax
23 dollars.

24 We support the CDC guidelines
25 and we realize the most important thing

1 for our health and our economy is to get
2 this virus under control and we all have
3 a vaccine. I have seen the devastating
4 effects of this virus firsthand, from
5 dear friends, family members who have
6 passed away from COVID and hearing a
7 lifelong friend, who's a nurse, sob as
8 he talked about intubating 10 people in
9 a single day.

10 I have seen the fear on my
11 parents' faces when someone they know is
12 diagnosed and I desperately want to keep
13 my son's abuelos safe and healthy. But
14 have no doubt, without urgent and
15 dramatic action from the federal
16 government, the City and state
17 governments, this winter we are going to
18 see not just a business crisis, but a
19 humanitarian crisis as well of colossal
20 human toll emanating from a far worse
21 wave of business closures, layoffs,
22 evictions and resulting social ills such
23 as depression, drug abuse and
24 homelessness than what we have seen so
25 far.

1 We have followed the advice
2 from experts and we have instituted
3 additional safety measures such as
4 reduced capacity, social distancing,
5 masks and shielded servers, increased
6 levels of sanitation, and in many cases
7 partitions and new HVAC systems that
8 greatly increase air exchange rate in
9 excess of CDC recommendations.

10 The unintended consequences of
11 these new restrictions to push more
12 gatherings into peoples' homes which is
13 inherently riskier as social distancing
14 and serving protocols aren't known or
15 enforced in private homes, and is more
16 closely tied to an increased infection
17 rates than as restaurant dining.

18 These restrictions on
19 Philadelphia business are effectively
20 killing more businesses while
21 potentially sickening more of our fellow
22 residents. We have to balance public
23 safety concerns about the virus with the
24 latest scientific research and other
25 social concerns to avoid making a grave

1 mistake.

2 We all agree that the public
3 safety during this pandemic is our most
4 important consideration. We cannot
5 currently serve our guests in the way
6 that we did in the past. We recognize
7 that during the pandemic, indoor dining
8 without appropriate fresh air exchanges
9 and without appropriate HVAC system
10 improvements can be problematic.

11 The science indicates that
12 indoor spaces can be made safe with
13 appropriate air handling technology.
14 Studies have shown that moderate HVAC
15 equipment which provides 10 or more air
16 exchanges per hour was featured that can
17 actually filter and kill the virus are
18 available and readily affordable. This
19 technology has proven safe and effective
20 for years in hospital settings.

21 However, with the losses we have all
22 incurred this year, we need your help in
23 partnership to equip our establishments
24 with this technology so we can continue
25 to serve the public safely now and in

1 the future.

2 It is interesting and ironic
3 that the study is being widely cited now
4 to support imposing new restaurant
5 operating restrictions actually support
6 the position that restaurants can
7 operate safely. The study and the data
8 actually indicate that dining at
9 restaurants has not been a material
10 source of COVID spread.

11 For example, the recent study
12 we saw from New York showed that 1.4
13 percent of COVID cases can be traced to
14 indoor dining at restaurants and bars
15 over several months and that was without
16 any air quality improvements in place.
17 The same study showed that 74 percent of
18 cases were tied to gathering in private
19 homes. Other national studies indicate
20 that up to 55 percent of cases in other
21 cities were traced to visits to large
22 retailers. Focusing on closing
23 restaurants, only 1.4 percent of virus
24 cases, thereby encouraging people to
25 obtain food by visiting large retailers

1 up to 55 percent of cases were to gather
2 more frequently in private homes, up to
3 74 percent of virus cases, makes no
4 sense from scientific or statistical
5 standpoint. That is 50 times more cases
6 from private gatherings than from
7 restaurants and bars. Restaurants can
8 be made safe with social distancing and
9 the proper HVAC equipment and this could
10 prevent some of the current business
11 closures and layoffs.

12 We see ourselves as good faith
13 partners with you, and we realize we all
14 have the same goals, public safety and
15 the preservation of our jobs and
16 businesses in our beautiful City. Let's
17 work together to save Philly restaurants
18 because it is in the best interest for
19 all of us.

20 And what restaurants and their
21 employees need now to survive: Number
22 one, we want an announcement as soon as
23 possible from the City that we can
24 return to the previous outdoor dining
25 restrictions. The limits that were in

1 place before the new restrictions that
2 were issued were logical and we
3 definitely agree with them.

4 We don't believe the new
5 limitations have public health benefit
6 and they are very difficult to enforce
7 and have already severely limited our
8 ability to earn revenue for outdoor
9 dining. Outdoor dining in groups of six
10 or less with social distancing is
11 inherently safe activity.

12 Number two, we oppose any
13 blanket announcement that our
14 establishments cannot sell alcohol after
15 a certain time in the holidays. This is
16 devastating to our businesses and we
17 want to be able to capture some evening
18 sales on popular dining holidays,
19 including selling alcohol at outdoor
20 tables and cocktails to go.

21 Third, we believe that the City
22 should allow restaurants with the
23 capability to offer al fresco style
24 place with fully opened windows and
25 doors that can create indoor and outdoor

1 spaces with outdoor air equality
2 equivalent to outdoor spaces to utilize
3 those spaces along with mask use and
4 social distancing guidelines. We would
5 not be forced to build new indoor spaces
6 outdoor in the street when many of us
7 provide outdoor air quality within our
8 existing spaces.

9 Four, we believe that the City
10 should consider air quality science when
11 deciding that indoor dining can be
12 safely permitted by establishing
13 appropriate standards for ventilation,
14 air exchanges and indoor air quality.
15 The studies cited in the new
16 restrictions are not looking at
17 restaurants with enhanced HVAC, HEPA
18 filter, UVC lighting and other
19 technologies that kill the virus and
20 other protective measures in place.
21 Technology is available and easily
22 accessible that can get the air in our
23 restaurants as clean as it would be in a
24 hospital operating room. We ask that
25 you work with us beginning now and

1 January 1st to develop science-based air
2 standards to return to 25 percent or
3 greater indoor dining capacity as soon
4 as it is possible.

5 Number five, the City should
6 shut down more streets to traffic seven
7 days a week and restaurants can do all
8 they can to keep staff employed, drive
9 revenue and serve customers outside.

10 This has already been done on 18th
11 Street with the reduced traffic and
12 increased need for outdoor seating.
13 This could be done rapidly and easily in
14 many more areas of the City so that
15 those establishments can put up tents
16 and build outdoor structures to drive
17 some winter revenue and recruit losses
18 in 2021.

19 Six and lastly, give
20 restaurants immediate grants to
21 winterize their outdoor spaces.
22 Restaurants should be eligible for
23 grants of \$10,000 or more per location
24 to equip our spaces for these new
25 restrictions and to help us make it to

1 the spring. Time is running out and
2 January 1st is around the corner and we
3 need a plan. Let's discuss these
4 options and work together. There is no
5 other way. Thank you so much.

6 COUNCILMAN DOMB: Thank you,
7 Nicole. Thank you very much. And thank
8 you, Save Philly Restaurants, in all
9 you're doing. You're doing a great job.

10 Next up is Lauren Gilchrist
11 from Jones Lang Lasalle, JLL. Lauren.

12 MS. GILCHRIST: Thank you so
13 much, Councilmember Domb. I'm going to
14 share my screen here to cover some of
15 the charts that are included in my
16 written testimony. Are you able to see
17 it?

18 COUNCILMAN DOMB: Yes.

19 MS. GILCHRIST: Wonderful.
20 Thank you so much. Members of Council,
21 my name is Lauren Gilchrist and I'm the
22 Senior Vice-president for Research at
23 JLL in Philadelphia and also the current
24 Chapter President for NAIOP Greater
25 Philadelphia. JLL is a global

1 commercial real estate firm around the
2 world and NAIOP is a professional
3 organization for commercial real estate
4 developers.

5 Thanks for the opportunity to
6 testify regarding our findings of our
7 recently released report on retail,
8 Center City Retail, How Philadelphia's
9 Walnut and Chestnut Street corridors
10 will navigate COVID-19. This report
11 examines how we got to our current state
12 in our high street retail corridor, what
13 the impact to retailers and the market
14 has been and what the path forward looks
15 like.

16 Please note that while our data
17 pertains specifically to these high
18 street corridors downtown, we believe
19 most commercial corridors are
20 experiencing the same challenges since
21 this time. Since the start of COVID-19
22 in March 2020, foot traffic from store
23 visits along Walnut and Chestnut between
24 Broad and 19th dropped off an astounding
25 98 percent by May due to the closures

1 enforced by health restrictions, picking
2 back up somewhat as the economy
3 cautiously and slowly reopened over the
4 summer.

5 This stunning trend exacerbated
6 already prevalent trends in declining
7 instore sales caused by the effect of
8 e-commerce which comprised about 11.8
9 percent of all U.S. retail sales prior
10 to the pandemic and now make up 16.1
11 percent of all retail sales. So this
12 chart looks at two retailers, Lululemon
13 and Nordstrom Rack and we've also
14 provided data in the testimony for Apple
15 and also a restaurant, the Continental
16 Midtown. You can begin to see some of
17 these trends very clearly as to where
18 they were prior to the pandemic and
19 where they arrived prior to the most
20 recent round of health restrictions.

21 Categories most significantly
22 impacted by the health crisis and
23 subsequent closures include bars and
24 restaurants, as we've talked about
25 today, which experienced 41 to 66

1 percent declines in retail spending
2 during Q2 and Q3 2020 as compared to
3 2019. Due to work-from-home mandates, a
4 loss in overnight visitors and a
5 decimation of the hospitality sector, we
6 expect that Center City has lost more
7 than 1 billion, and I'll repeat, 1
8 billion in retail demand this year.

9 While rebound will continue to
10 occur slowly and surely over the next 12
11 months, by this time next year our
12 estimate suggests that 2021 retail
13 demand levels will only be about 50
14 percent of what they were pre-pandemic
15 or 639 million in the downtown versus
16 about 1.28 billion in 2019. This
17 cumulative drop in demand coupled with
18 the burning of key retail buildings
19 along this corridor has resulted in
20 substantial occupancy declines
21 currently.

22 Retail occupancy on Walnut from
23 Broad to 19th stands at a mere 55
24 percent. This chart looks specifically
25 at each individual block. You can see

1 that certain blocks have experienced
2 more problems than others. And
3 Chestnut's occupancy levels stand at
4 about 77 percent over the same span,
5 Broad to 19th, faring a little bit
6 better than Walnut Street overall.
7 Because downtown retail is still heavily
8 dependent on commuting officer workers,
9 tracking their return to work is key to
10 understanding the path forward.

11 This is a JLL estimate that
12 we've put together. We would estimate
13 that prior to the pandemic about 10
14 percent of all workers worked from home.
15 During the pandemic, we've seen more
16 workers obviously work from home. We
17 estimate about a 10 percent office
18 occupancy level. As I said in the
19 Inquirer, the butts-in-seats phenomenon.
20 And we anticipate that while this will
21 rebound, there will be lasting effects.

22 JLL estimates overall about a 5
23 percent decline in demand for office
24 space by 2023. This decline is 15
25 percent due to work from home, so

1 bringing the total work-from-home
2 phenomenon to 25 percent of all workers,
3 with some modest increases in
4 de-densification, i.e., more space per
5 office worker as well as some increase
6 as a result of job growth.

7 We believe using these figures,
8 we think the downtown economy will be in
9 a better position by the end of 2021,
10 but additional stimulus will be
11 necessary to sustaining businesses given
12 the gravity of the situation. This
13 chart specifically looks at our
14 projections based on the most recent
15 health restrictions as to where we think
16 we will end up by the end of 2021 in the
17 City of Philadelphia, so you'll see that
18 whereas we estimated about 124,000
19 office workers in the downtown in
20 February 2020, we believe that by the
21 end of next year we'll only see about
22 107,000. Thank you so much for your
23 time this afternoon. I'd be happy to
24 take questions now or at the end of the
25 panel.

1 COUNCILMAN DOMB: Thank you,
2 Lauren. Great presentation. I'm going
3 to ask us to hold our questions until
4 the end of this current panel.

5 Let me go to Ben Fileccia next.

6 MR. FILECCIA: Hey. Good
7 afternoon, everybody. Thanks for having
8 us today. In the beginning of the
9 pandemic and in the beginning of the
10 year, Philadelphia had roughly 500 full
11 service restaurants or operations. Just
12 in the past few weeks, we've seen 50
13 permanent restaurants, permanent
14 restaurant closures and over 100
15 restaurants that have temporarily closed
16 for the winter.

17 66 percent of the remaining
18 restaurants feel that it is unlikely
19 that they will be in business in six
20 months without an additional relief
21 package from the federal government.
22 Currently -- I say currently, but there
23 were over 582,000 restaurant jobs in
24 Pennsylvania, many of them in
25 Philadelphia, which is 10 percent of the

1 employment in the state for the second
2 largest employer. 91 percent of
3 operators since the beginning of the
4 pandemic have had to lay off or furlough
5 their staff. Many of those people are
6 still out of work.

7 Right now the industry
8 desperately needs grants to help bridge
9 the gaps until restaurants can start
10 operating at 100 percent capacity again.
11 The \$7 million plus, minus an unspent
12 CARES dollars that the City has would be
13 a really good start and these could
14 include but are not limited to grants to
15 upgrade HVAC systems, as Nicole was
16 talking about, grants for additional PPE
17 and plexiglass installation, grants for
18 hazard pay for employees.

19 Since the beginning of the
20 pandemic, the PRLA has taken a lead and
21 we are thankful to Philadelphia City
22 Council for working with the PRLA on the
23 following pieces of legislation: Bill
24 200574, the Restaurant Eviction of
25 Financial Relief bill introduced by

1 Councilman Henon, which provided
2 much-needed relief for restaurants who
3 are feeling the financial burden during
4 the pandemic; Bill 200497 and 498 which
5 was an extension for outdoor dining and
6 street closures, introduced by
7 Councilman Domb that helps streamline
8 the closures of streets and outdoor
9 dining for many restaurants; also, Bill
10 200344, introduced by Councilwoman
11 Parker, which helped to reel in the
12 third-party delivery companies from
13 predatory behavior. We do ask that the
14 City of Philadelphia create a direct
15 avenue for restaurants to report
16 violations. This bill passed months ago
17 and we are still waiting and doing most
18 of the work with Councilwoman Parker's
19 office. A huge shout-out to Rachel
20 Meadows who has taken a lot of these
21 calls.

22 Lastly, thank you to Councilmen
23 Henon and Domb for helping to move along
24 conversations with the Department of
25 Revenue. These conversations the PRLA

1 and the Councilmember's office had led
2 directly to the following, amending the
3 U&O to exempt portions of the restaurant
4 and bars used for indoor dining,
5 businesses can amend their BIRT taxes
6 and receive funds, and an extension on
7 the refuse fee.

8 So we are thankful for those
9 Councilmembers who sponsored and
10 co-sponsored these pieces of
11 legislation, and look forward to
12 continue working together to help our
13 restaurants in Philadelphia try to
14 survive and eventually thrive. So thank
15 you for your time and of course, I'll be
16 here for any questions.

17 COUNCILMAN DOMB: Thank you,
18 Ben. Thank you very much.

19 I'd like to call our next
20 panelist which is Michael Palermo from
21 Starr Restaurants.

22 MR. PALERMO: Hi, everyone.
23 It's Michael Palermo from Starr
24 Restaurants. I've been working with
25 many contractors in the City here that

1 support us and working with a couple
2 architecture firms and I've been
3 building these streeteries that are
4 heated and COVID-compliant and we've
5 been working with the Health Department
6 to make sure that these streeteries
7 really meet all the COVID guidelines or
8 exceed them.

9 I've also tried to help all my
10 fellow restaurateurs. As you see these
11 things popping up, it's very important
12 to us because at this point we've built
13 12 of them in the City, whether you see
14 them at Parc Restaurant, The Love,
15 Dandelion, Barclay Prime, Butcher and
16 Singer, Buddakan and so on and so forth.
17 And I can tell you, my interaction with
18 the Streets Department and the building
19 department has been quite positive. The
20 streamlined process where we're able to
21 get municipal approval for these and
22 commit our building plans for them has
23 not been difficult, although it's a
24 little bit of confusion between Streets
25 and L&I on kind of who's approving what,

1 but the field inspectors for L&I have
2 been out and they have visited us as
3 well as the Health Department, and
4 they've told us that we are meeting
5 building guidelines, we are meeting
6 COVID guidelines, so that's the only
7 part that's a little bit confusing
8 because the permits actually have not
9 been issued in hand from the building
10 department.

11 The eCLIPSE system, and I
12 imagine going through COVID, it's a
13 little bit difficult and things aren't
14 going to be as quickly coming out of
15 L&I. But again, for the most part our
16 experience has been positive. We've
17 worked really hard to make sure that not
18 only the structures are COVID-friendly
19 for the public and our staff, but also
20 that we're making sure that there's
21 lighting and reflectors and that the
22 structures are built soundly and that
23 there's enough room in the City streets
24 for trash trucks, delivery trucks, buses
25 and so on and so forth to get by. And

1 we'll continue to build these things as
2 we get approval.

3 We're working with several City
4 departments right now to get 13th Street
5 to be a one-lane road, one-lane traffic
6 road, because it's difficult -- you
7 can't build in a traffic lane without
8 City approval. For example, on 18th
9 Street, we worked with Rittenhouse row
10 and others and currently 18th Street is
11 a one-lane road from Locust all the way
12 to Market, and it's enabled a lot of
13 restaurants that are on the west side of
14 18th Street to build, and the
15 restaurants on the east side are
16 building anyway because that's the
17 parking lane and they've gotten approval
18 and there's a nice wide 12-foot, 6-inch
19 lane between the structures that enables
20 City traffic to go by smoothly without
21 incidents. And even when some of the
22 structures are too close together, we've
23 been putting up those convex mirrors and
24 little signs that say, hey, look up
25 before you cross the street because the

1 mirror will help you in case if there's
2 oncoming traffic.

3 I think what would help a
4 little bit is some signs that say
5 changing the speed limit on some of
6 these one-lane streets from 25 miles an
7 hour to 15 miles an hour, but most
8 vehicular traffic sees these things and
9 they slow down naturally, and that's
10 kind of been my experience. I know
11 there's a lot of restaurants that are
12 using tents and fabric structures.
13 They're not building wooden structures
14 or aluminum structures, but there's
15 certainly been a lot of creativity out
16 there.

17 And I think that I personally
18 have encouraged the restaurants that are
19 near us and around us to build these
20 things where if a car would get a little
21 out of control, that they're not going
22 to injure a pedestrian. And how that's
23 done is with good lighting and lots of
24 reflectors and people slowing down. I
25 know in other municipalities where we

1 operate restaurants, they're making you
2 put a barricade that's filled with stone
3 or sand. I personally have been putting
4 300-pound planters in front of a lot of
5 our stuff because a 300-pound planter or
6 two 300-pound planters will kind of stop
7 a car going 12 miles an hour. But so
8 far, there's been no accidents, no harm.
9 But it's in the front of Starr

10 Restaurant's mind as we build these
11 things that we're saving all the jobs
12 that are in the restaurants and we're
13 giving the public a chance to have a
14 little bit of a break for an hour or an
15 hour and a half, but at the same time
16 public safety is important.

17 So that's my little experience
18 on what we've been doing and I think
19 that the efforts of most of these
20 restaurants have truly been heroic. In
21 the summertime bringing umbrellas and
22 tables and chairs, they bring them
23 inside and outside every night, the
24 propane heaters. It's a lot of extra
25 work for the restaurants. And for the

1 most part what I'm saying is that
2 everyone -- there's a real spirit out
3 there. And with my experience, that
4 spirit has extended to our interactions
5 with Philadelphia government, whether
6 it's been Health inspectors or L&I
7 inspectors. I think all and all we're
8 doing a pretty good job.

9 I'm working right now to try
10 and get 13th Street to be a one-lane
11 road like 18th, because on 13th Street
12 there's a bunch of restaurants on the
13 east side of 13th and then there's not a
14 parking lane, and namely, Charlie was a
15 Sinner, our restaurant El Vez, Zio
16 Pizzeria. And if we can get 13th Street
17 to be a one-lane road, then I know El
18 Vez will easily save 40 jobs or probably
19 something similar at Zio Pizza and
20 Charlie was a Sinner. But that's been
21 my experience. I can answer any
22 questions if anybody has them.

23 COUNCILMAN DOMB: Okay. Thank
24 you, Michael Palermo.

25 Thank you all for your

1 testimony. I have a few questions. I
2 want to start out asking Ben Fileccia
3 from Pennsylvania Restaurant and Lodging
4 Association and Nicole Marquis from Save
5 Philly Restaurants, have you both worked
6 together to come up with, I'm going to
7 call it the smart restart, of how
8 restaurants could operate smartly going
9 forward after January 1st and have you
10 met with the Commerce Department and the
11 Health Department in order see if we can
12 get everyone on the same page?

13 MR. FILECCIA: (Muted).

14 COUNCILMAN DOMB: I think
15 you're on mute, Ben. There you go.

16 MS. MARQUIS: Hi, there. Thank
17 you. We will meet with the Commerce
18 Department on Friday. We're really
19 pleased that we have what is looking
20 like a task force being formed. The
21 Commerce Department has been very
22 helpful in that regard. We hope to meet
23 with the Health Department. And on
24 Friday, we'll talk about our top
25 priority which is grants that are

1 potentially coming out, and then also
2 our data and research that we want to
3 present to Dr. Farley regarding air
4 exchange, other technology and there's
5 equipment out there to improve air
6 exchange through restaurants so that we
7 do have a plan for after January 1st, so
8 we hope that that's an ongoing weekly
9 meeting and we'll set our priorities on
10 Friday morning.

11 COUNCILMAN DOMB: I think one
12 of the -- Ben, I think you're okay now
13 if you want to speak.

14 MR. FILECCIA: Sure. I
15 completely agree with Nicole. Since
16 April we worked with each different
17 division of the industry to create a
18 program that's called the Pennsylvania
19 Restaurant Promise, which outlines a
20 list of ways that restaurants can
21 operate safely.

22 Now, looking back at this nine
23 months later, the things that we came up
24 with before we all knew what was
25 happening is actually working. My

1 greatest fear and it has been realized
2 with every, you know, Nicole touched on
3 this earlier, with every new mitigation
4 order that's come down against the
5 restaurants, we've only seen an increase
6 in cases. And as Nicole said, the only
7 intended consequences of not allowing
8 these operators to do things as safe as
9 possible is forcing our residents into
10 unsafe, unregulated places where we know
11 social gatherings are continuing to
12 happen. So that is something that we
13 definitely want to talk about.

14 We see all the studies from,
15 you know, right now it's six different
16 states that have submitted their contact
17 tracing, robust contact tracing, that
18 shows that in each of those situations
19 the spread of the virus is less than 2
20 percent of restaurants and the spread of
21 the virus is above 70 percent at
22 unregulated spaces and indoor social
23 gatherings. So we're not saying that,
24 you know, there's not a one-check
25 solution here. But it's really

1 frustrating as somebody who grew up in
2 Philadelphia, who lives in Philadelphia
3 right now, not only to see the industry
4 hurt and decimated as much as it is, but
5 to see the mitigation efforts clearly
6 not working.

7 If you put a graph to what the
8 mitigation efforts are and a graph to
9 where the cases are, you see spikes and
10 you see increases after each mitigation
11 effort, and not just in Philadelphia but
12 across the state as well. So it's just
13 really disappointing when you see so
14 many people doing the best they can to
15 keep their employees safe and to keep
16 the citizens of Philadelphia safe, and
17 it really feels like we're getting
18 scapegoated and we're being called the
19 bad guys. And, listen, it is riskier
20 behavior, but it's less risky than these
21 indoor private gatherings that we see.

22 I live in an apartment building
23 at Broad and Washington. Friday and
24 Saturday nights there's parties in a lot
25 of the rooms here, where I know if the

1 mitigation efforts weren't in effect,
2 these citizens would be out having their
3 social gatherings in a space where
4 there's people that are enforcing
5 mask-wearing, social distancing, contact
6 tracing, no seat/no service. These
7 things work. We know these things work.
8 And we would like to get back on track
9 in the safest way possible.

10 COUNCILMAN DOMB: I think one
11 of the main goals, and Councilmember
12 Squilla discussed this and many of my
13 colleagues, you know the industry better
14 than any of us know it. So we're asking
15 you to collaborate with our Commerce
16 Department, our Health Department and
17 let's figure this out. We all want the
18 same goal. We want it to be safe, but
19 we also don't want to destroy our
20 economy. We want to do it in a safe
21 way.

22 So on Friday, hopefully you
23 will come up with solutions. I would
24 like to see you come up with solutions
25 on Friday and try to get those approved,

1 so we can give people advanced notice
2 who are in business so they know what's
3 coming down the pike, because on Friday
4 I guess is December 18th and we're 12 or
5 14 days away from what's happening in
6 the City. So I'm glad you're meeting on
7 Friday. And let's try to set a goal
8 that we come out of that meeting with
9 solutions on how we're going to move
10 forward.

11 MS. MARQUIS: Yes. And
12 Councilmember Allan -- excuse me,
13 Councilmember Domb, you're right, it's
14 not safety versus economics. We can
15 operate safely. And I think we
16 completely agree with Dr. Farley that
17 operating a restaurant as we did
18 pre-COVID is not safe. It would not be
19 safe at all, but we need to discuss how
20 and what are we going to decide moving
21 forward based on science and data so
22 that we can operate and function our
23 businesses.

24 COUNCILMAN DOMB: Okay. Well,
25 that's great. Thank you very much.

1 Thank you for your testimony.

2 I do have a question for Lauren
3 Gilchrist from JLL. Lauren, you gave a
4 really good presentation which was very,
5 very powerful. And I guess my question
6 is some of these closures that were
7 caused by the pandemic, especially the
8 retail sector -- not the restaurant
9 sector, but the retail sector -- they
10 were advanced, they already were kind of
11 on a tipping point with the Internet.
12 They were advanced dramatically by the
13 pandemic. And I guess one of the
14 challenges for us in the City is how do
15 we reimagine this new space that's going
16 to come on the market across the City?
17 And from the City's perspective, we want
18 to make sure that these spaces get
19 occupied and people have that
20 opportunity to have that space full
21 versus vacant. What are some of the
22 ideas that might be out there that these
23 spaces can get reimagined into?

24 MS. GILCHRIST: Well, the first
25 thing I would say is that we had already

1 began to see a little bit of that shift
2 to omni-channel retail strategies with
3 some of the providers like a Bonobos,
4 for example, who has essentially a
5 showroom and then you kind of walk in
6 and you try on their goods and then you
7 essentially order them online and have
8 them shipped to your home. So I think
9 we'll see ongoing increases in that type
10 of retailer.

11 What I would say though is the
12 natural evolution of cities if we kind
13 of turn back to Jane Jacobs, in the
14 literature is that cities go through
15 cycles. And one of the cycles that will
16 occur as a result of these dramatic
17 vacancy rates is a decline in rents
18 overall. And when rents decline, you
19 create new opportunities for new
20 entrepreneurs specifically to move into
21 those spaces that they may not have had
22 the ability to do so before because the
23 rent was too high.

24 So I would strongly encourage
25 the City to think about how they can

1 lower the barriers to entry for doing
2 business in the City of Philadelphia,
3 whether that is with permitting or
4 whether that is with technical expertise
5 or whether that is in what we choose to
6 tax and how we tax in order to be able
7 to not only encourage those new
8 opportunities through lower costs in the
9 form of lower rents for a period of
10 time, but also to be able to create a
11 broad-based access to what was and what
12 will again be the nexus of the majority
13 of consumer demand in Philadelphia.

14 COUNCILMAN DOMB: So I think
15 what I'm hearing you say, Lauren, is
16 that some of these spaces will be
17 reimagined with possibly lower rents,
18 which from a City perspective which
19 means we might have lower assessments,
20 which then means we might have to really
21 look at this and say that means lower
22 real estate taxes on the commercial end
23 for the City and that's something we
24 probably really have to give a lot of
25 thought to and figure out how that's

1 going to work out.

2 Is there any ideas on how to
3 bring vitality back, not just in Center
4 City but I'm talking about even to the
5 neighborhoods of 52nd and Market or a
6 Germantown Avenue right by Erie? What
7 can those neighborhoods do to bring
8 vitality back in your opinion? You're
9 considered an expert in this area so I
10 want to tap into your mind and see if we
11 can get some ideas?

12 MS. GILCHRIST: Sure. I talked
13 a lot about the business community and
14 how the loss of office workers downtown
15 specifically has resulted in a
16 significant loss of retail demand. But
17 what we're seeing in our neighborhoods
18 shift a little bit as a result of
19 working from home is increasing demand
20 in those commercial corridors and we've
21 seen residential momentum increase in
22 and around Center City and pushing out
23 into the neighborhoods more and we had
24 seen prior to the pandemic as well.

25 And those new residents drive

1 some of that demand for those commercial
2 businesses in the neighborhood now more
3 so than ever because people are at home.
4 They're at home more than just 5:00 p.m.
5 to 6:00 a.m. They're home from 9:00 to
6 5:00, which they were not before. So I
7 think what we've seen be really
8 successful during the pandemic is
9 takeout locations and locations that
10 provide lunch service.

11 Just in my own neighborhood,
12 there's a number of restaurants that do
13 not do lunch service because the
14 majority of their consumers were
15 dinnertime consumers. And I think it's
16 important for us to think about how we
17 can support entrepreneurs with access to
18 the technology they need to do delivery,
19 the technology that they would need to
20 access the consumers that are increasing
21 in those neighborhoods and to educate
22 them frankly on the business
23 opportunities that result from doing
24 restaurant service more than just
25 5:00 p.m. to midnight.

1 COUNCILMAN DOMB: Okay. Well,
2 listen, I want to thank you and the
3 other panelists for your testimony
4 today. It's very appreciative. We look
5 forward to working with you as things
6 progress. I don't believe we have any
7 other questions from my colleagues at
8 this time.

9 Ms. Grbach, please call the
10 third panel of witnesses.

11 THE CLERK: We have Teresa
12 Iovine, Jeff Guaracino and Priscilla
13 Luce.

14 COUNCILMAN DOMB: Okay. Again
15 in the spirit of time, please keep your
16 verbal testimony if possible to around
17 two minutes and then proceed with your
18 testimony, state your name for the
19 record. And I guess we can start with
20 Teresa Iovine.

21 MS. IOVINE: Hello. I'm Teresa
22 Iovine. I'm here with my brothers Vinny
23 and Jimmy, the owners of Iovine Brothers
24 Produce in the Reading Terminal Market
25 as well as the restaurant Molly Malloy's

1 which operates in the Reading Terminal
2 Market. As a lot of you know, the
3 Reading Terminal Market is a tourist
4 attraction as well as the longest
5 operating farmer's market in the
6 country.

7 We've basically been -- the
8 businesses here have been decimated by
9 the lack of traffic in the building.
10 We've been meticulous about implementing
11 safety in the form of vehicle barriers,
12 separation between our seating. We've
13 been diligent to make sure that the
14 safety of our staff, customers have been
15 our biggest priority.

16 MR. IOVINE: It's not only --
17 we're not only here representing just
18 our family, which we've been here 30
19 years now, which one of my family
20 members -- actually, two of them have
21 closed down through the pandemic. We're
22 also here representing the 70 families
23 in the Terminal Market.

24 The stress level of not knowing
25 what's going to happen when -- I guess I

1 was going to submit something, but
2 Nicole did such a great job in laying
3 the foundation. I would be reiterating
4 most of it. I guess for me it's the
5 communication and when things are going
6 to happen is most important. If they
7 can work on keeping the percentage down
8 of the delivery platforms, things like
9 that I guess is really -- it's just been
10 tremendous to -- it's been so hard to
11 try and plan when you're being told four
12 days you're done and you're going to
13 open up January 4th now, but is it going
14 to happen. So it put tremendous stress
15 on our employees. I had (inaudible) --

16 COUNCILMAN DOMB: I have to
17 interrupt you for a second. It's a
18 little technical issue trying to hear
19 you. I don't know if it's the masks or
20 your equipment, but it's coming through
21 muffled.

22 MS. IOVINE: Okay. Sorry.

23 COUNCILMAN DOMB: Okay.

24 Thanks.

25 MR. IOVINE: We'll try that.

1 Sorry about that. Is that better?

2 COUNCILMAN DOMB: Yes.

3 MR. IOVINE: I apologize.

4 We're with family. We're in our bubble.

5 We've been together. We wanted to show

6 that we're trying our best. You know,

7 not to go over too much, like I said,

8 we're here not only representing the

9 Iovine family but the other 70 family

10 businesses in the Reading Terminal

11 Market. And again, by the way I wanted

12 to thank everyone for giving us this

13 opportunity. But Nicole did a fantastic

14 job laying it all out. To follow her

15 would be even tough to say.

16 But I guess some of the key

17 things for me would be the communication

18 and when things are going to happen.

19 Any relief that is possible would be

20 amazing. Down to even who we -- my

21 brother and I have even since downsized

22 our homes in trying to refinance because

23 we think (inaudible) refinance right now

24 to try and keep things going.

25 So we just wanted to stress the

1 amount of stress that small businesses
2 are really encountering is almost life-
3 threatening sometimes when I talk to
4 some of the other merchants in the
5 market. But again, I don't know if my
6 family has anything to add, but I just
7 wanted to thank you guys for your time.

8 MR. IOVINE: We've been
9 listening the whole time and we
10 appreciate everything that everybody's
11 doing. But it's truly a dire situation
12 and relief can't come soon enough. And
13 I know you can do whatever you can. But
14 just keep us in mind please. Reading
15 Terminal's been here for 100-and-
16 something years and it needs to stay
17 here in Philly. It's a big part of
18 tourism and we love it here. Again,
19 thanks again.

20 COUNCILMAN DOMB: I just want
21 to say, listen, we really appreciate
22 your being there. We appreciate
23 everyone in the Reading Terminal.

24 I know Councilman Squilla's in
25 the hearing right now and that's his

1 District, and I think he's even on the
2 Board, Councilman Squilla, of the
3 Reading Terminal. So we appreciate all
4 of you. Look, we want to help you as
5 much as we can. And I speak for all of
6 my colleagues. We really, really want
7 to help every business, new, existing
8 get through this period. It's nobody's
9 fault. We're just unfortunate victims
10 of this pandemic.

11 MR. IOVINE: And the only thing
12 I can say is our Board, because Dawn is
13 on that Board as well, has been
14 unbelievable. It's truly on how they're
15 working, so I would like to thank them
16 as well publicly. So thank you.

17 COUNCILMAN DOMB: Thank you.
18 Is it true the Reading Terminal Market's
19 the number one tourist attraction in the
20 City? Is that something that --

21 MS. IOVINE: That is correct.

22 MR. IOVINE: We flip-flop
23 between us and the Liberty Bell. Right
24 now I'm going to say we're not but --

25 MS. IOVINE: We used to be for

1 several years, yes.

2 MR. IOVINE: We used to be for
3 sure.

4 COUNCILMAN DOMB: I think
5 Councilman Squilla --

6 MS. IOVINE: And it's events
7 here at night too.

8 COUNCILMAN DOMB: Okay. Great.
9 Councilman Squilla.

10 COUNCILMAN SQUILLA: Yes. And
11 as you heard, the Board is trying to do
12 what they can. But it's not -- we can't
13 do enough, right. We know the suffering
14 that's going on. We know what they put
15 into place. Dawn has been a big help
16 also. This is a reality of what's going
17 on here.

18 So as we re-emphasize on how we
19 deal with these issues, the main focus
20 should be on how do we help a smart
21 restart, and I think that is something
22 that is paramount to doing that. And we
23 know about the physical health of the
24 virus, but what we don't know yet is the
25 long-term results of the mental,

1 emotional health that is going to be
2 impacted for years to come.

3 So we have to also keep that in
4 mind and do everything we can to help
5 during this crisis. So thank you all,
6 and guys thank you for hanging in there.
7 And we'll keep trying to do things to
8 get this up and running and, hopefully,
9 see that light at the end of the tunnel
10 so that we can come through this
11 together, so hang in there.

12 MR. IOVINE: Thank you very
13 much.

14 COUNCILMAN DOMB: Thank you.
15 Thank you, Councilman.

16 And I just want to say to Dawn
17 Summerville, I know you're having that
18 meeting on Friday with hospitality
19 people, the restaurant people, and I
20 hope from that meeting we can come up
21 with a solution, a smart restart on how
22 we can get back on track with the Health
23 Department, so I'm really hoping that
24 that's going to be productive.

25 MS. SUMMERVILLE: Yes. Thank

1 you. We're looking forward to the
2 engagement.

3 COUNCILMAN DOMB: Great. Thank
4 you so much for everything.

5 Next, I'd like to call Jeff
6 Guaracino from Visit Philly who I'm sure
7 is going to give us some great news
8 about Condé Nast and other things going
9 on in the City. Jeff.

10 MR. GUARACINO: Good afternoon,
11 Chairman Domb, Vice-Chairman O'Neill and
12 members of the Committee. Thank you for
13 having me today. In the interest of
14 time, I will refer you to the statistics
15 in my official testimony.

16 I do want to do at a high level
17 a few things: First is to say that I
18 want to thank you and the Administration
19 for your action, your leadership and the
20 dialogue that we're having around the
21 hospitality industry. I also want to
22 thank you for your action on the support
23 of Black and Brown businesses as we
24 launch our campaign in retail, Shop
25 Black and Brown Business. The topics I

1 want to talk to you about today are jobs
2 for our friends and family, recovery via
3 demand, you've heard demand come up a
4 number of times, I've been listening the
5 entire time, and of course tax revenue.
6 I'm a resident of Philadelphia. I know
7 the budget is coming up and I want to
8 just talk to you about that.

9 And I want to acknowledge and
10 thank my colleagues in the restaurant
11 industry who have been doing a herculean
12 job at trying to survive, and that also
13 dovetails into the larger hospitality
14 industry of retail, museums,
15 attractions, live events, hotels,
16 meetings, conventions, international-
17 overseas leisure which what Visit
18 Philadelphia does. And we know that
19 when people come here, they need dinner
20 before the show. They need three meals
21 a day when they come here and stay in a
22 hotel, so we want to thank you.

23 But it is an interdependent
24 industry. And the hospitality industry
25 has united the Convention and Visitors

1 Bureau, the Visitors Center, the
2 airport, the Convention Center. We've
3 been meeting every other week to work
4 towards our recovery, and recovery's
5 under way. I do want to say that as you
6 mentioned we are a hot city, Travel and
7 Leisure, Condé Nast Traveler, National
8 Geographic Traveler, James Beard
9 Foundation. We and you, our elected,
10 officials and health are working through
11 a pandemic. But the recovery is already
12 under way through our campaigns of Our
13 Turn To Tourist. I know Gregg Caren and
14 his team are already working on bringing
15 back Army Navy, meetings and
16 conventions, regional residents who are
17 no longer coming in our City as
18 day-trippers who are critical.

19 So I want to mention to you
20 about the demand that can immediately
21 help lift all boats. And this is not
22 the first time that Philadelphia has had
23 a major challenge, whether it's been
24 911, 2008. We have come together
25 through smart investments in creating

1 demand again through marketing and in
2 investment in the hospitality industry
3 that has created an immediate return on
4 investment, immediately in jobs, in
5 generating tax revenue for the City and
6 for the state. Tax revenue paid for the
7 tourists to fund tourism, marketing and
8 promotion as well as recovery for all
9 the for-profits and nonprofits that
10 you're going to hear from.

11 In my testimony, you will see
12 already that we are generating demand
13 where we can during a pandemic for small
14 businesses. 812,000 direct referrals
15 from Visit Philadelphia through our
16 museums, attractions, restaurants,
17 looking -- more than 50,000 referrals to
18 our small businesses in our
19 neighborhoods, Black and Brown and other
20 retailers.

21 You'll also see in my testimony
22 the competition. And I want to mention
23 this really quickly because this is
24 critically important for our economic
25 survival. Not only has Councilman Green

1 mentioned to you that Baltimore, Florida
2 and New York have already launched
3 economic development recovery campaigns
4 for their hospitality industry, but our
5 regional friends, and we're the regional
6 tourism marketing corporation, so in
7 addition to Philadelphia, so Bucks,
8 Chester, Montgomery and Delaware County,
9 they have already received funding from
10 the CARES Act, 2.5 million for Bucks
11 County, 600,000 to Montgomery County,
12 several hundred thousand in Delaware and
13 Chester Counties all with television and
14 expensive advertising that is telling
15 people to stay in the suburbs and
16 patronize their businesses there. The
17 competition from New York, Baltimore and
18 other places are going to continue to
19 come in addition to our own
20 Commonwealth. We will see the Poconos
21 and Lancaster, already marketing and
22 promoting their recovery.

23 Visit Philadelphia and our
24 colleagues are working on the recovery.
25 You've seen some of our marketing that

1 is there, but the hotel taxes you've
2 mentioned is decimated. And it will
3 come back and we have an opportunity for
4 that recovery to immediately show ROI
5 for this Council and for this
6 Administration to get our friends and
7 family back to work.

8 And I'll end with this, we are
9 your partner to the industry. We are
10 your partner in recovery. We're happy
11 to meet with you individually and as a
12 Council on the economic, well-being of
13 our City. I'm born and raised here. I
14 went to Community College and I had an
15 access to go to a four-year college, and
16 now I'm running Visit Philadelphia.
17 This is an industry that 30 years ago
18 there was a vision to create jobs, tax
19 revenues, support small business and it
20 has worked. So we are your partner.
21 Please refer to my testimony about the
22 data that you will need. And I want to
23 thank you for your time and your
24 leadership.

25 COUNCILMAN DOMB: Thank you,

1 Jeff. Great job and great presentation.

2 Let's go to Priscilla Luce from
3 the Philadelphia Cultural Alliance.

4 MS. LUCE: Thank you very much,
5 Mr. Chairman and all members of City
6 Council. I'm delighted to be here to
7 represent the arts and culture sector.
8 We represent more than 460 arts and
9 cultural organizations in the
10 five-county region. 380 members of the
11 Alliance are in the City of
12 Philadelphia.

13 Before the pandemic, you may be
14 interested to know that this was a \$3.4
15 billion industry that employed 37,000 in
16 the City and delivered \$157 million in
17 tax revenue annually, so it is not an
18 insignificant sector. As Jeff was
19 saying, arts and cultural is also an
20 essential part of why the City has
21 experienced a renaissance. Arts and
22 culture drives both international and
23 domestic tourism and it has also drawn
24 residents into the City which helps
25 restaurants and retail.

1 So as the six-month shutdown
2 occurred for arts and culture last
3 spring, our arts and culture sector
4 participants and members invested
5 hundreds of thousands of dollars in
6 health protocols, including PPE, air
7 quality and time ticketing to control
8 density so that when reopening occurred,
9 they could do so very safely. And in
10 fact, that is exactly what happened.
11 When reopening occurred, all of these
12 protocols were in place and we believe
13 that we have very safe operations across
14 the sector.

15 And so, the second shutdown
16 which occurred has been devastating, and
17 particularly this period between
18 Thanksgiving through New Year's day is
19 when we get maximum numbers of visits
20 from families in the region, so all of
21 that is not happening now. And so, this
22 has thrust the sector into something of
23 an extended crisis.

24 I want to let you know that
25 research that the Cultural Alliance just

1 completed shows that more than 40
2 percent of arts and cultural
3 organizations viewed this upcoming
4 period of January to March 2021 as the
5 period of greatest financial peril for
6 them, and this hasn't even happened yet,
7 they're just looking ahead. And even
8 more staggering is the scope of the
9 projected revenue loss of the sector.
10 Of the organizations that we surveyed,
11 the estimated combined revenue loss
12 between March 2020 and March 2021, that
13 is over the past 9 to 12 months, is in
14 the range of \$214 million. That's a 34
15 percent loss of revenue for the sector,
16 in other words, a really huge impact.
17 And that was before the second shutdown,
18 which occurred on November 20th.

19 So it's quite clear that
20 without revenue-generating
21 opportunities, which the sector does not
22 have right now or some kind of emergency
23 funding, we're very much at risk of
24 losing a critical programming
25 infrastructure that arts and culture

1 provides and possibly some institutions
2 will start to disappear in 2021, which
3 is an outcome that we most definitely
4 want to avoid.

5 Private philanthropy has helped
6 us, but it cannot meet the total need of
7 the sector. So I asked the City to
8 consider accelerating the opening of
9 cultural institutions after January 4th.
10 With all of the protocols in place that
11 we've been discussing for the other
12 sectors, arts and cultural stands ready
13 to have all of those protocols in place
14 for us as well and to contribute to the
15 discussion around what are good safety
16 protocols. We've been working on this
17 for a long time and we can join as your
18 partners in considering that.

19 And also, I ask City Council to
20 if there is additional CARES funding or
21 general operating funds that can be
22 provided for emergency support, we would
23 especially like individual artists,
24 small- to medium-sized arts
25 organizations and organizations

1 supporting BIPOC communities to be given
2 priority in your support. And frankly,
3 I'll just put it very simply, economic
4 relief for our sector is imperative for
5 our survival, so thank you so much.

6 COUNCILMAN DOMB: Priscilla,
7 can I ask you a question. I'm going to
8 use it as a smart restart of the
9 cultural sector and arts. This has been
10 researched, I assume, across the
11 country, that what you're suggesting is
12 a smart way to get back open.

13 MS. LUCE: Without question.
14 We're ready.

15 COUNCILMAN DOMB: Right. Have
16 you met with the Commerce Department
17 about that?

18 MS. LUCE: Not yet. We
19 anticipate doing that. We had a very,
20 very good meeting with Dr. Farley and
21 the Mayor's Office as a start and we
22 would love to continue those
23 conversations with the Commerce
24 Department.

25 COUNCILMAN DOMB: Can I suggest

1 that -- look, the goal of this hearing
2 today is to get everybody together and
3 achieve the same goal, but get the
4 economy back on track in a safe way. So
5 can I suggest in the next few days maybe
6 you all can get together, Commerce,
7 Priscilla, and figure this out and meet
8 with Dr. Farley and let's try to get
9 this opened up after the first of the
10 year so that we can get back on track?

11 MS. LUCE: We would absolutely
12 love to do that. And we thank you,
13 Councilman, for suggesting this and your
14 leadership in hosting this hearing.
15 Thank you very much.

16 COUNCILMAN DOMB: Sure. And
17 like Jeff, if you could be involved in
18 that too with Visit Philly, be part of
19 that meeting. As you said, Visit Philly
20 is so crucial to all the other
21 businesses in our City, and the
22 feed-off, no pun intended, to the
23 restaurants and everything else is
24 pretty powerful. So I appreciate if we
25 can get that meeting pretty quickly.

1 There is a sense of urgency right now.

2 This is a sense of urgency.

3 By the way, and I think one of
4 my colleagues said this, I think most
5 businesses in general -- and I think
6 Councilman Jones said this -- prefer
7 that government doesn't get involved in
8 their business. But this is a time when
9 we need to get involved in order to help
10 and I think we're all prepared to do
11 that. So let's try to make these
12 meetings happen quickly. Let's get
13 these things done in a safe way, get
14 everybody's approval and get back on
15 track.

16 Jeff, I have a question for
17 you.

18 MR. GUARACINO: Yes,
19 Councilman.

20 COUNCILMAN DOMB: The
21 convention business is a huge business
22 for the City of Philadelphia. And I
23 know in the last, I don't remember, two
24 years maybe or so we booked a lot more
25 conventions and that business produced a

1 lot of revenue for the City and a lot of
2 revenue for restaurants, hotels, retail,
3 everything.

4 At this point in time, can you
5 give me some sort of picture for 2021
6 what that convention business looks
7 like?

8 MR. GUARACINO: Yes. Thank
9 you, Councilman. As you know the
10 Philadelphia Convention Business Bureau
11 Gregg Caren, they oversee meetings,
12 conventions and major sporting events.
13 And so, he and I spoke this morning, so
14 that is his area of responsibility but
15 the industry is united.

16 So first, I will tell you that
17 thanks to the way we have structured our
18 industry here in Philadelphia, we have a
19 competitive advantage. Other cities
20 like New York and Vegas who have
21 overrelied on overseas or meetings or
22 conventions, they are in trouble. We
23 have a strong leisure market, which will
24 come back first that will lead the
25 industry's recovery. And that's what

1 Visit Philadelphia works on. We have a
2 very strong leisure. 88 percent of the
3 people who come here come for fun.
4 Saturday night is the busiest night of
5 the week.

6 Meetings and conventions and
7 groups will start to come back in late
8 2021, they book much later. And then
9 that will come in '22 and '23. So
10 what's interesting about Philadelphia
11 and our opportunity is that leisure this
12 year in '21 will lead the recovery, help
13 with tax revenue, help with jobs, help
14 with getting people in restaurants,
15 museums, attractions and our image, and
16 then as the meeting and convention
17 business starts to come back, and Gregg
18 and his team are hustling, they are
19 doing a great job over there, then the
20 meetings and conventions come back to
21 our hotels. And then the Army Navy will
22 come back, and then these other major
23 events as we get into the 250. So
24 unlike other cities, our strong leisure
25 market, convention groups and meetings

1 and then the opportunities coming up is
2 our competitive advantage.

3 If we didn't have it right now,
4 we could be looking at 2021 where we're
5 all still suffering, but leisure will
6 help. And then it gives the pathway for
7 us to get meetings and conventions back.
8 But I will ask Gregg Caren and his team
9 to follow up with your office
10 specifically about meetings and
11 conventions. I will say to you the
12 small groups, whether it's weddings like
13 leisure, that's a big opportunity for us
14 and a built-up demand. And people
15 coming back to bring their own meetings
16 and conventions or spending time as a
17 tourist in their own hometown and
18 rediscovering Philadelphia is a giant
19 opportunity, if we take it.

20 People are not going to take
21 cruises in the short-term. They're not
22 going to be going overseas in the short-
23 term. People are taking drive trips.
24 They can either drive by Philly to
25 Baltimore, New York and D.C. or they can

1 stay overnight and then come back.

2 And so, I think as we talk
3 about recovery and demand and where
4 marketing will come in, whether it's
5 marketing to a meeting or convention or
6 marketing to the leisure traveler, how
7 we're going to get people back to work,
8 build demand and build tax revenue is
9 getting people back here, and right now
10 they're not here.

11 COUNCILMAN DOMB: I appreciate
12 that, Jeff. I guess one of my other
13 questions is on a convention basis, and
14 this may not be in your area, most of
15 these large organizations that have
16 booked conventions book them -- they
17 know where they're going to be in 2025
18 at this point or 2026. If they missed
19 out on 2020 in Philadelphia, how do we
20 recapture that business? Do we go to
21 them 2027? Are they going to slide all
22 of their convention years back? How do
23 we not lose the business that was going
24 to come here, especially with all of the
25 positive news that's coming out about

1 Philadelphia and they should come here?

2 MR. GUARACINO: I'll say to
3 you -- again, I'll defer the expertise
4 to Gregg Caren, but I will answer your
5 question because we're lockstep, we talk
6 all the time. The Pennsylvania
7 Convention Center is a major competitive
8 advantage for us by being downtown and
9 John McNichol and that team are doing a
10 great job. Our hotels, which are
11 expanding, are very competitive. They
12 have been rebooking as I understand
13 because they are laser-focused on
14 rebooking groups, that they're doing a
15 great job and leads are coming back.
16 But, no, every city is competing for
17 those same people.

18 On the leisure market, by us
19 having strong leisure, that fills in and
20 that helps drive all the other room
21 nights. So again, I will ask Gregg
22 Caren to get back to you specifically on
23 the strategy and their success. I will
24 go back to one thing. The way that the
25 hospital industry was envisioned, the

1 way we created it almost 30 years ago is
2 the reason why we're going to recover
3 more quickly than other cities if we do
4 it right.

5 And sometimes Philadelphia is
6 considered like, why do you do things
7 your own way. It's because it works for
8 us. And I will show you in the data and
9 as we rehire people in jobs and you see
10 tax revenue come back, 30 years ago
11 those decisions that were made by
12 members of Council, the state
13 legislature, governors and mayors and
14 leaders like yourselves in the business
15 community, we are going to benefit from
16 now. So we'll get back to you
17 specifically and to the members of
18 Council.

19 COUNCILMAN DOMB: Okay. Thank
20 you, Jeff. And I know that this
21 convention business is important for
22 arts and culture. It's important for
23 hotels. It's important for restaurants.
24 It's important for the whole City's
25 economy. It's huge for our economy.

1 MR. GUARACINO: It is. And
2 I'll just mention when you look at big
3 events where they rent out arts -- like
4 I used to work at the Franklin
5 Institute. When you have big corporate
6 rentals like that, that is a game
7 changer for them. When you have 25,000
8 people in the town, when we had the DNC,
9 the RNC, Army Navy, we were on national
10 media. And then what helps us all year
11 long are things that Visit Philadelphia
12 works on, the advertising, the PR, the
13 visitphilly.com website, what we do with
14 travel and leisure.

15 And as everyone knows in
16 Council, advertising is very expensive
17 so we need to continue to stay out
18 there, and it all impacts each other.
19 So the work that we do helps Gregg and
20 his team get people here. And the work
21 that John McNichol does at the
22 Pennsylvania Convention Center by being
23 exceptional is the reason why they come
24 back.

25 And I'll just mention the

1 Visitors Center who is really suffering
2 because they make their dollars when
3 people buy tickets to museums and
4 attractions and get on the Big Bus Tour
5 and go see Rocky. And so, they are
6 suffering because we do not have the
7 visitation that's there. So as a
8 follow-up, the industry and every other
9 Thursday we meet. I invite you,
10 Councilman Domb, or anyone from Council
11 to join us if you need specific
12 information or would like to address the
13 hospitality industry. And thank you for
14 questions.

15 COUNCILMAN DOMB: I'm going to
16 take you up on that, so thank you very
17 much.

18 MR. GUARACINO: Thank you.

19 COUNCILMAN DOMB: I want to
20 thank this panel. Thank you all for
21 your testimony today. We look forward
22 to being in touch with you. And,
23 Priscilla and Jeff, I hope you have that
24 meeting with Commerce and Health. Let's
25 get sooner versus later, sense of

1 urgency.

2 MS. LUCE: We'll do that.

3 COUNCILMAN DOMB: I will say
4 that I live by something called DIN, do
5 it now.

6 MS. LUCE: Great.

7 COUNCILMAN DOMB: All right.
8 So let's get it done.

9 MS. LUCE: Thank you.

10 MR. GUARACINO: Thank you.

11 COUNCILMAN DOMB: Thank you.

12 MR. GUARACINO: Thank you all,
13 Councilmembers.

14 COUNCILMAN DOMB: Thank you.

15 Ms. Grbach, let's call our next panel of
16 witnesses, please.

17 THE CLERK: Our next panel is
18 Jennifer Rodriguez, Kate McGlinchey,
19 Gwen McAuley and Phil Dawson.

20 COUNCILMAN DOMB: Thank you.

21 Please proceed with your testimony.

22 State your name for the record. And
23 let's start with Jennifer Rodriguez from
24 the Hispanic Chamber of Commerce. Good
25 afternoon.

1 MS. RODRIGUEZ: Good afternoon,
2 Councilman Domb. Thank you very much
3 for having me. I understand that time
4 is of the essence so I will not read my
5 testimony in full. I will just skim
6 through it to give you an idea. You
7 have heard a lot of opinions, and
8 testimony do align with the way the
9 Hispanic Chamber sees the situation.

10 I will, of course, start by
11 saying that there are approximately
12 12,000 Latino-owned businesses in the
13 City of Philadelphia. And that of
14 these, nearly 40 percent are commercial
15 corridor-type enterprises, such as
16 restaurants, hair salons, barbershops
17 and other retail concentrated around
18 commercial corridors in North and South
19 Philadelphia. And these of course have
20 been most impacted by COVID-19.

21 Examining the economic impact
22 of these restrictions is crucial to our
23 organization and it should be again
24 reinstated that recent Safer At Home
25 restrictions will be catastrophic for

1 many of these businesses. And we are
2 sadly disappointed that key
3 stakeholders, including our Chamber,
4 have not been consulted in the process
5 of determining these recent business
6 closures or restriction measures.

7 In fact, the diverse Chambers,
8 African American Chamber, Asian Chamber,
9 the LGBTQ Chamber and the Hispanic
10 Chamber issued letters related to this
11 sentiment to Mayor Kenney and
12 Dr. Farley, and we have not been
13 contacted related to that. But here we
14 are today, and it's important to note
15 that as has been said, most of our
16 businesses have really taken the
17 measures instituted and required by
18 government. And unfortunately, they
19 cannot afford to make additional cuts.

20 And the remedies that have been
21 offered by the City, such as the
22 adjustment of the U&O, the delays in
23 evictions and others while fair, will
24 not be sufficient to mitigate the
25 revenue losses that amount to more than

1 40 percent on average for our
2 businesses. They are certainly not
3 substitute for sales.

4 On a weekly basis, we have
5 begun to hear of closures among Latino
6 businesses or businesses that are at the
7 brink of collapse, because operating in
8 this new normal is just not feasible.

9 Barbershops that depend on walk-in
10 business cannot operate, so their
11 barbers set up shop in their homes.
12 Event planners and caterers depend on
13 inperson gatherings, cannot operate
14 fully, but the parties still happen
15 underground and unsafely, and then the
16 bodegas that are too small to
17 accommodate social distancing and
18 restaurants that don't have sufficient
19 space for outdoor dining, which are then
20 forced to migrate to delivery platforms
21 that are expensive because their dining
22 rooms are closed.

23 When businesses work well and
24 are allowed to operate, they not only
25 build wealth for entrepreneurs, but they

1 build wealth and improve the quality of
2 life of the larger community. This fall
3 in an effort to support local
4 businesses, particularly in South
5 Philadelphia, we created Dine Latino
6 initiative which also had a Restaurant
7 Week associated with it and we involved
8 22 restaurants.

9 Those 22 restaurants received
10 capacity and technical assistance to
11 help them weather the pandemic. And in
12 addition, we distributed \$15,000 in
13 small business grants and micro-grants
14 to those businesses. With adequate
15 funding of course, GPHCC can do much
16 more to create and help create
17 destination in South Philadelphia and
18 support these businesses.

19 This winter will be very
20 difficult for Black and Brown
21 entrepreneurs, many of whom will be
22 forced to make difficult decisions about
23 their businesses they have invested
24 their dreams and resources in. Many of
25 them will have to redo separations, lay

1 off staff or permanently close due to
2 the circumstances outside of their
3 control. Ensuring that we start
4 planning today to position those that
5 survive for success should be a
6 priority. Thank you very much.

7 COUNCILMAN DOMB: Thank you,
8 Jennifer. I'm going to go through all
9 the panelists and then we can have some
10 questions.

11 Let's go to Kate McGlinchey
12 from the Old City District.

13 MS. McGLINCHEY: Thank you.
14 I'll try to keep this brief. Good
15 afternoon, Councilmember Domb and all
16 members of the Committee. My name is
17 Kate McGlinchey and I am the Economic
18 Development and Policy Manager for the
19 Old City District.

20 Like many Philadelphia
21 neighborhoods, Old City and its
22 restaurants have been severely impacted
23 by COVID-19 and the related
24 restrictions. Old City has already seen
25 several restaurants permanently close

1 this year, including a neighborhood
2 standby such as FARMiCiA. Additional
3 restaurants have elected to temporary
4 close for the winter, creating more gaps
5 on their commercial corridor.

6 Restaurants fear that the coming colder
7 months and the continued impact of the
8 pandemic will have an even more
9 devastating effect.

10 Many restaurants have done
11 their best to adapt with outdoor dining.
12 Streeteries and sidewalk cafes have
13 popped up throughout the neighborhood
14 and Old City District runs a weekly
15 street closure to create an outdoor
16 dining room on Second Street.

17 Outdoor dining has been a
18 lifeline with several restaurants
19 expressing to our office that they would
20 not have survived without it. We are
21 incredibly grateful to City Council and
22 the Administration for these
23 opportunities and will be thrilled if
24 outdoor dining allowances could be made
25 permanent to give the restaurants more

1 time and space for recovery.

2 Unfortunately, outdoor dining
3 alone is not enough to make up the
4 enormous economic damage of COVID-19.
5 Our business centers understand and
6 respect the safety reasons for the many
7 restrictions, but many have struggled
8 with the short time frame between
9 announcement and enforcement.

10 For example, the City's winter
11 outdoor dining guidelines were not
12 issued until mid-October, leaving
13 restaurants unclear as to what heating
14 equipment and shelters would be
15 permitted. Undoubtedly, the
16 Administration worked as quickly as
17 possible to release these guidelines and
18 we appreciate the quick responses we
19 received to questions when these
20 guidelines were published. But with
21 cold weather approaching, the
22 mid-October release gave only a few
23 weeks for restaurants to procure
24 guideline compliance supplies that were
25 in high demand. More advanced notice of

1 regulations, even a few days, would give
2 restaurants time to understand and ask
3 for clarification on these new
4 restrictions and make the needed
5 adjustments.

6 According to our restaurants,
7 unclear regulations and confusing
8 enforcement have presented further
9 challenges. Over the last few months,
10 Old City restaurants have received
11 multiple tickets and fines for their
12 outdoor dining setups. These tickets
13 are typically for minor issues such as
14 string lighting, and the cost of these
15 fines places an additional burden on
16 restaurants already struggling to make
17 ends meet.

18 We understand the need for
19 enforcement, for safety and realize that
20 there is always an adjustment period in
21 regulations. However, these fines can
22 feel like salt on a wound to an already
23 struggling restaurant. Clear guidelines
24 and enforcement and even relaxation of
25 certain regulations to allow

1 enhancements such as string lighting
2 could help our restaurants successfully
3 host outdoor dining while remaining in
4 compliance with City regulations.

5 As we enter into the difficult
6 winter months, we ask to work with the
7 City to clarify these guidelines,
8 provide more advanced notice to new
9 restrictions to our restaurants and
10 perhaps make outdoor dining a permanent
11 feature of Philadelphia's vibrant
12 commercial corridors. We appreciate
13 everything the City has done to work
14 with Business Improvement Districts and
15 the restaurant community so far. We
16 look forward to continuing to work on
17 these issues. Thank you so much for the
18 opportunity to testify today. And I'm
19 happy to answer any questions. Thank
20 you.

21 COUNCILMAN DOMB: Thank you,
22 Kate.

23 Let's go to Gwen McCauley from
24 the Manayunk District.

25 MS. McCAULEY: Hello,

1 Councilman Domb. Thank you and your
2 staff for inviting me to speak today and
3 participate on behalf of my
4 stakeholders. A week ago I had
5 Councilman Jones and Director Rashid --
6 I think Councilman Jones referred to it
7 earlier in testimony -- and many other
8 City agencies out to Manayunk for a
9 visit. It was really positive in light
10 of all of COVID. We were giving them
11 our exciting vision and these
12 initiatives that we have for post-COVID
13 and these are all great and positive
14 stuff. But the key element is who will
15 be here when that time comes.

16 So with that in mind, I want to
17 say good afternoon to all members of the
18 Committee. And I want to tell you that
19 if you would have told me a year ago
20 that Manayunk, the City, the country for
21 that matter, would be in the condition
22 it is today, I wouldn't have believed
23 you. What a difference a year makes.

24 Now, here we are and I'm
25 wondering what does my District look

1 like this time next year in 2021. Will
2 we hold onto our occupancy rate, will we
3 lose any more merchants who can no
4 longer hang on, will a restaurant who
5 opted to close down until the
6 restrictions are lifted decide to stay
7 closed, how will that affect his or her
8 neighbors, will this be a growing trend?
9 Our restaurants are the driving force
10 behind our District. Without them we
11 have nothing.

12 In normal times, they employ
13 roughly 1,000 on our mile district.
14 It's roughly 1,000 workers and it
15 represents 50,000 transactions weekly.
16 They are our lead economic driver and
17 they result in large percentages of
18 secondary transactions as neighboring
19 local retailer shops in the District.
20 These add-on purchases are the
21 life-bread of our local economy.

22 An example would be going into
23 a restaurant and stopping at the
24 eyeglass store to browse for sunglass
25 selections or picking up a card or

1 candle while waiting for your table to
2 be ready. If a restaurant fails, their
3 employees lose their jobs. The
4 storefront goes empty until the next
5 low-margin restaurant comes in. But
6 that's not even the end of it. The
7 larger scale problem is the barbershop
8 loses its customers, the retail loses
9 their customers, the dry cleaner loses
10 their customers. There's no parking
11 revenue for us to sustain our District
12 marketing efforts and the barren
13 storefronts make incoming businesses
14 reconsider locating there.

15 It's such a domino effect and
16 we're fearful of the loss of a few key
17 restaurants and that we could possibly
18 not recover from it. We were the last
19 county to open this summer and the first
20 in the state to shut down again on
21 November 16th or based on the November
22 16th ruling. It's resulted in
23 six-to-eight weeks of additional outdoor
24 dining within the Philadelphia region,
25 and a mile away from Manayunk, it was

1 hugely impactful to us. I believe this
2 loss of revenue might have sealed the
3 fate of some of our local restaurants.

4 I'm asking City Council to be
5 aware of our difficulty abutting another
6 county. Please be aware of the
7 devastations you create by not
8 maintaining the same guidelines as the
9 rest of the state. Of course, our
10 foremost thoughts are the eradication of
11 the disease, but I wonder what harm this
12 pandemic will have left on our District
13 long after it's been eradicated.

14 We're not a wealthy District.
15 Yet we're not poor enough either. We
16 received little to no aid from the City
17 and state, and yet we're trying to find
18 our way. Many of our recent initiatives
19 have been self-funded, including a
20 matching winterization outdoor dining
21 grant, which we match dollar for dollar
22 any of the outdoor restaurants who
23 wanted to winterize their streeteries,
24 funding of security guards for Main
25 Street during the civil unrest to

1 provide a presence on the street that
2 was not available to us from the
3 Philadelphia Police Department.

4 We think this really helped our
5 District because it prevented us from
6 boarding up and it kept residents who
7 weren't going to Center City coming down
8 to the Street. We think it was a huge
9 positive initiative for us. We've done
10 a GoFundMe for displaced employees and
11 prize money recently to incentivize our
12 businesses to decorate for the holidays.
13 And if you haven't been down on Main
14 Street, it is lit up and looking lively.
15 So please, just be cognizant of our
16 plight and try to refrain from hurting
17 us with overregulation and guidelines
18 that don't match other counties.

19 The outdoor dining through 2021
20 has been the best initiative that's come
21 out of City Council this year. And our
22 hopes is that you see a way to make
23 these streeteries a fixture for a long
24 time past the end of 2021 in order to
25 help the restaurants rebuild. Where we

1 don't ask for money, we are asking for
2 teamwork where the City helps us
3 maneuver this time in an effort to
4 survive.

5 We have already lost 20 percent
6 of our gyms and fitness centers who left
7 the area for Montgomery County and we
8 don't want to lose anymore. So included
9 in my testimony is an article -- in my
10 written testimony is an article by my
11 colleague Leo Dillinger and it was
12 recently published in our Manayunk
13 magazine, and he quotes business owners
14 asking questions on why it's so
15 important now more than ever to support
16 small businesses.

17 So in an effort to give you an
18 idea of what our stakeholders are
19 thinking, there is a gamut of different
20 stakeholders here, a low retail shop,
21 Brandy Deieso of The Little Apple, who
22 says having been shut down for three to
23 four months, many of us small business
24 owners didn't even know if we would be
25 able to reopen, and some sadly didn't.

1 It was only thanks to the online support
2 of our customers during the shutdown
3 that we were able to pull ourselves
4 together and get our doors open again.
5 Now, we hope to rebuild and to be there
6 for our customers during the magical
7 time of the holiday season and
8 appreciate them choosing to shop small
9 and keep our special little neighborhood
10 alive and thriving.

11 Robert Ashford of Unity Yoga
12 says, supporting local business at any
13 time always means you're helping put
14 food on a table, pay a mortgage or
15 investing in your neighbors. Now more
16 than ever in the face of COVID,
17 supporting local means ensuring Manayunk
18 and Main Street stay vibrant and a
19 destination that we're all proud to
20 visit. It's amazing to know where your
21 money is going and what you're
22 supporting, and that's only possible
23 when you stop and support small
24 business.

25 Sean Coyle from the Goat Spirit

1 said, the people who are employed by
2 small business are at risk of losing
3 their jobs. It seems so nihilistic, but
4 it's not. You're going to see a lot of
5 places, including independent
6 restaurants go under the next six
7 months. That's why we need to support
8 them, because this is a tragic time in a
9 low-margin business and they need your
10 help, whether it's takeout, gift cards
11 or showing up if you're comfortable
12 showing up. They need your help.

13 And Laura Ann Lamprou of LILA
14 Philadelphia retail store says, small
15 businesses are the life force of the
16 community. They give the neighbors what
17 they -- they give the neighborhoods we
18 live in character and charm. They bring
19 an energy and a vitality to the street.
20 They invest their hard-earned dollars
21 back into the community. Now more than
22 ever, it's so important to support the
23 small businesses you love by shopping
24 small, spreading the word to friends and
25 family and doing your part to tag and

1 share on social media. Even the
2 smallest actions can have the greatest
3 impacts. Basically, we're just asking
4 you to be our partner. We're asking you
5 to work with us. And I thank you for
6 listening and for your continued work on
7 our behalf and small business.

8 COUNCILMAN DOMB: Thank you,
9 Gwen. Thank you.

10 Next is Philip Dawson, Chestnut
11 Hill District.

12 (No response.)

13 COUNCILMAN DOMB: Philip
14 Dawson, are you there and available?

15 (No response.)

16 COUNCILMAN DOMB: Maybe there's
17 some technical difficulty. While we
18 were waiting for Philip Dawson to come
19 on, I have a few questions I thought I
20 could ask.

21 And, Jennifer Rodriguez, I
22 wanted to ask you this question: You
23 mentioned in your testimony that there
24 was \$15,000 that was utilized for some
25 businesses in South Philadelphia, I

1 believe.

2 MS. RODRIGUEZ: Yes.

3 COUNCILMAN DOMB: Tell me how
4 that was utilized and how you decided
5 and how that was granted to those
6 businesses, what were their needs and
7 how you determined the amounts for each
8 business.

9 MS. RODRIGUEZ: Sure. So the
10 Chamber back at the very beginning of
11 the pandemic created R+ Small Business
12 Relief Fund. We received \$50,000
13 towards that campaign from the United
14 States Hispanic Chamber and it was to be
15 allocated in microgrants for small
16 businesses.

17 We know that every time we have
18 seen one of these grant programs being
19 issued or created, that there is major
20 oversubscription of applications
21 compared to the dollars that are
22 assigned, which creates a lot of
23 frustration because so many business
24 owners are not able to take advantage of
25 that. They actually become frustrated

1 and stop applying for the grant
2 programs, so we were very aware of that
3 and we know that \$15,000 would not be
4 enough to distribute amongst
5 Latino-owned businesses, so we decided
6 that we were going to match the relief
7 dollars to our Dine Latino campaign. So
8 for restaurants that signed up for our
9 Restaurant Week, those were 22
10 restaurants or 23 and then we said that
11 they would be eligible to apply for this
12 \$15,000 dollars which gave them a much
13 greater probability of being selected
14 and we were very flexible.

15 We were looking to see what
16 they wanted to use the dollars for. We
17 wanted the dollars to go towards
18 something that would actually help the
19 business continue operations. And so,
20 we were able to grant about 15 of those
21 businesses grants between \$500 and
22 \$2000.

23 COUNCILMAN DOMB: Okay. I'm
24 asking that question because I'm going
25 to ask all three of you, if you can

1 either work together or work with other
2 people in charge of the Districts
3 throughout the City. I'd like to hear
4 your suggestions on how we could support
5 business, whether we have some money or
6 not or what are the things we could do.
7 Maybe you can just send us an email --

8 MS. RODRIGUEZ: Sure.

9 COUNCILMAN DOMB: -- and then
10 we can connect because we do want to
11 help, so I think that would be great.

12 I think Philip Dawson's back
13 on, so let me call upon him for his
14 testimony.

15 MR. DAWSON: Thank you,
16 Councilman Domb. Thank you,
17 Councilmembers and our District
18 Councilperson Bass, for the opportunity
19 to speak today. My name is Philip
20 Dawson. I'm the Executive Director of
21 the Chestnut Hill Business District. We
22 include a BID in the Community
23 Development Corporation and we serve
24 over 225 small businesses around
25 Chestnut Hill's Germantown Avenue

1 Corridor.

2 Our District corridor is
3 notable for not only serving the
4 neighborhood, but also attracting
5 significant visitation from tourists and
6 the outlying counties. A 2017 Econsult
7 report found that we had over 317,000
8 visitors a year in an average year,
9 which sustains employment in our
10 businesses and also provides important
11 tax revenue to the City.

12 The pandemic of course has
13 changed all of that. Our Chestnut Hill
14 Hotel was closed for three full months.
15 One of its two full-service restaurants
16 is permanently out of business and
17 occupancy remains below 50 percent.
18 Chestnut Hill's Woodmere Art Museum,
19 another visitor magnet, has been
20 temporarily closed during the current
21 round of restrictions as well.

22 As in all parts of the City,
23 our small businesses have also weathered
24 a historically challenging year. We
25 have a dozen of them who have

1 permanently closed so far, and those who
2 are still open have been both innovating
3 and making some tough decisions to
4 ensure their survival, whether that's
5 laying off staff, moving to a smaller
6 retail footprint or making a forum to
7 e-commerce or social media to try to
8 find new customers.

9 We did a recent survey of
10 Chestnut Hill businesses who had applied
11 for grant assistance and about
12 two-thirds of them reported that their
13 revenue had gone down by at least 40
14 percent compared to the past year.
15 About 1 in 6 of them had gone down over
16 80 percent over the past year. And the
17 most dire outlook that we've seen of
18 course for the coming months is
19 restaurants who continue to struggle
20 with reduced staff, trying to maintain
21 takeout business and outdoor dining that
22 is very weather-dependent. Our
23 organization over the past months has
24 been very focused on connecting small
25 business owners to resources and

1 technical assistance, marketing the
2 District and maintaining our core
3 services of clean, safe and attractive.

4 The information and assistance
5 that we've provided has helped dozens of
6 merchants to successfully apply for
7 grants and loans. We also started an
8 independent grant fund under our
9 Community Development Corporation that
10 took in over 55,000 in donations, which
11 we've distributed as direct aid to
12 businesses who are struggling. And our
13 staff continues to help businesses
14 pursue new ideas to connect to
15 customers.

16 I want to mention that we've
17 been especially grateful for the support
18 of the City's Commerce Department staff
19 over the past months and for the City
20 programs that have offered grants and
21 other forms of help to businesses.
22 Looking forward to the coming year,
23 businesses continue to hope for
24 meaningful economic action from higher
25 levels of government and also for

1 financial relief and financial
2 enforcement standards from City
3 government.

4 Business tax relief,
5 reconsideration of the new trash fee and
6 more leniency in Health Department fees
7 for restaurant inspection are all
8 specific requests that we've heard in
9 recent months from merchants on our
10 corridor, which they feel would help to
11 lessen the burden on those businesses
12 who are struggling. Perhaps the most
13 encouraging trend we've seen this year
14 is that there have been new
15 entrepreneurs who are still coming into
16 Chestnut Hill in seeking to open
17 businesses even as some established
18 businesses have been forced to close.
19 So I think it's critical at this time
20 that we do everything that's possible to
21 promote their success and also protect
22 those who are already here. We look
23 forward to collaborating with the City
24 to promote the continued recovery of the
25 District in 2021. Thank you.

1 COUNCILMAN DOMB: Thank you
2 very much. Thank you.

3 Any ideas that any of you have
4 that I mentioned earlier on how we can
5 help all your businesses in the
6 District, please let us know. We are
7 looking into making the outdoor
8 steeteries permanent. We think it will
9 be a great addition to the City. We
10 think it's a point of differentiation.

11 And, Kate, by the way I want to
12 thank you and the Old City District for
13 your cooperation in working with our
14 office. But we think that's a point of
15 differentiation from the suburbs too.
16 So we'll be back to you with that. We
17 thank you for your testimony today. And
18 have a great holiday, so thank you very
19 much. Thank you.

20 Ms. Grbach, let's call the next
21 panel, please.

22 THE CLERK: Okay. On this
23 panel, we have Dr. Stephen Hunt, we have
24 Osayi Osunde and Shoshana Katz.

25 COUNCILMAN DOMB: Thank you.

1 And as I've requested from the other
2 panels, please keep your verbal
3 testimony, if possible, to around two
4 minutes, and please proceed with your
5 testimony and state your name for the
6 record.

7 And let's start with Dr. Hunt.

8 MR. OSUNDE: Hi. I'm not sure
9 if Dr. Hunt is going to be able to hop
10 on. Is he on? Steve, are you on?

11 (No response.)

12 COUNCILMAN DOMB: Okay.

13 MR. OSUNDE: I see he's on, but
14 I know he's kind of in the middle of a
15 couple of cases over at Penn.

16 COUNCILMAN DOMB: No problem.
17 Osayi, would you like to go next then?

18 MR. OSUNDE: Sure. Yeah. Let
19 me get the camera on real quick. So
20 first off, thank you so much for your
21 time, Councilman Domb. You've been
22 really, really good in helping us from
23 the Philadelphia Fitness Coalition to
24 really navigate, trying to get in touch
25 with the City as well as the Health

1 Department.

2 Once again, my name is Osayi
3 Osunde. I'm the owner of Fit Academy, a
4 Black-owned small business fitness
5 studio here in Philadelphia, and I'm
6 also a part of the Philadelphia Fitness
7 Coalition, so I'm excited to be able to
8 talk a little bit about my experience as
9 well as what's going on in our industry.
10 And you'll also hear from another member
11 of the Coalition, Shoshana Katz in a
12 minute.

13 So as you guys know, this year
14 has been incredibly challenging and we
15 recognize that it's been challenging for
16 almost everybody that has been
17 presenting across all different sectors.
18 But right now I think that small
19 businesses here in Philadelphia,
20 especially here in the fitness industry
21 and wellness industry, this pandemic has
22 been a situation that can be
23 potentially, fatally crippling and
24 really eliminating the majority of our
25 businesses here and as you know it.

1 So right now as it stands from
2 the first shutdown, 1 out of every 5
3 wellness businesses has closed their
4 doors and they won't able to come back.
5 And even my business alone was barely
6 able to survive the first four-
7 and-a-half, five months of the shutdown.
8 We had to make significant pivots online
9 and outdoors. Basically, we're doing
10 every single thing that we could do to
11 generate revenue, but more than that
12 we're continuing to make an impact on
13 the communities that we live in, which
14 is one of the main goals for all of our
15 businesses.

16 We were able to take a little
17 bit of the advantage of PPPs and EIDLs,
18 but in the end our finances went 100
19 percent down. Then we lost 70 percent
20 of our clients almost instantly, and
21 then our revenue dropped down to about
22 30 percent, which we had to somehow try
23 to find a way to sustain that over time
24 which is extremely difficult.

25 The biggest thing for me right

1 now really is that the upfront financial
2 costs are only really the tip of the
3 iceberg. We're dealing with a really
4 large issue that's more than just
5 revenue. We're talking about loans.
6 We're talking about mortgages, rent
7 fees, taxes which were also mentioned.

8 And the biggest challenge is
9 even though if we do take more loans,
10 that just puts us even further in debt,
11 especially now we're coming up on the
12 second shutdown, we're about
13 three-and-a-half, four weeks into a
14 second shutdown. To add additional
15 loans is going to make it even harder
16 for us to get out of this situation. So
17 for us, we're seeing that as a very
18 scary thing. What we need is grants.
19 What we need is relief, right, whether
20 it's one, two, three months' relief,
21 something that's just a short-term.
22 When you look at the grand scheme of
23 things to have a business survive
24 through this and be able to pay taxes
25 over another five or ten years is going

1 to be much more beneficial than having a
2 business shut down and not being able to
3 give them two months of relief, right.

4 So I really hope we're taking a
5 look at this as a long-term play,
6 especially as the vaccine comes up. For
7 example, some stats that came from my
8 business from July 27th to November
9 19th, we were able to open and under
10 really clean restrictions that we upheld
11 to the highest level, but in the end we
12 weren't able to gain the financial, I
13 guess you could call it -- we weren't
14 able to gain that financial gain back
15 during that time, right.

16 Now, the biggest thing that
17 this second shutdown that has really
18 impacted us is it took away our major
19 revenue season. It took away Black
20 Friday, which allows us to really kind
21 of generate revenue to get us through
22 the summer for the next year as well as
23 the Christmas holiday, which now that
24 was kind of the final lifeline that we
25 had for this year of 2020 and that was

1 gone, so a lot of us are now in a
2 really, really bad position.

3 And as you guys know, January
4 is kind of the New Year's resolution.
5 So for the wellness industry to take
6 away that income, a lot of us are really
7 kind of scratching our heads trying to
8 figure out how this is going to happen.
9 People can't come to our gyms. We can't
10 open until January. And as you guys
11 know, it takes anywhere between three to
12 four weeks to re-ramp back up any kind
13 of business after closing. So revenue
14 still be won't normal until probably mid
15 to late February if we're able to open
16 up on January 4th.

17 What it comes down to, the
18 things that we were doing over the last
19 few months that we were open helped us
20 actually mitigate any kind of risk, so
21 we put together a lot of procedures in
22 the studio that kept our clients safe.
23 It worked. Some of the procedures that
24 we put together were, for example, every
25 single one of our business are by

1 appointment only. Now, granted the
2 fitness industry and the wellness
3 industry does vary between big box,
4 small dependent-owned gyms, different
5 sizes across the board from a couple
6 thousand square feet to 20,000 or 30,000
7 square feet.

8 The next thing we did is say,
9 if you're feeling sick, don't come to
10 the studio and we're also not going to
11 allow you to come to the studio. We
12 also mandate clients to wear masks at
13 all times. We're also doing temperature
14 checks. Everyone must sanitize their
15 hands upon entering our facilities as
16 well as upon leaving. Plenty of
17 physical distancing with 8 x 8s or more
18 depending on the location, no sharing of
19 equipment and no more than 10 people
20 within a training room, and that
21 includes teachers as well. So class
22 sizes are extremely, extremely small.

23 On top of that, we have a ton
24 of different types of HVAC ventilations
25 and we rearranged our studios and our

1 facilities to allow for ample air flow.
2 So we have a lot of these systems
3 already in place. And over the time, my
4 studio only had about 20,000 -- I'm
5 sorry. We had about 2,000 visits. We
6 had 0 situations of infection of COVID-
7 19 in my studio.

8 Now, amongst the members of the
9 Philadelphia Fitness Coalition, we've
10 had over 40 members in that, we've been
11 gathering our data because honestly we
12 have some of the best contact tracing
13 software if you really consider it
14 because everyone has to come by
15 appointment, so we have their
16 information, their location, where they
17 live, who they're in class with, who the
18 teacher was and we can contact everybody
19 at a moment's notice.

20 But over 400,000 visits, over
21 400,000 visits, there's been a total
22 report in cases of 35. That's less than
23 .009. I want to make sure that's
24 understood. That's less than .009
25 percent of visits. What does that mean?

1 It means every single restriction and
2 policy and procedure we've already put
3 in place, it means it's working
4 regardless if the Health Department is
5 actually going out and collecting the
6 data or if we're self-soliciting it,
7 right. Even at the 100 times worse
8 rate, we're still less than 1 percent.
9 There's really not much more we can do
10 when it comes to keeping our clients
11 safe, right.

12 And now, we also understand
13 that there are some facilities out there
14 that aren't following all the
15 procedures. But even with that, the
16 rates are still significantly low,
17 right. So that's one thing that I think
18 is really important to know, the
19 procedures that we have in place are
20 working, right.

21 So our goal for the
22 Philadelphia Fitness Coalition is to
23 work with the Health Department to find
24 a better way forward. We understand
25 there's a lot of things going on right

1 now with finances that are unsure,
2 right, any kind of funding, the time
3 that it's going to come, we don't know
4 too much about that. But if there is a
5 better way forward for us to either
6 agree upon specific procedures that all
7 fitness businesses are already doing or
8 adding more procedures to certify that
9 they're doing it on a monthly basis or
10 reporting their standards, we got to
11 figure out what that next step is so we
12 can save our own business.

13 We need a shot to save our
14 business because this is the first time
15 since the first pandemic that we're
16 actually even getting a seat at the
17 table to be able to voice our concerns.
18 So if we don't voice our concerns now
19 and we don't give ourselves the plan to
20 be able to make the change and survive
21 this next shutdown, we won't be alive.
22 50 percent of us will die again.

23 50 percent of us when it
24 comes -- I mean, 50 percent of our
25 businesses will shut our doors for good

1 and that's a very, very scary situation.
2 Because in the end, fitness and wellness
3 facilities here in Philadelphia, we are
4 responsible for the health and wellness.
5 And I'm not talking about reactive.
6 We're not talking about healthcare
7 systems. We're talking about proactive.

8 We are the first line of
9 defense when it comes to keeping our
10 clients and our communities healthy and
11 safe. Philadelphia has an obesity rate
12 that's over 50 percent. We know COVID
13 runs rampant with individuals that have
14 comorbidities as well as minorities.

15 Unfortunately, based off the
16 demographics, Blacks and minorities are
17 those individuals who are in the 50
18 percent obesity, high blood pressure,
19 hypertension. What does that mean? We
20 need to move. We need to keep people
21 active, eat healthy and keep their
22 immune system as high as possible.

23 Right now we're in a
24 situation where -- we look outside, it's
25 snowing outside. Everyone is indoors.

1 No one's moving. No one's eating
2 healthy. They're grabbing the first
3 thing that they see at the fridge and
4 their health and wellness is going to
5 continue to decline. If we can't keep
6 our clients and our communities moving
7 and mentally and physically safe, COVID-
8 19 is going to continue to be rampant
9 amongst our community.

10 So we have a lot of different
11 questions and we want to hopefully be
12 able to bring up and see if we can get
13 some answers for. I think some of the
14 questions have somewhat been answered
15 throughout this meeting and we really
16 appreciate everyone being as open as
17 possible.

18 The first one is regarding any
19 kind of funding, right. We've already
20 mentioned already that a lot of fitness
21 businesses did not receive it. That
22 hurt a lot of people. If there is
23 additional funding, how fast can we get
24 it, because 2020 is almost over? How
25 fast can we get it? What does the

1 actual procedure or process look like in
2 terms of how do you become eligible?
3 Are there any policies in place to be
4 able to make the process faster? Can we
5 make it less cumbersome for people,
6 right?

7 Another question I think is
8 really important is what were the actual
9 targets for that January 1st or January
10 4th opening date, right? What's the
11 expectation? Where does the City need
12 to be when it comes to how many COVID-19
13 numbers per day in order for us to
14 continue doing business, right? If not,
15 how much longer is that pushback going
16 to be? Will it be another two weeks,
17 three weeks, four weeks?

18 A lot of that information is
19 going to be critical because now --
20 unfortunately, most of our businesses
21 can't really foresee past two weeks. We
22 just can't. We're literally doing
23 everything we can to generate revenue
24 every single day. And to understand
25 what that potential timeline will look

1 like if we aren't able to open is going
2 to allow us to figure out this holiday
3 season, which has already been taken
4 from us.

5 Now, lastly I think that the
6 data is extremely powerful because the
7 information that we've been able to
8 gather showed that very, very low rate,
9 which means whatever we're doing is
10 working. If we are able to come to an
11 agreement in terms of some sort of
12 compliance, right, what does that look
13 like next? Do we need to self-certify?
14 Do you need to be submitting information
15 on a monthly basis to the CDC because
16 they don't have the resources to
17 actual -- or the Health Department
18 because they don't have the resources to
19 actually gather that? What does that
20 look like? How many more hoops do we
21 need to jump through in order for us to
22 allow our businesses to be safe? And
23 those are the kinds of questions that I
24 think that are really important, and not
25 just for our industry but for industries

1 across the board.

2 My heart goes out to the
3 restaurant groups because, yeah, you
4 guys are also being decimated. This is
5 a tough time. But I think more than
6 anything we need to work together to
7 allow us to save ourselves in the
8 meantime while keeping our community and
9 our neighbors safe. Thank you so much
10 for your time.

11 COUNCILMAN DOMB: Thank you,
12 Osayi.

13 Let's go to Shoshana Katz from
14 BPM.

15 MS. KATZ: Hi. Thank you so
16 much. Thank you, Councilman Domb, and
17 thank you, everyone, who is with us
18 right now. Osayi, thank you for kicking
19 things off. My name is Shoshana Katz
20 and I am the founder of BPM Fitness.
21 We're located on Spring Garden right in
22 the heart of the Art Museum in the
23 Fairmount neighborhoods.

24 We celebrated recently our
25 third anniversary on November 18th of

1 this year, and we were in the process of
2 talking to a local developer here in the
3 City about opening our second location
4 on Washington Avenue, which would have
5 also served the Graduate Hospital and
6 Point Breeze neighborhood. And those
7 conversations were prior to the recent
8 shutdown.

9 On March 16th, we voluntarily
10 shut our doors prior to the City mandate
11 like many of our colleagues. We chose
12 to close before the City asked us to.
13 The decision was incredibly difficult at
14 the time, but we knew that it was the
15 right choice to make to protect our
16 staff and our members. Within 48 hours,
17 we pivoted and we began to offer virtual
18 classes, and this is again what many of
19 our colleagues did.

20 This was not something that was
21 done easily. There weren't many online
22 platforms that could really handle what
23 a fitness studio needs right away.
24 There's a lot of back-end work in terms
25 of signing up for a class, making sure

1 the participants get the links, making
2 sure everyone has everything that they
3 need and there just wasn't technology
4 readily available for us to do that, so
5 that was a bit of a learning curve for
6 all of us there.

7 We worked to create a schedule
8 of about three to five virtual offerings
9 a day, and in the very beginning
10 attendance was great. People were very
11 into it. They were just happy to be
12 able to be moving their bodies and have
13 access to it. But over time,
14 participation absolutely dwindled and
15 also we are faced with the challenge of
16 competing with larger national platforms
17 like Peloton and Mirror. They have
18 millions behind them to create
19 incredible on-demand life-stream
20 experiences where a place like BPM and
21 other members of the Coalition, we just
22 don't have the funds and the means to
23 afford to give that same kind of
24 experience. That's just not our
25 specialty. Online and virtual is not

1 what we do. We specialize in the
2 inperson connection and working with
3 clients.

4 Currently, BPM is bringing in
5 around 40 percent of the revenue that we
6 were bringing in exactly one year ago
7 today, and that is up in comparison to
8 what the last few months have been. Our
9 gross sales for April were \$7,000 in
10 2020, where April of 2019 they were 30.
11 The drop is -- \$7,000 doesn't even cover
12 my rent.

13 It's been difficult to maintain
14 membership due to our diminished
15 inperson options and our members'
16 financial hardships. We can't charge
17 the same price for a virtual option as
18 an inperson class. And people are
19 continuously asking for extensions or
20 refunds because they're just not sure
21 when they're going to be able to use
22 their purchased services.

23 We developed multiple streams
24 of revenue beyond our virtual class
25 options and our outdoor class options,

1 and we cut costs in every possible way.
2 Examples of cutting costs, we got rid of
3 our branded mobile app because it was
4 \$300 a month that we just didn't see
5 worth spending. We changed insurance
6 companies because it saved us several
7 hundred dollars a year. At this point,
8 all of our businesses are in survival
9 mode and I know that that is a shared
10 experienced between everyone here today.
11 It's surviving and getting through this.

12 Paying our coaches were our top
13 priority and we were very fortunate to
14 be able to continue to pay our coaches
15 since shutdown, and that was able to be
16 done initially because of PPP loans, and
17 we were very lucky to be able to receive
18 that. But as we all know, that's a very
19 limited time in which we had that money
20 for and we had to use all of it by the
21 end of June and we are in December. Our
22 front desk staff we had to let go in
23 terms of pay, but we also continued to
24 pay any staff member who depended on BPM
25 solely as their sole source of income.

1 During the few months that we
2 were able to reopen, so from -- gyms
3 were allowed to reopen at the end of
4 July. BPM chose to reopen in the middle
5 of August just to give it time to see
6 how things were playing out. And when
7 we felt that there had been no issues
8 with compliance, there were no issues
9 with COVID cases, it was safe for us to
10 reopen. We reopened in August. And so,
11 from the middle of August through
12 November, we had 1,176 indoor visits.
13 We had one client bring a COVID case
14 into our facility and we had 0
15 transmissions, and this is because of
16 the diligent best practices that we and
17 many of our colleagues have in place.

18 These best practices -- I know
19 Osayi reviewed some of them, but just to
20 reiterate they include and they're not
21 limited to masks must be worn in the
22 studio at all times and there are no
23 exceptions, temperature checks are taken
24 upon arrival, we require hand sanitizing
25 upon contactless check-in as well as any

1 time a participant or member entered or
2 exited any part of the fitness studios.
3 We have two studios at BPM. If they
4 entered the cycling studio, they had to
5 hand sanitize. When they exited, they
6 did as well.

7 We reduced the capacity of
8 classes to less than 50 percent. There
9 were no more than 10 people in an
10 individual studio at once. To give you
11 an idea what the size of studios are,
12 each studio is about over 1500 square
13 feet. We required advance sign-ups, so
14 there were no walk-ins and there were no
15 late entries into class. Spaces were
16 clearly marked in class and members had
17 to remain in their designated area at
18 all times.

19 Every person in the strength
20 studio had about an 8-foot by 8-foot
21 box. There was no shared equipment.
22 Everyone had to have their own and
23 sanitize it once class is complete.
24 Class schedules are spaced out to
25 provide for ample cleaning and

1 ventilation in the space. Doors to the
2 studios remained open at all times.
3 Staff sanitized all high-touch surfaces
4 during every shift and between every
5 class. To give you an idea, that's
6 roughly about three to four times per
7 day. And all the products that were
8 used were EPA-registered disinfectants
9 and sanitizers.

10 We communicated with clients
11 and staff. As they felt sick, they
12 needed to stay home. If they came in
13 contact with anyone who tested positive,
14 they had to remain home until they had a
15 negative COVID. And all of my staff
16 were tested monthly for COVID-19. The
17 restrictions that fitness studios have
18 been enforcing are some of the strictest
19 in place among many brick-and-mortar
20 businesses here in Philadelphia. We
21 created a controlled environment where
22 contact tracing is easily done.

23 Again, like Osayi said, because
24 of our systems that we have, you have to
25 sign up. And when you sign up for

1 classes, we have all of your information
2 and we know when you come into the
3 studio, when you know who has been in
4 class with you. When we had that one
5 person come in with the COVID case, we
6 were able to contact everyone that they
7 had come into contact with in the studio
8 within 48 hours, so that's two days'
9 worth of clients and everyone tested
10 negative. There were no issues.

11 We've always maintained a high
12 level of cleanliness as well as
13 expectations from our community. And
14 while we have had zero issues with
15 compliance, we're also not afraid to
16 have the hard conversations to make sure
17 that it's enforced. Every small
18 business is being forced to make really
19 hard decisions right now, and every day
20 that passes another one is being forced
21 to make the heartbreaking decision to
22 close its doors for good. With every
23 closure leaves more citizens of our City
24 unemployed, more vacant commercial
25 spaces on our blocks and it gradually

1 decimates our local economy.

2 I know Osayi started with
3 questions. But to reiterate, what do
4 you need to see in terms of data and
5 science-based facts in order for us to
6 be able and allowed to safely reopen?
7 What do you need from us to prove
8 compliance? We have been told that they
9 just don't believe that we are following
10 the rules. What can we do to show you
11 that we are? How can our industry,
12 specifically the small locally-owned
13 studios be represented when it comes to
14 making decisions that affect our
15 industry?

16 We have been left out of the
17 conversation literally up and to this
18 point and we are nine months, almost a
19 year into this. And the fact that we
20 are now just entering the conversation
21 while frustrating, I'm really happy to
22 finally have a chance to speak, but we
23 need to be involved in these
24 conversations.

25 And lastly, how can our

1 industry get much-needed financial
2 support? And again, not in terms of a
3 loan, because we're already carrying so
4 much debt, as many of us are, but
5 forgivable grants. How are we able to
6 get this financial support to allow our
7 businesses and reopen safely? Thank you
8 so much for your time.

9 COUNCILMAN DOMB: Thank you,
10 Shoshana, and thank you, Osayi.

11 And, Osayi, I just want to
12 reiterate something that I think I heard
13 you say. Was it over 400,000
14 visitations and 35 cases, was that the
15 number?

16 MR. OSUNDE: That's correct.
17 The exact number was 408,439 visits from
18 July to November 19th, and it looks like
19 it's 36 reported cases of COVID. It's
20 less than a percent.

21 COUNCILMAN DOMB: Right. I
22 mentioned at the beginning of this
23 session today that I had a lot of
24 written testimony from fitness centers.
25 I got 10 testimonies that were submitted

1 in writing, including Ripped
2 Philadelphia, Lumos Yoga, Unite Fitness,
3 Subversus, Focus Bar, Yoga Habit,
4 Warhorse, Wall Cycling Studio, CKO
5 Kickboxing, OpenBox Athletics. And when
6 I looked through the testimonies and
7 read them, those that submitted
8 information, there were 16,200 visits
9 and in those cases, there were only 3
10 COVID cases out of 16,200. So I think
11 you make a pretty strong point.

12 I'm sold on it. I also want to
13 read as part of this record the letter
14 from Dr. Stephen Hunt, Interventional
15 Oncologist, from University of Penn,
16 who's in support of fitness enterprises
17 as an essential business and believes
18 that fitness centers should be opened
19 with proper guidelines.

20 So what I'd like to see happen
21 and I'm not sure if Commerce is still on
22 because this has gone pretty long, but we
23 can try to set up Shoshana and Osayi, a
24 meeting with both of you with the
25 Commerce Department, with the Health

1 Department and do exactly what we're
2 asking the restaurant people to do and,
3 that is, come to the meeting with what
4 you believe are the safest ways possible
5 to reopen, what guidelines would be and
6 see if the Commerce Department, the
7 Health Department, you guys can come to
8 an agreement, but we can get you open.

9 Our goal is to make things
10 happen and get this done. And I will
11 tell you that I agree with you on the
12 health and fitness. I know this from my
13 own personal story, I wear a Fitbit and
14 typically I average 10,000 steps a day,
15 but during this pandemic, I'm down to
16 3,000 or 4,000. So clearly, we're not
17 as healthy as we were before and fitness
18 centers are important. Anyway, I want
19 to thank you both for your testimony. I
20 want to thank Dr. Hunt for sending in
21 his testimony. I don't think there's
22 any public witnesses today.

23 So I'm going to close with just
24 a few comments. I will be very brief.
25 But today has really showed us that

1 there's a lot of work that goes into the
2 survival of an extremely important
3 business such as the hospitality
4 business. And whether it's restaurants,
5 whether it's hotels, whether it's
6 fitness centers, arts and culture or
7 Visit Philly or any of those cultural
8 organizations, they are so important to
9 our economy. We have to make sure that
10 they survive, every one of them. And
11 so, hopefully today we can connect those
12 institutions, those businesses with the
13 Commerce Department and the Health
14 Department and come out with a safe
15 restart. But I'm really looking for
16 this to happen this week. We can't
17 really wait until next week. It's got
18 to happen now.

19 I want to thank everybody for
20 their time today. And as I've said
21 before, we'll be stronger through this
22 if we stick together. And I hope these
23 conversations today will lead to
24 hopefully better communication,
25 decision-making, but really having solid

1 concrete ways that businesses can reopen
2 in a safe way.

3 So this concludes the hearing
4 on Resolution 200699. The hearing is
5 adjourned. Thank you very much and be
6 safe out there with the weather. Thank
7 you very much.

8 COUNCILWOMAN QUINONES-SANCHEZ:
9 Thank you, Councilman.

10 COUNCILMAN DOMB: Thank you.

11 COUNCILMAN SQUILLA: Good job,
12 Mr. Chair.

13 (Committee on Fiscal Stability
14 and Intergovernmental Cooperation
15 concluded at 2:18 p.m.)
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C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are contained
fully and accurately in the stenographic
notes taken by me in the foregoing matter,
and this is a correct transcript of the
same.

TANEHA C. CARROLL
Court Reporter - Notary Public

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