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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PARKS, RECREATION

4

AND CULTURAL AFFAIRS

5

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, February 20, 2008
10:20 a.m.

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PRESENT:

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COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR

12

COUNCILMAN DARRELL L. CLARKE

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COUNCILMAN CURTIS JONES, JR.

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COUNCILWOMAN MARIA QUINONES-SANCHEZ

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BILL 080024 - An ordinance amending Chapter
9-200 of The Philadelphia Code, entitled
"Commercial Activities on Streets," by adding
a new section providing for the certification
of tour guides...

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V A R A L L O Incorporated

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Litigation Support Services

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Eleven Penn Center

1835 Market Street, Suite 600

Philadelphia, Pennsylvania 19103

215.561.2220 215.567.2670

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COUNCILWOMAN BROWN: Good

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morning. We want to say welcome to this

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Committee Council hearing on Parks,

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Recreation and Cultural Affairs. We do

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now have a quorum of Committee members

7

here. Those in attendance are my

8

Vice-Chair, Councilman Curtis Jones

9

representing the 4th Councilmanic

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District, and veteran Councilmember

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Darrell Clarke to my immediate left.

12

We will now ask our Clerk, Joe

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Meade, to please read the title of Bill

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No. 080024.

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THE CLERK: An ordinance

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amending Chapter 9-200 of The

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Philadelphia Code, entitled Commercial

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Activities on Streets," by adding a new

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section providing for the certification

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of tour guides in certain areas of the

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City, establishing requirements for such

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certification, and providing for

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penalties for violations, all under

24

certain terms and conditions.

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COUNCILWOMAN BROWN: Let me

1 2/20/08 - PARKS - BILL 080024
2 seize the moment and officially welcome
3 the new Superintendent to our City for
4 the National Park Service, United States
5 Department of the Interior. Her name is
6 Cynthia MacLeod. And we want you to
7 stand so we could put the face with the
8 name and say welcome to this hearing.

9 (Ms. MacLeod stands.)

10 (Applause.)

11 COUNCILWOMAN BROWN: I will
12 provide brief remarks by way of
13 background on what has moved us to this
14 juncture in this process.

15 We introduced this bill last
16 spring and I have had the privilege to
17 work and meet with, on four separate
18 occasions since last spring, with a host
19 of members from the Philadelphia tourism
20 and hospitality community representing
21 both private and public tour guides here
22 in our City, and the purpose of that was
23 to in some ways follow an example set by
24 Councilman Darrell Clarke when he
25 introduced legislation around insurance

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2 here in the City involving cars several
3 years ago. So we created a task force so
4 that we could have the benefit of the
5 experience, intellect and knowledge of
6 those who live and breathe this industry
7 every single day.

8 So we've met on four separate
9 occasions since last spring, and
10 delighted now to return once again for us
11 to pass some action and movement on this
12 piece of legislation.

13 As many of you know, this idea
14 came from Mr. Ron Avery, who sent a
15 letter to my office, of which I was
16 struck by as a former educator and
17 someone who cares about facts. Ron Avery
18 himself is an avid historian and tour
19 operator.

20 We fully developed an
21 understanding of the tour guide industry
22 with the introduction of the legislation
23 in 2007. Actually, I required my staff
24 to actually take a tour with Mr. Ron
25 Avery last summer as a part of our staff

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2 retreat, and then we asked my Legislative
3 Director, Joe Meade, to have a tour with
4 Centipede Tours, which is a walking tour.
5 He also did a Duck bus tour over the
6 summer to gain a stronger sense and
7 understanding of how the business
8 industry operates.

9 Additionally, our work has
10 included a couple of meetings with the
11 Multi-Cultural Affairs Congress of the
12 Philadelphia Visitors and Convention
13 Bureau, where I made a presentation and
14 again solicited feedback, comment and
15 recommendations on how we needed to
16 proceed. And then we actually submitted
17 a survey to members of the industry so
18 that we could have your candid feedback
19 as well in this bill.

20 So here we are again today for
21 another hearing, and I believe it's an
22 important juncture in the movement of
23 this bill.

24 Today I will offer an amendment
25 to the legislation. This amendment will

6 And a footnote on that, in our
7 very first meeting where we had the
8 Office of License and Inspection to
9 attend, we universally or unanimously
10 agreed that a place for this not to be is
11 with the Office of L&I for a number of
12 different reasons. So we put that on the
13 record so that it's clear that we all
14 agree the Department of L&I is not a
15 place for this bill to be housed.

16 We're also offering an
17 amendment to implement the certification
18 in two phases, which is an update from
19 our last meeting that we had at the
20 Independence Visitor Center. We're going
21 to do this in two phases. The first
22 phase will be to certify tour guides
23 strictly for the Center City tourist area
24 only, primarily resting in Councilman
25 Frank DiCicco's area. So Phase I in many

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2 by profession, we will rely on those in
3 the designated City department to
4 determine what that passing grade should
5 be.

6 Exemptions, which we have had a
7 lot of discussion on, from exams for tour
8 guides of companies having equivalent
9 education programs or better. What does
10 that mean? A number of the tour guide
11 companies already have in place very
12 comprehensive tour guide examinations.
13 If they care to be exempt, then they have
14 to submit that request in writing and,
15 again, that City designated agency will
16 make that determination.

17 Certified guides will wear an
18 official identification badge distributed
19 by that designated City agency.
20 Certification of tour guides will happen
21 for two years, with continuing education
22 requirements for recertification, again,
23 based on discussions and input from
24 industry representatives.

25 So with that said, we will now

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2 and provides for tour guide certification
3 in Philadelphia.

4 It is my understanding that an
5 earlier version of this legislation was
6 first considered during the past Council
7 term. Since then, Councilwoman Reynolds
8 Brown has worked diligently meeting with
9 representatives from the tour operators,
10 the tourism promotion community, City
11 officials and various members of the
12 public to discuss a new bill. Those
13 meetings had the goal of helping the
14 various tourism interests resolve certain
15 terms and conditions of the program that
16 raised concerns with the previous
17 legislation. I applaud the
18 Councilwoman's effort to bring the
19 community together to work towards
20 agreement and believe that the
21 legislation before us today is the type
22 of legislation needed to keep
23 Philadelphia on par with other peer
24 cities.

25 Philadelphia is rich with

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2 historic assets, and while there are
3 other cities that compare equally with us
4 in size or population, very few, if any,
5 are Philadelphia's equal in historic
6 events, people, places or objects.
7 Formal tour guide certification now
8 exists in many of our peer historic
9 cities, including New York; Washington,
10 DC; Savannah; Charleston and New Orleans.
11 These programs are all operated by their
12 municipal governments.

13 As City Representative, I
14 believe that branding, messaging and
15 identity are some of the most important
16 contributors to Philadelphia's image here
17 and abroad. To the extent that we can
18 help influence tour operators to deliver
19 a uniform standard of information,
20 certification will enhance the experience
21 of visitors to Philadelphia and celebrate
22 our diverse history, ensuring that the
23 Philadelphia story is accurately told.

24 I would ask that the Committee
25 consider one important amendment. The

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2 legislation currently proposes that the
3 tour guide certification program locate
4 in the Office of Arts and Culture.
5 Because that office has yet to be created
6 and also because the Administration would
7 like more flexibility in finding the
8 proper municipal home to ensure this
9 legislation's successful implementation,
10 I ask that you amend the legislation to
11 allow the Administration greater
12 discretion in determining how to most
13 effectively manage the responsibilities
14 created by this legislation.

15 Thank you for the opportunity
16 to testify in support of Bill No. 080024.
17 I will be happy to answer any questions
18 that you may have.

19 COUNCILWOMAN BROWN: Any
20 questions from members of the Committee?

21 Let us welcome, please,
22 Councilmember of this Committee, Maria
23 Quinones-Sanchez.

24 Councilman Curtis Jones.

25 COUNCILMAN JONES: Once again,

1 2/20/08 - PARKS - BILL 080024
2 congratulations on your appointment.

3 MS. JOHNSON: Thank you.

4 COUNCILMAN JONES: It's been my
5 attentive ear to hear the Mayor wanting
6 to retell Philadelphia's story in a more
7 positive way, and the unification of that
8 story, at least all of us getting on the
9 same page about it, I think is important.

10 I was unaware that that kind of
11 tourism thing did not come under the City
12 Rep's Office at present. Could you
13 explain why maybe historically that
14 hasn't happened?

15 MS. JOHNSON: I don't think
16 there has been any kind of regulation
17 through the City of Philadelphia. That's
18 just my understanding. I don't know if
19 that's absolutely accurate, but I don't
20 think there was anything, any program
21 existed, to have a uniform certification
22 program or any kind under any department
23 in the City.

24 COUNCILMAN JONES: Okay.

25 COUNCILWOMAN BROWN: Have you

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2 had an opportunity at all yet to speak
3 with your counterparts in cities that
4 currently have in place a tour guide
5 certification program?

6 MS. JOHNSON: I actually would
7 like to bring up Fritz, Fritz Smith, who
8 actually did some research on that very
9 subject.

10 COUNCILWOMAN BROWN: Very well.
11 Please, if you would approach the witness
12 table.

13 (Witness approached witness
14 table.

15 COUNCILWOMAN BROWN: Good
16 morning. Good morning.

17 MR. SMITH: Good morning.

18 COUNCILWOMAN BROWN: State your
19 name for the record. And let us publicly
20 thank you for actually having the
21 Philadelphia Visitors and Convention
22 Bureau host one of our meetings where we
23 actually had a chance to talk with or
24 hear from a New York official who is
25 already in the business of doing what

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2 we're attempting to do here.

3 State your name for the record,
4 please.

5 MR. SMITH: Good morning.
6 Fritz Smith, Vice-President of Tourism,
7 Philadelphia Convention and Visitors
8 Bureau.

9 COUNCILWOMAN BROWN: Could you
10 address what you know with regards to
11 other cities, maybe New York, or if you
12 would, comment on the City
13 Representative's question.

14 MR. SMITH: Yes. As you know,
15 Councilwoman, I did an analysis of the
16 seven or eight cities in the United
17 States that currently have tour guide
18 certification of some kind. Those cities
19 are Washington, DC; New York; New
20 Orleans; Charleston, South Carolina;
21 Savannah, Georgia; Williamsburg, and I'm
22 probably missing one, but those are the
23 main ones, and I found that in most cases
24 they had gone through a process fairly
25 similar to the one we're engaged in here,

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2 and it was at sometimes contentious, but
3 in most cases, I think that the end
4 result was that the standards had been
5 raised to some degree and in some cases
6 the profession seems to have been
7 elevated to some degree.

8 There's a variety of testing
9 processes. I mean, everything from New
10 York where you can go in and take the
11 test every single -- every day just as
12 you would a driver's license test, to
13 other cities where it's once every four
14 months.

15 The fees ranged from about \$25
16 to \$100. There was a recertification
17 process in all cities that ranged from
18 every two to five years. In some cases,
19 like New Orleans, there was a community
20 college where most -- it was not mandated
21 that you had to take the certification
22 course there, but most of the -- most
23 people who wanted to get into the
24 industry seemed to have taken that course
25 and it seems to be strongly recommended.

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2 Probably the most interesting
3 case was New York where it is probably
4 the city where there has been the longest
5 existence of a test, but what they went
6 through a few years ago is, they found
7 out that the test had become very, very
8 outdated. It was written in the early
9 '60s and so you were testing people on
10 things that in many cases no longer
11 existed. So they needed to have an
12 updated process.

13 So I think that in any
14 legislation that is envisioned -- or
15 rather in the guidelines that whatever
16 office this ends up in, it's imperative
17 that there be some kind of a mechanism
18 for updating the test and for having the
19 involvement of the industry in devising
20 the test.

21 COUNCILWOMAN BROWN: Okay. Any
22 other questions or comments from members
23 of the Committee?

24 Councilman Curtis Jones.

25 COUNCILMAN JONES: No.

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2 COUNCILWOMAN BROWN: No? Okay,
3 then.

4 Well, we welcome the amendment.
5 We will certainly make sure it is
6 circulated amongst members of the
7 Committee.

8 Thank you both for your
9 testimony.

10 MS. JOHNSON: Thank you.

11 COUNCILWOMAN BROWN: If we
12 could please ask Panel No. 2: Ron Avery,
13 local tour guide and historian; William
14 Moore, leadership at the Independence
15 Visitor Center Corporation; Greg
16 DeShields, Director of Industry Relations
17 with the Temple University School of
18 Tourism and Hospitality Management, and
19 we've had up Fritz Smith.

20 You're welcome to come back to
21 the witness table if you have any other
22 testimony.

23 (Witnesses approached witness
24 table.)

25 COUNCILWOMAN BROWN: Thank you,

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2 gentlemen. If you could please begin,
3 Mr. Ron Avery, offer your testimony.

4 MR. AVERY: I have no formal
5 remarks, but I want to make a few points.

6 I was on vacation in Europe, a
7 brief vacation this summer. I was three
8 days in Prague and three days in
9 Budapest, and we had guides. It was a
10 group tour. And I asked the guide in
11 Budapest how much training she had and
12 whether she was licensed, and she showed
13 me a license that she carried and she
14 said it was a full year, three nights a
15 week in a university or some and then a
16 written test and a practical test where
17 she took a person around, who was the
18 tester, on a bus and he'd talk and she
19 would talk about whatever they were
20 seeing.

21 The Budapest guide -- that was
22 the Budapest guide. The Prague guide
23 said it was two years.

24 I will tell you that it's two
25 years to be an unpaid docent at the

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2 Philadelphia Museum of Art, two years of
3 training, and they don't get a penny,
4 because they want the people that talk
5 about art at the Art Museum to be
6 experts.

7 Right now anybody can be a
8 guide in Philadelphia. Anybody walking
9 the streets could be hired. There's no
10 qualifications whatsoever.

11 Companies will claim they train
12 their guides, but I have a list of 83
13 mistakes that I've heard or that have
14 been passed on to me by people like Greta
15 Greenberger, whose word I trust.

16 Now, the only thing with this
17 bill that I would be against would be
18 allowing the tour companies to test their
19 own employees. I don't think this is
20 done in any -- there's all kinds of
21 licenses this city gives out, the state
22 gives out, and I don't know another
23 example where they say a private company
24 can test their own employees and get them
25 certified. I could be wrong. Otherwise,

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2 I'm glad to see the bill has moved along.

3 COUNCILWOMAN BROWN: Thank you
4 for your testimony. We'll get through
5 the panel first and then we'll do the
6 questions.

7 Please.

8 MR. MOORE: Good morning,
9 Councilwoman. My name is William Moore.
10 I'm the CEO and President of the
11 Independence Visitor Center.

12 First of all, I would like to
13 thank you, Councilwoman Reynolds Brown,
14 for inviting me to participate in today's
15 hearing on the amendment of Chapter 9-200
16 with the addition of Section 9-214,
17 "Tours on the Public Right-of-Way in the
18 Center City Tourist Area," which is Bill
19 No. 080024. I would also like to thank
20 you, Councilwoman, for championing the
21 causes that strengthen our City's tourism
22 industry. I appreciate the opportunity
23 to share the testimony with the Committee
24 on Parks, Recreation and Cultural Affairs
25 and all of you here this morning.

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2 Let me just briefly say that I
3 apologize for Greta Greenberger not being
4 here. She's actually away.

5 As you may know, the
6 Independence Visitor Center Corporation
7 operates the Philadelphia City Hall
8 Visitors Center downstairs and the
9 remarks that I have today will also
10 reflect our operation of that building as
11 well.

12 As noted in my previous
13 testimony, at the Independence Visitor
14 Center we truly believe that one of the
15 hallmarks of a visit to any historic city
16 is a great tour. In my eyes, there is no
17 greater historic city in this country
18 than ours. Our streets, our historic
19 sites, our monuments, our museums and our
20 diverse neighborhoods together present
21 visitors with an exceptionally rich
22 cultural experience unique to any other
23 in the United States.

24 For this reason, it is critical
25 that those of us in the tourism and the

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2 hospitality industries do everything
3 possible to ensure that visitors receive
4 an exciting, informative and accurate
5 introduction to Philadelphia.
6 Unfortunately, the informative and
7 accurate part has been difficult to
8 guarantee for some time now. For just as
9 some of our City tour operators are truly
10 outstanding with extremely knowledgeable
11 guides, others fall short and have been
12 heard to pad, confuse or in some cases
13 fabricate historical facts. It is as if
14 our extraordinary landmarks and history
15 need any embellishment at all.

16 The problem is that while some
17 of our operators have a well-established
18 reputation within our field, our visitors
19 have a terrible time discerning the good
20 guides from those less informed. Too
21 many visitors may be gambling with
22 satisfaction, and as a top tourist
23 destination, we can't afford to have any
24 visitor go home unhappy.

25 Certifying tour operators is

11 Since I last presented
12 testimony on this bill, our economic
13 outlook has changed quite a bit. While
14 our industry has always been somewhat at
15 the mercy of the soft economy, today our
16 position is perhaps more vulnerable than
17 it has been in years past. Gas and oil
18 prices continue to spike, and with a
19 recession looming heavily overhead, not
20 many families are getting a jump on
21 family vacation plans right now. Many
22 cannot afford a weekend away.

23 This is yet another reason for
24 us to be focused on providing an
25 exceptional visitor experience, not only

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2 to visitors crossing state lines but to
3 those right here in the tristate area.
4 We need to operate under the assumption
5 that each and every unsatisfied visitor,
6 our customers, if you will, can
7 potentially tarnish the image of our
8 City. Too many unhappy customers and
9 ultimately the whole industry gets hurt.

10 As I mentioned last spring,
11 Philadelphia does have many exceptional
12 tour operators, but we would be naive to
13 think that our reputation isn't
14 vulnerable to the poor standing of
15 others. Therefore, I see certification
16 not hindering individual businesses at
17 all, but quite to the contrary. I think
18 we'll find it strengthens the industry
19 overall.

20 This bill means more than
21 better tours. It means visitors will be
22 properly introduced to our spectacular
23 city, all of its local gems and many of
24 the hidden treasures.

25 As we know from experience in

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2 our Visitor Center, satisfied, happy
3 visitors tend to stay longer. They spend
4 more money, do more and see more, and
5 best yet, they tend to come back and
6 visit again.

7 I believe at this point we
8 would be hard pressed to find any
9 argument which refutes that when we
10 optimize the experience of our visitors,
11 we all win.

12 Thank you very much.

13 COUNCILWOMAN BROWN: Thank you
14 for your testimony.

15 Mr. Gregory DeShields, Temple
16 University.

17 MR. DeSHIELDS: Good morning,
18 and on behalf of Temple University School
19 of Tourism and Hospitality Management, it
20 is my pleasure to express our support of
21 the bill to create tour guide licensing
22 in Philadelphia. Temple University
23 School of Tourism and Hospitality
24 Management support and encourages
25 Councilwoman Blondell Reynolds Brown's

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2 development of a tour guide licensing in
3 Philadelphia.

4 As the largest and most
5 comprehensive school of tourism and
6 hospitality management in the greater
7 Philadelphia region, we feel it is
8 important to academically authenticate
9 the capacity of those who represent the
10 history and nuances of Philadelphia. We
11 endorse Councilwoman Blondell Reynolds
12 Brown Committee on Parks, Recreation and
13 Cultural Affairs' initiative to license
14 tour guides.

15 The School of Tourism and
16 Hospitality Management is prepared to
17 contribute by conducting research;
18 advising an assessment of academic
19 content for accurate knowledge of subject
20 matter; development of certificate or
21 certification program with protocol to
22 verify competency, including focus group
23 feedback and analysis of existing
24 validation programs; development of
25 delivery system to expedite the process

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2 by candidates via online or actual
3 workshop format; assist securing
4 knowledgeable and credible professionals
5 to educate participants; and continuous
6 review and evaluation of credentialing to
7 ensure knowledge remains legitimate and
8 valid.

9 We feel our collaboration with
10 similar tourism and educational
11 institutions in Philadelphia will create
12 a valuable and quality-oriented procedure
13 which will benefit the residents and the
14 tourists of Philadelphia.

15 Thank you.

16 COUNCILWOMAN BROWN: Thank you
17 for your testimony.

18 We have Councilman Curtis
19 Jones.

20 COUNCILMAN JONES: Good
21 morning.

22 MR. MOORE: Good morning.

23 COUNCILMAN JONES: How many
24 people come to the City of Philadelphia
25 for tourism purposes a year? And

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2 approximates are truly acceptable.

3 MR. MOORE: Councilman, the
4 best knowledge we have -- and some of
5 these facts come from the Greater
6 Philadelphia Tourism Marketing
7 Corporation -- we have about nine million
8 overnight visitors that come to the City,
9 about another 26 million in that total
10 that would be probably for day trips. So
11 it's a fairly extensive list. The
12 Independence Visitor Center alone, we do
13 about two and a half million people a
14 year. In the National Park, in excess of
15 five million a year. So it's a pretty
16 widespread business just in that local
17 area.

18 COUNCILMAN JONES: To the best
19 of your knowledge, how many of them are
20 here for the first time?

21 MR. MOORE: In our surveys that
22 we do, well over half are coming for the
23 first time or have not been here for
24 perhaps more than ten years. Our City
25 has changed quite a bit in the last ten

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2 years, thankfully for a much more
3 positive way, and they see that when they
4 come. So many of the visitors are truly
5 getting their first impression when they
6 visit here.

7 COUNCILMAN JONES: As a result
8 of that experience, is there any way in
9 your surveys to then say how many of them
10 chose to come back to Philadelphia based
11 on that experience? Do we keep that
12 statistic in any way?

13 MR. MOORE: For our business we
14 do for sort of self-preservation reasons
15 to make sure staff is doing a good job.
16 So I can only speak from that experience.
17 Visitors who tend to come, use our
18 services at the Visitor Center, take
19 tours, tend to have a very positive
20 experience and do want to go home and
21 tell not only their friends and neighbors
22 but also their family members that like
23 to return, mainly because, if I could,
24 because they have seen so much and they
25 feel like they've left a lot of things

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2 they've not been able to get done in the
3 short time they had, which is often three
4 to four days.

5 COUNCILMAN JONES: What is --
6 and this is my final question.

7 COUNCILWOMAN BROWN: Take as
8 much time as you want.

9 COUNCILMAN JONES: Thank you,
10 Madam Chairman.

11 What is the diversity of the
12 types of groups that come to
13 Philadelphia? And I mean ethnic
14 diversity.

15 MR. MOORE: Again, I can only
16 speak for what we see in the Visitor
17 Center. Fritz from the Convention and
18 Visitors Bureau and others from GPTMC may
19 have a broader experience, but for us,
20 the diversity of our visitation, the
21 diversity of our audience is increasing.
22 We're seeing, first of all, more
23 worldwide participation with the economy.
24 We're certainly seeing more Asian
25 visitors than we've ever seen. We're

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2 also seeing closer to home that certain
3 ethnic groups are becoming more frequent
4 visitors. Those would include
5 African-Americans that are traveling more
6 in groups and individuals, also Hispanic
7 visitors who are searching for new and
8 different places to go explore their
9 heritage, as well as gay and lesbian
10 travelers as well. So we're seeing lots
11 of different kinds of groups, and we have
12 to be prepared to deal with a diverse
13 audience pretty much every day.

14 COUNCILMAN JONES: Thank you.

15 MR. MOORE: You're welcome.

16 Thank you.

17 COUNCILWOMAN BROWN: And as a
18 follow-up to that, reflecting on one
19 issue raised by members of the
20 Multi-Cultural Affairs Congress, it's
21 been their experience that the tour
22 sites, the tour stops, have not been
23 reflective of the rich diversity of our
24 City. So in the development of tours, is
25 there any consideration to making sure

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2 that, some would say, the full story is
3 told of our City's history?

4 MR. MOORE: I think,
5 Councilwoman, that there's more we should
6 do on that. I think that's a great
7 question. I think several years back I'm
8 sure you recall that Greater Philadelphia
9 Tourism Marketing Corporation did a
10 number of neighborhoods tours where they
11 experimented with different tours, and
12 these were trolley-based tours, but they
13 had an educational component and a
14 cultural experience that went along with
15 those. Those were, in the most part,
16 successful, but they were difficult to
17 sustain financially.

18 I think that as our business
19 grows, tourism business at the end of the
20 day is an economic engine, and as the
21 various operators see opportunities that
22 will benefit them, I think that we'll
23 begin to see more neighborhood
24 explorations and a broader diversity of
25 tours, but I think it's something we

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2 should continue to push for as well.

3 MR. DeSHIELDS: I would also,
4 though, add as a Board member of the
5 Multi-Cultural Affairs Congress that
6 there is a Cultural Heritage Committee
7 that had established a certification or
8 at least a format of a program for
9 cultural tourism, multi-cultural tourism
10 in Philadelphia, and prior to me joining
11 Temple University, working with the
12 Philadelphia OIC, we created a travel
13 tourism course that was a collaboration
14 of the academic curriculum within that
15 particular program and the tour guide
16 program that was established through the
17 Multi-Cultural Affairs Congress.

18 But that's been a pretty strong
19 standing committee for quite some time,
20 so there's a lot of content that could be
21 extracted from that committee to help to
22 develop a good content that would
23 represent a multi-cultural
24 representation.

25 COUNCILWOMAN BROWN: I thank

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2 you for that.

3 Quick follow-up by Councilman
4 Jones.

5 COUNCILMAN JONES: The
6 rationale for my series of questions was
7 to that end, and the question now becomes
8 to what end do the tour guides in the
9 City of Philadelphia come in contact with
10 what good work you're doing and add that
11 to their repertoire of information that
12 is offered to visitors to the City of
13 Philadelphia?

14 MR. DeSHIELDS: Well, once
15 again, through my involvement with the
16 Philadelphia OIC and specifically the
17 travel tourism course that was designed
18 in order to help to create individuals
19 that had specific knowledge from a
20 multi-cultural perspective, that would be
21 one vehicle. I think that the Cultural
22 Heritage Committee has made the reach-out
23 a number of times and has collaborated to
24 some degree with GPTMC on some of their
25 neighborhood tour programs that have been

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2 established, especially as it kind of
3 segued into the community and developed
4 the walking tour.

5 So it is available and I think
6 it just needs to have a vehicle such as
7 what you're suggesting to make it more
8 consistent across the board.

9 COUNCILWOMAN BROWN: Thank you.
10 Councilman Darrell Clarke.

11 COUNCILMAN CLARKE: Thank you,
12 Madam Chair.

13 Good morning, gentlemen.

14 MR. MOORE: Good morning.

15 COUNCILMAN CLARKE: I don't
16 know who can answer this question. Maybe
17 all of you or one of you.

18 I've heard the term -- since
19 I'm not extremely familiar with the
20 subject matter, obviously being a
21 life-long Philadelphian, I've seen and
22 witnessed tours, tourism guides
23 throughout the City of Philadelphia.
24 We've thrown out terms like "standardized
25 certification." Give me a sense of what

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2 components of the actual job would be
3 standardized under a set of guidelines?
4 Is it the presentation? Is it the
5 interpretation of the history of the
6 City? Because I'm assuming that in
7 certain parts of the City there may be
8 the need to talk about the history of
9 that particular portion of the City more
10 so than other portions of the City.

11 What exactly would be
12 standardized under a certain set of
13 guidelines and what level of flexibility
14 would those individuals have as it
15 related to their specific tours?

16 MR. AVERY: Could I say
17 something?

18 COUNCILWOMAN BROWN: State your
19 name for the record.

20 MR. AVERY: Ron Avery.
21 You can't arrest somebody for
22 saying something wrong. You can't fine
23 them. Guides will say whatever they want
24 to say. You're not going to put an
25 inspector with every guide, are you?

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2 There's no standardization, but
3 they should be able to pass a test on
4 basic facts. For instance, I asked a
5 group of guides, What is the population
6 of Philadelphia, and ten of them argued
7 and nobody came up with the right answer.
8 That should be on the test.

9 I asked the group, What does
10 the word "colonial" mean. Five or six
11 did not know what the word "colonial"
12 meant.

13 They should know facts about
14 Mother Bethel Church. They should know
15 facts and be tested on it. They should
16 know facts about Carpenters Hall, you
17 know, wherever they go past, the Art
18 Museum, the Rodin, certain basic facts.

19 COUNCILMAN CLARKE: So the
20 knowledge base should be standard?

21 MR. AVERY: Right. And you
22 can't -- but they're going to say what
23 they want. This is one of the arguments
24 against certifying. They'll still say --
25 if they want to say it wrong, they'll say

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2 it wrong, but I think the vast majority
3 of guys have enough self-pride to want to
4 be correct.

5 So I think an educational
6 program, a fact sheet to follow and then
7 a test on those facts at least gives them
8 the basics so they know that Betsy Ross
9 did not sew half of the uniforms in the
10 American Revolution, as one guide told
11 me.

12 COUNCILMAN CLARKE: Okay.

13 MR. MOORE: Councilman Clarke,
14 that's a great question. I would hope
15 that through the process of
16 certification, a couple things happen.
17 One is that, as Mr. Avery shared, we will
18 get our basic facts correct, but I think
19 it's also important to make sure that
20 we're -- and this will be a test program
21 as offered currently, but hopefully will
22 roll out into a wider impact of this
23 legislation. But it is important when
24 we're in certain neighborhoods to know
25 the qualify of life in that neighborhood,

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2 to know about the diverse cultures, to
3 know about the history.

4 During the mini meetings that
5 we held on this, we had Native Americans
6 come, and they wanted to make sure their
7 history is correct. We had
8 African-Americans there. We had
9 Hispanics. I mean, everybody wants to
10 make sure their history is correct. What
11 better source of information than to have
12 those different groups help us learn to
13 do a better job. Not all of us know all
14 that information, so that would be
15 terrific.

16 I don't think it's easy to
17 legislate being positive in how you do
18 your job or how you deliver the message,
19 but I do agree with Mr. Avery on a couple
20 things. One is that our tour guides, by
21 and large, are enthusiastic and want to
22 do a good job. They love the business
23 they're in. And I think by having the
24 certification, it will help them have a
25 better sense of pride to do that.

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2 If this works as well as
3 many other training classes, often time
4 there's a by-product of that. You do
5 take more pride and you do try to do a
6 better job. You want to be the best
7 certified guide you can do. And I think
8 as a result of that, we will see some
9 increased friendliness and a way of
10 delivery that will be more positive than
11 perhaps we've seen in the past.

12 MR. DeSHIELDS: And I will also
13 add -- once again, Greg DeShields from
14 Temple University.

15 I would add in terms of -- the
16 distinction of certificate and
17 certification really draws the assessment
18 of who is really credentialed and
19 recognized by some governing body with
20 respect to their full scope of the
21 knowledge of the subject matter. The
22 certificate concept may be more just a
23 completion, that they went through a
24 process and they were able to finish it
25 and they may have left with some aspects

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2 of knowledge, where certification will
3 really require them to meet the
4 requirements of some governing body in
5 terms of content that will require them
6 to continuously maintain their knowledge
7 base in a way that would help to
8 establish a more standardized approach to
9 the process. And through the content of
10 that governing body, you could constantly
11 then update the information to make sure
12 that they're not necessarily working with
13 outdated information.

14 COUNCILMAN CLARKE: Okay.
15 Assuming -- and I'm prepared to support
16 the Councilwoman's legislation.

17 Assuming that the standards
18 will be elevated to some degree,
19 depending on how you ultimately craft
20 this program, will the compensation for
21 tour guides -- do you anticipate that the
22 compensation for tour guides be reflected
23 in that way; i.e., if you make me have to
24 get a certain certification, am I going
25 to make more money?

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2 MR. DeSHIELDS: Well, I would
3 certainly say from an academic
4 perspective, acquiring the certification
5 would certainly increase that person's
6 market value. There's some recognized
7 body that says you are competent and,
8 therefore, I would feel that it should
9 have some bearing in terms of what their
10 value is.

11 COUNCILMAN CLARKE: And all of
12 you gentlemen would support that?

13 MR. MOORE: Councilman, I would
14 agree that from a public standpoint
15 seeing a certified guide versus a
16 non-certified guide, you're going to tend
17 to take the tour that's certified. I
18 think we're going to get a great not only
19 real change in our certification process
20 by doing this in real quality, but we're
21 also going to get a great PR benefit,
22 which will help drive business that will
23 help these certified companies increase
24 their business.

25 COUNCILMAN CLARKE: One last

15 MR. DeSHIELDS: I would say the
16 best way to respond to that and from our
17 perspective, it would be to do specific
18 research to analyze what is the
19 appropriate and the most efficient way to
20 deliver any type of certification or the
21 content of it. So we would work with the
22 various -- we would suggest that some
23 sort of focus group or research study be
24 done within the various cultural groups
25 in the City to determine what they would

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2 feel would be most appropriate in terms
3 of the knowledge base or the skill sets
4 of that individual and then build it into
5 it in that way.

6 COUNCILMAN CLARKE: All right.

7 COUNCILWOMAN BROWN: Any other
8 comments, observations, remarks witnesses
9 want to offer?

10 MR. AVERY: Yeah. I would hope
11 that guides that come with foreign groups
12 that speak Japanese, for instance,
13 German -- they often come with a leader
14 that gives them the tour -- would be
15 exempt from this bill. It would be
16 ridiculous to try to make them take a
17 Philadelphia test.

18 COUNCILWOMAN BROWN: Joe Meade,
19 can we simply remember that?

20 MR. MEADE: Yes.

21 COUNCILWOMAN BROWN: Thank you
22 all very, very much for your testimony.
23 Very much.

24 If we could please invite up
25 Fritz Smith of the Philadelphia

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2 Convention and Visitors Bureau and Angela
3 Val, GPTMC.

4 (Witnesses approached witness
5 table.)

6 COUNCILWOMAN BROWN: Councilman
7 Curtis Jones raised a question around
8 numbers, if you will, and I saw that you
9 wanted to comment. State your name for
10 the record and offer your remarks to that
11 question.

12 MS. VAL: My name is Angela Val
13 from Greater Philadelphia Tourism
14 Marketing Corporation.

15 I don't have the exact numbers
16 here in front of me, but I can definitely
17 get those to you when I return to the
18 office. But one of the numbers I do
19 have, as of 2005 we had 27.5 million
20 visitors to the Philadelphia region. We
21 do break that down to see how many are
22 visiting the counties versus
23 Philadelphia. We also do track how many
24 people are return visitors as opposed to
25 first-time visitors, and also what

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2 minorities are coming here to
3 Philadelphia. We do not have those
4 numbers for 2007 as of yet, but we do
5 have them for 2006.

6 COUNCILWOMAN BROWN: Why don't
7 you start with your testimony, please.

8 MS. VAL: Thank you. Thank
9 you, Councilwoman Reynolds Brown, for
10 introducing this bill and thank you,
11 Committee members, for the opportunity to
12 testify today in favor of Bill No.
13 080024. My name is Angela Val and I am
14 the President of Special Projects at the
15 Greater Philadelphia Tourism Marketing
16 Corporation. I am here representing
17 GPTMC and our President and CEO, Meryl
18 Levitz, who unfortunately was unable to
19 attend today's hearing.

20 All of you know the importance
21 of the tourism industry. Tourism is an
22 economic engine for the City. In 2005,
23 there were 27.5 million visitors
24 generating 10.1 billion of economic
25 impact, with six billion of that spent by

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2 leisure tourists specifically.

3 At GPTMC our job as tourism
4 marketers is branding and promoting
5 Philadelphia as a premiere destination.
6 At the core of Philadelphia's brand is
7 our history and the authentic experiences
8 and unique sense of place that
9 Philadelphia offers. Our history is our
10 most valuable asset. Preserving that
11 sense of authenticity and quality of
12 experience is crucial. Many cities
13 recognize this and have regulations like
14 the one proposed in this bill, including
15 Washington, DC; Charleston; Savannah and
16 Williamsburg.

17 In research conducted by GPTMC,
18 survey after survey confirmed that
19 history is one of the main reasons
20 tourists offer for visiting Philadelphia.
21 Our visitors enjoy a wide range of
22 experiences, but it is our history that
23 most often gets them here.

24 Independence Mall is vastly
25 different than it was ten years ago,

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2 thanks to over 400 million in public and
3 private investments that has gone into
4 improving the visitor experience on the
5 Mall, including the National Constitution
6 Center, the Liberty Bell Center,
7 Independence Visitor Center, Franklin
8 Square, Once Upon a Nation and the
9 President's House site. It is important
10 that the investment not be undermined by
11 inadequately trained tour guides who tell
12 inaccurate information to our visitors.

13 In 2006, there were 1.8 million
14 visitors to the Liberty Bell. One-third
15 of our visitors surveyed during the
16 summer of 2006 reported that they took a
17 guided tour during their stay. Together,
18 these historical experiences and tours
19 influence how satisfied people are with
20 their trip to Philadelphia, how likely
21 they are to tell positive stories to
22 others about their trip and how likely
23 visitors are to return.

24 Ensuring that visitors receive
25 historically accurate and truthful

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2 information about our nation's history,
3 our City's history, our historic sites
4 and our neighborhoods is a necessary part
5 of maintaining the authenticity and
6 quality of the experience we offer. It
7 reflects the value we place on our
8 history and its fundamental importance to
9 our City. If our visitors have a bad
10 tour experience, if they feel they have
11 been misled or misinformed, we have
12 damaged the credibility of our
13 destination and its most defining
14 feature, our history.

15 As we have learned from the
16 archeological dig at the President's
17 House site on Independence Mall, history
18 is not static. New discoveries are
19 constantly being made, reaffirming what
20 we thought we knew. This is what makes
21 history so compelling and engaging.

22 Keeping current with those new
23 developments, deepening our knowledge so
24 that we are able to tell a more inclusive
25 and accurate story is yet another

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2 important reason for guide training and
3 certification.

4 In conclusion, GPTMC is fully
5 in support of Bill No. 080024 and sees
6 this as a necessary step to continue the
7 strong momentum we have in growing the
8 tourism industry in Philadelphia.

9 Thank you.

10 COUNCILWOMAN BROWN: Thank you
11 for your testimony.

12 Mr. Fritz.

13 MR. SMITH: Good morning,
14 Chairwoman Reynolds Brown and members of
15 the Committee. My name is Fritz Smith
16 and I am the Vice-President of Tourism
17 for the Philadelphia Convention and
18 Visitors Bureau. On behalf of the nearly
19 1,000-member organizations of the
20 Convention and Visitors Bureau who are
21 involved in a daily basis in the
22 hospitality business and whose
23 livelihoods and bottom lines depend on a
24 vibrant visitor economy and a first-class
25 image of our City, I thank you for the

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2 opportunity to provide testimony in
3 support of Bill No. 080024.

4 Madam Chairwoman, I would like
5 to thank you for providing leadership in
6 introducing this bill and for ensuring
7 that its development and progress through
8 the legislative process has been
9 characterized by inclusiveness and
10 listening to a diversity of opinions.
11 Many of the organizations that will be
12 affected by this bill are members of the
13 Convention and Visitors Bureau, and we
14 have a strong interest in their continued
15 viability and capacity to compete for
16 visitors within the increasingly
17 competitive business of marketing and
18 destination.

19 As you know, I have
20 investigated the circumstances
21 surrounding tour guide certification in
22 cities that both have it and do not have
23 it. This research revealed that, for the
24 most part, certification has raised the
25 standards for what is expected of the

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2 experience that tour guides provide a
3 visitor. It has not proven to be a
4 panacea for ensuring that this
5 information is never given out --
6 misinformation, rather -- but there seems
7 to be a consensus that the process sets a
8 standard and raises the bar for
9 performance. In some cities it seems to
10 have elevated the status of the
11 profession.

12 As an organization that is
13 deeply concerned with the image of the
14 City, we think that there is a very real
15 public relations value that can be
16 attained by passing a bill that ensures
17 that standards are met. It sends a
18 signal that Philadelphia is a destination
19 that cares about the visitor experience.
20 This signal of quality is commensurate
21 with the goals and aspirations of the
22 many members of government at various
23 levels, the private sector and the
24 foundation sector in spending billions of
25 dollars to revitalize the historic

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2 district, to build the National
3 Constitution Center, a world-class
4 Convention Center and so many other
5 tourism infrastructure anchors. To
6 continue to draw people to these
7 attractions and generate the expected
8 return on investment, sending the signal
9 that Philadelphia cares about the visitor
10 and the perception they will take back to
11 spread to their own network of friends,
12 family and co-workers across the country,
13 and even around the world, is important
14 to the City's continued success.

15 Thank you.

16 COUNCILWOMAN BROWN: Thank you
17 both for your testimony.

18 Are there any questions for
19 these witnesses?

20 (No response.)

21 COUNCILWOMAN BROWN: If you
22 would, Angela, for the record, tell us
23 the role and mission of GPTMC.

24 MS. VAL: GPTMC advertises,
25 promotes and markets to leisure tourists,

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2 and we are hoping to generate vitality
3 and economic benefit to our Philadelphia
4 region.

5 COUNCILWOMAN BROWN: Okay. And
6 if one had to identify what clearly
7 separates the role of GPTMC and the role
8 of the Philadelphia Visitors and
9 Convention Bureau, where is that line?

10 MS. VAL: I would say that line
11 is that the Convention and Visitors
12 Bureau -- and, Fritz, please jump in --
13 deals primarily with groups and
14 conventions, as well as tour buses, tour
15 guides, and GPTMC is on the leisure
16 traveler. So we're aiming for the person
17 that's sitting in their kitchen with
18 their kids trying to figure out what they
19 want to do this summer or the upcoming
20 weekend.

21 MR. SMITH: Many people, to add
22 to that, many people think of the
23 distinction between the two organizations
24 is that one is a B to C organization,
25 that it's a business to consumer, it's

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2 marketing directly to the consumer via
3 public relations, advertising, other
4 marketing methods, and that our customer
5 base at the Convention and Visitors
6 Bureau is, for the most part,
7 intermediaries, those who have the
8 ability to make the decision about where
9 to bring a convention or a meeting or a
10 group tour or a sporting event.

11 COUNCILWOMAN BROWN: Sure.
12 That's very helpful.

13 Okay. Any questions for these
14 witnesses?

15 (No response.)

16 COUNCILWOMAN BROWN: Thank you
17 both for your testimony.

18 MS. VAL: Thank you.

19 COUNCILWOMAN BROWN: If we
20 could please invite up Linda Kramer of
21 the Philadelphia Trolley Works; Michael
22 Walsh, Centipede Tours; Viki Sand, the
23 Executive Director of the Atwater Kent
24 Museum; and Mark -- forgive me.

25 MR. BEYERLE: Beyerle.

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2 COUNCILWOMAN BROWN: Thank you
3 very much. Tour Operators of
4 Philadelphia.

5 (Witnesses approached witness
6 table.)

7 COUNCILWOMAN BROWN: Good
8 morning. We'll proceed with Linda Kramer
9 with Philadelphia Trolley Works. State
10 your name for the record and proceed with
11 your testimony.

12 MS. KRAMER: Linda Kramer.
13 Good morning, ladies and gentlemen. On
14 behalf of Philadelphia Trolley Works, the
15 Big Bus Company and 76 Carriage Company,
16 I would like to thank the members of City
17 Council for the opportunity to speak
18 about the pending legislation and
19 regulations for tour guides.

20 As a provider of sightseeing
21 tours for over 30 years, our company has
22 consistently favored sensible legislation
23 that allows our industry to improve, yet
24 remain economically viable in today's
25 challenging economic climate. As

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2 Philadelphia grows its tourism
3 population, we are in agreement that as
4 an industry we need to ensure that
5 visitors receive a quality sightseeing
6 experience.

7 As with most legislation, the
8 regulations themselves do not guarantee
9 the goals they seek to accomplish. Those
10 goals are only met with careful oversight
11 and application of the legislation.
12 Without an equitable and consistent
13 oversight, the legislation can actually
14 have the adverse effect. Reputable
15 operators who make good-faith efforts to
16 comply with both the spirit and letter of
17 the law operate at a deficit to the
18 fly-by-night and disreputable operators
19 who continually flaunt the law.

20 When there is a lack of
21 oversight, these operators suffer no
22 penalty for their actions. This has been
23 an ongoing issue in the carriage
24 regulations. The end result is that
25 companies that have a vested interest in

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2 moving our industry forward are
3 handcuffed both operationally and
4 economically. It is our hope that the
5 final tour guide legislation will address
6 these issues.

7 Specifically, we believe that
8 it is essential that longstanding
9 companies be given the opportunity to
10 submit their training program and tour
11 scripts to be certified as meeting the
12 requirements for licensing. This will
13 enable larger companies to meet the
14 seasonal demands to hire and train staff
15 for peak tourist times by testing and
16 certifying their staff. A monthly exam
17 schedule will effectively cripple our
18 ability to hire and train the necessary
19 staff for the peak time periods during
20 the summer and holiday seasons.

21 From an economic perspective,
22 our staff fluctuates from 125 people
23 during the winter months to over 200
24 during the peak tourism months. This
25 increase is predominantly in our tour

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2 staff because we are a seasonal operation
3 due to weather and tourism here.

4 PTW maintains tour scripts and
5 continuously reviews and augments them
6 for accuracy. Our management and
7 supervisors ride and critique our guides
8 for accuracy and customer service as an
9 ongoing review. It is in our best
10 interest to provide quality tours.

11 We also hope that those in
12 charge of regulatory compliance are
13 chosen for their expertise as well as
14 their impartiality to allow for fair and
15 constructive dialogue regarding the many
16 issues facing Philadelphia's growing
17 tourism industry. Legislative oversight
18 can only be successful if it is applied
19 equitably to all operators regardless of
20 their size and type of operation.

21 In conclusion, as
22 Philadelphia's oldest and largest tour
23 and transportation operators, it is our
24 hope that as a group we learn from the
25 mistakes of the past well-meaning but

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2 flawed legislation and work collectively
3 to ensure that all visitors enjoy a
4 quality tour on their visit to
5 Philadelphia.

6 Thank you for allowing me to
7 speak before you.

8 COUNCILWOMAN BROWN: You're
9 certainly welcome. We'll hear testimony
10 from everyone and then we'll open it up
11 to questions.

12 Please.

13 MR. BEYERLE: Good morning,
14 Chairwoman Reynolds Brown and the ladies
15 and gentlemen of the Committee. My name
16 is Mark Beyerle, owner of Specialty Tours
17 and Events located in Center City. I
18 speak to you today not as a private local
19 tour operator business in Philadelphia
20 but as a spokesperson for the Tour
21 Operators of Philadelphia, known as TOPS.
22 TOPS members include eight tour operator
23 companies in and around the greater
24 Philadelphia area and also include five
25 tour operator partner organizations.

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2 These tour operator businesses and
3 partner organizations meet ten times
4 throughout the year to discuss various
5 issues that affect the group tour
6 industry in Philadelphia.

7 The proposed tour guide
8 certification has been a long-debated
9 topic in our association. Our
10 association was first formed to deal with
11 issues such as bus drop-off and parking
12 regulations in the historic district, and
13 as a result of not being involved more
14 fully, it took years for us to improve
15 that legislation. We'd like to see this
16 start on the right foot.

17 TOPS would first like to
18 recognize the work that Councilwoman
19 Blondell Reynolds Brown and the Parks,
20 Recreation and Cultural Affairs Committee
21 have put into this proposed legislation
22 and to thank you for the opportunity to
23 participate in the process all along. As
24 you know, it's been arduous.

25 The members of TOPS recognize

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2 this proposed legislation as being well
3 intended and fully support the goal of
4 having quality guides present accurate
5 information about the City of
6 Philadelphia and our beloved sites, icons
7 and attractions. Again, we recognize
8 this as well-intended proposed
9 legislation, but we feel that much
10 additional work is still needed before we
11 will have the intended and desired
12 outcome, and for that reason, we do not
13 see it ready to move out of Committee for
14 the full Council.

15 Examples of our concern are
16 such questions and areas currently not
17 dealt with in the proposed legislation,
18 such as what do you do with out-of-area
19 tour guides that are escorting groups and
20 guiding groups that arrive from a tour
21 bus from such places as New York City or
22 Pittsburgh? Would we or could we
23 realistically expect them to apply for
24 and get a Philadelphia tour guide
25 certification? We would think not. Yet,

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2 the proposed legislation currently does
3 not exempt out-of-area guides. Then
4 again, how would some arbitrary
5 geographical line be set for deciding
6 this out-of-area factor? Would the
7 decision to exempt guides coming from
8 beyond a certain local mile radius, such
9 as Pittsburgh and New York City, be any
10 different than a guide coming from, say,
11 Harrisburg or Cape May? Yet, would it
12 again be totally different for a nearby
13 guide from Cherry Hill or West Chester
14 versus a guide from Philadelphia County
15 address?

16 Could possibly the volume a
17 tourism guide gives be a deciding factor?
18 For example, those who guide more than
19 once per week or more than five times per
20 month or more than ten times per year be
21 the deciding factor versus some
22 geographic boundary? Does where you live
23 dictate your ability to be a quality and
24 accurate guide?

25 There are many retired guides

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2 who only assist two to three times a year
3 on peak days. Would they or should they
4 be required to be certified?

5 Another question, how do we
6 define a guided tour versus an escorted
7 tour? Many guides by virtue of their
8 title simply move groups from Point A to
9 Point B to Point C. They don't
10 necessarily impart factual information.
11 Most often they just shepherd their group
12 to and from the guides that already are
13 at the Liberty Bell, Independence Hall
14 and Christ Church, for example, guides
15 that are uncertified.

16 Do you certify volunteer tour
17 guides, those who guide for no personal
18 compensation, yet guide for an
19 organization that offers tours for
20 compensation, as the proposed legislation
21 now defines? How do you certify those
22 guides who give tours in foreign
23 languages?

24 How does this proposed
25 legislation affect the private tour

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2 market, which is different than the
3 public tour market? The differences are
4 vast in the two market segments. Yet,
5 the proposed legislation deals with them
6 as if they were universally the same.

7 And the largest concern to the
8 members of TOPS, the Tour Operators of
9 Philadelphia, how does this proposed
10 legislation impact the current private
11 tour guides in the City, many of whom
12 entered the industry at the nation's
13 bicentennial, some more than 30 years
14 ago, and are now currently planning
15 retirement? Might this proposed
16 legislation be the impetus to push them
17 into premature retirement before the
18 industry is ready to replace them? Might
19 this proposed legislation deter others
20 from entering the profession?

21 TOPS would like to see these
22 questions studied by the City or the
23 Convention and Visitors Bureau or other
24 such entity with a vested interest in the
25 City's group tour market.

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2 The member companies of TOPS
3 will continue to support the spirit of
4 this well-intended proposed legislation,
5 but we cannot support it going to the
6 full City Council yet and out of this
7 Committee.

8 In summary, our commitment
9 still stands to improve the tour guide
10 experience in Philadelphia. However,
11 these very important questions still need
12 to be answered before an application and
13 a test create a better guide.

14 Thank you.

15 COUNCILWOMAN BROWN: Thank you
16 very much for your testimony.

17 We'll start with Councilman
18 Curtis Jones with questioning.

19 COUNCILMAN JONES: Yes. First
20 of all, thank you for taking your time
21 out to enlighten this Committee about
22 the --

23 COUNCILWOMAN BROWN: Forgive
24 me.

25 MR. WALSH: I'm sorry. No.

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2 I'm Michael Walsh from Centipede Tours.

3 Mark spoke for the TOPS organization. I

4 have a couple thoughts I just want to

5 bring up.

6 COUNCILWOMAN BROWN: Forgive me

7 for that oversight.

8 MR. WALSH: That's quite all

9 right, Councilwoman.

10 COUNCILWOMAN BROWN: Thank you,

11 Joe.

12 MR. WALSH: We sort of jumped

13 over.

14 COUNCILWOMAN BROWN: So forgive

15 me, Councilman Jones.

16 COUNCILMAN JONES: No problem,

17 Madam Chair.

18 COUNCILWOMAN BROWN: Why don't

19 you put your remarks on the record and

20 then we'll move to the questioning.

21 MR. WALSH: It's just to

22 highlight a couple things. I think Mark

23 brings up a very good point about rushing

24 into this. The manual going to be -- who

25 is going to put it together, when is it

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2 going to be done, how much time is it
3 going to be to study? Also, the testing
4 for the TOPS organization groups, the
5 testing that would be done by the City is
6 not going to be enough. Because
7 Centipede Tours has been in operation
8 since 1979 and we have a test that, on
9 average, takes two and a half to three
10 hours for each proposer, possible guide,
11 to pass or to take, and then from there
12 they also have to pass a tour test,
13 meaning they have to be able to go out
14 and give a tour and get passed by our
15 senior guide.

16 So are we going to make this
17 just a general A, B, C, D test or are we
18 going to make it a comprehensive test,
19 and then how long will that last? See,
20 our guides, on average, are 11 years of
21 experience. We have college professors.
22 It's different with a private tour group
23 as opposed to a public tour organization,
24 because the public tours are more
25 seasonal work, as I think was brought up,

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2 but also they overflow, meaning like each
3 year new guides are brought in. They
4 flip over. And so that's where one
5 little difference is between a private
6 and a public tour, and we would like to
7 see like the testing take part of that,
8 but also we would like to have the manual
9 to have all of the necessary -- or have
10 the continuing education to be done in
11 such a way that it is not going to cost
12 other companies -- cost the private
13 companies too much money, because if we
14 have to buy these manuals each year or if
15 we have to pay our guides to go for this
16 study session, then we're going to be in
17 a hole at the beginning of each year.

18 Once again, the TOPS
19 organization supports this, but we just
20 needed to have all the information. We
21 need to maybe take -- our thought is to
22 take a little time.

23 COUNCILWOMAN BROWN: Sure.

24 MR. WALSH: Just to get all the
25 details set.

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2 COUNCILWOMAN BROWN: Okay,
3 then. Thank you for offering your
4 testimony, and I will address a few of
5 the issues raised, but we'll first have
6 questioning remarks from Councilmembers.

7 Councilman Jones.

8 COUNCILMAN JONES: Again, I
9 want to thank you guys for taking time
10 out of your busy day. You could be out
11 doing tours making some money, but have
12 come in to raise some concerns relative
13 to this Committee's bill.

14 Do I understand generally you
15 support this ordinance with the
16 provisions that you've made?

17 MR. BEYERLE: We support the
18 spirit of it. We are certainly always
19 looking for ways to improve the tour
20 guide experience in Philadelphia. We
21 don't necessarily believe that an
22 application and test is going to make a
23 better guide. You heard Mr. Avery say
24 that a guide has the right to say
25 whatever they want and will continue to

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2 Philadelphia, just came here, first time.
3 MR. BEYERLE: Welcome.
4 COUNCILMAN JONES: What month
5 is it that we're in? What month are we
6 in?
7 MR. BEYERLE: In the group tour
8 industry, we have peaks in April, May and
9 early June.
10 COUNCILMAN JONES: No. You
11 misunderstand my question. What relevant
12 month are we in?
13 MR. BEYERLE: Oh, Black History
14 Month.
15 COUNCILMAN JONES: There you
16 go. So I got a little test.
17 Who is the Fresh Prince?
18 MR. BEYERLE: Will Smith.
19 MS. KRAMER: Will Smith.
20 MR. WALSH: Will Smith.
21 MR. BEYERLE: From
22 Philadelphia.
23 COUNCILMAN JONES: Good. Where
24 did he live?
25 MR. BEYERLE: Philadelphia.

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2 COUNCILMAN JONES: Where?

3 (No response.)

4 COUNCILMAN JONES: In the 4th
5 Councilmanic District in Overbrook. Wait
6 a minute.

7 Who is Gui Bluford?

8 (No response.)

9 COUNCILMAN JONES: He's the
10 first African-American astronaut and went
11 to school at Overbrook in the 4th
12 Councilmanic District.

13 Who is Wilt Chamberlain?
14 That's an easy one.

15 MR. BEYERLE: Right.

16 COUNCILMAN JONES: Right.
17 Okay.

18 Where was the first computer
19 made?

20 MR. BEYERLE: University of
21 Pennsylvania.

22 MS. KRAMER: University of
23 Pennsylvania.

24 COUNCILMAN JONES: Wrong. In
25 the 4th Councilman District. There is a

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2 historic plaque off of Allegheny Avenue
3 that dedicates that fact. University of
4 Penn takes credit for it, but actually it
5 was designed in the 4th Councilmanic
6 District. That is inaccurate.

7 Let me go on a little bit. You
8 know who Sonia Sanchez is, right? No?

9 MR. BEYERLE: I do not.

10 COUNCILMAN JONES: She's an
11 African-American poet who has reached
12 national -- international recognition and
13 at Temple University -- I think in your
14 district, right, in the 5th Councilmanic
15 District?

16 I'm going to give up an easy
17 one. Bill Cosby?

18 I could go on and on, but I
19 won't. My point to you is that there
20 needs to be -- when I travel -- and I
21 travel. I've been around the world, been
22 around the world, and I've been a part of
23 a number of the diversity committees for
24 the Convention Center and other things.
25 There needs to be a uniform diversity

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2 that appeals to all people. There needs
3 to be 20 points that you should know
4 about every culture when they experience
5 the relevance of being in this great
6 city.

7 So uniformity is important. I
8 understand the economic problems and some
9 of the problems you raised. Okay? But I
10 am dead serious about supporting some
11 uniformity, because the question I asked
12 in the previous questions was whether you
13 choose to come back to a city, and as an
14 ethnic minority, that feeling of welcome,
15 that feeling of diversity, that feeling
16 of neighborhood -- and we are a city of
17 neighborhoods.

18 How many neighborhoods are in
19 the City of Philadelphia?

20 (No response.)

21 COUNCILMAN JONES: Okay. There
22 are 103 by, I understand, the Planning
23 Commission designated in the City of
24 Philadelphia, ranging from Germantown
25 to -- give me some from the 4th or the

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2 7th. Give me some.

3 COUNCILMAN CLARKE: Strawberry
4 Mansion.

5 COUNCILMAN JONES: All right?
6 Okay.

7 So these are things that are
8 relevant.

9 When I travel, one of the
10 interesting things about -- unique about
11 the city of neighborhoods is that if
12 you're from Philly, I can say North
13 Philly, and we'll be in an airport.
14 We'll share a seat in the airport and
15 we'll say, What part, and he'll say,
16 North Philly. Then I'll say, What
17 section. He'll say, Strawberry Mansion.
18 I'll say, What block, and there is
19 inevitably a family, a big family, that
20 he could probably trace history with.
21 And that's one of the unique characters
22 about the neighborhoods in the City of
23 Philadelphia.

24 There is a book called "Roots
25 of Violence in Black Philadelphia" from

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2 1860 to 1900s. It's written by an author
3 named Roger Lane. I suggest you get that
4 book. It documents the migration of
5 particularly African-Americans to the
6 City of Philadelphia.

7 Did you know that in South
8 Philadelphia it was called Little Africa?
9 Did you know that?

10 MR. BEYERLE: I did.

11 COUNCILMAN JONES: Good.
12 That's a bonus question point for you.

13 And there was a section in the
14 Public Ledger, which was a newspaper at
15 the time, that wrote about the exploits
16 of Little Africa.

17 Now, to you that may be a
18 little known African-American history
19 fact that has very little relevance in
20 the total story of this great city, but
21 to me, it's important. And to some
22 degree, all of you owe it to yourselves
23 and to the people who experience
24 Philadelphia to know some of that.

25 Thank you.

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2 MR. BEYERLE: If I may just
3 respond to that briefly.

4 COUNCILWOMAN BROWN: Please.

5 MR. BEYERLE: I'm an owner of
6 my company. I am not a tour guide. I
7 would actually not be subject to this
8 license.

9 I actually went on the Quest
10 for Freedom tour two Saturdays ago to
11 trace the black history in Philadelphia
12 for personal growth. It was a wonderful
13 experience. And if I had one of my
14 guides who leads our black history tours
15 in Philadelphia here, she would have
16 passed all your questions.

17 COUNCILMAN JONES: We hope.

18 MS. KRAMER: I'd like to
19 respond to that as well.

20 COUNCILWOMAN BROWN: Please
21 state your name for the record.

22 MS. KRAMER: Linda Kramer.

23 Similar to what Mark says, we
24 incorporate different ethnic cultures
25 along our public tour route to the extent

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2 that we pass by them on the tour route.
3 There is a limit to what you can say. We
4 also have specialty tours for not only
5 our trolleys and double-decker buses, but
6 believe it or not, for our 20-minute
7 carriage tour for African-American
8 culture that we offer to groups, because
9 there is that history there.

10 So it's difficult to draw the
11 line and the balance when you're trying
12 to fit information in. Everybody has
13 specific things they like. But we agree
14 with you in that spirit and that content
15 that we do try to address those issues.

16 COUNCILMAN JONES: There needs
17 to be -- you guys -- understand this:
18 You may well be setting the standard for
19 that type of inclusion, but shouldn't
20 everybody that offers themselves as a
21 tourist know a little bit about a major
22 portion of the population here? And what
23 I'm saying to you is, this legislation
24 helps to define, like you've attempted to
25 do, the diversity of this great city, of

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2 to continue to give a positive face to
3 the story that is Philadelphia, including
4 all aspects, all populations, all genres,
5 all cultures. And if we can do that --
6 to me, diversity is to culture as
7 seasoning is to food. Without it, we'd
8 be very bland.

9 So I want to make sure that
10 it's standardized. That is the reason
11 why I support this bill. That is the
12 reason why everybody should know a little
13 bit about a lot of things, particularly
14 in your industry. And I encourage you --
15 we can find a million reasons why we
16 should do analysis, paralysis on this
17 ordinance, but there are -- we can get it
18 right over time. And if we don't get it
19 right the first time, we have the ability
20 to amend it, don't we?

21 But we need to move forward on
22 this, and we need to move forward on this
23 because it makes sense for the experience
24 of all visitors that come here to know
25 the right story.

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2 which is a part of the amendment.

3 Phase II, we will take it
4 citywide to ensure that all historical
5 cultural sites of Philadelphia ultimately
6 get the same treatment and that that
7 becomes a standard baseline of
8 information that every tour operator
9 should be familiar with.

10 Now, a number of legitimate
11 questions have been raised. Let me
12 attempt to address a few of them.

13 We decided at our last meeting
14 that this bill would exempt out-of-area
15 tour guides. So this bill does not in
16 any way impact on tour guides that come
17 from other municipalities, as determined
18 at our last meeting.

19 For the first time I'm hearing
20 guided tour versus escorted tour. So
21 please help me understand the difference.
22 What is the difference?

23 MR. BEYERLE: There are many
24 groups who arrive in Philadelphia.
25 They'll get off their bus in the historic

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2 district with a tour escort or tour guide
3 by that name and they have an itinerary
4 for an hour and a half. They'll move
5 from their bus to the Visitor Center,
6 from the Visitor Center to the Liberty
7 Bell, from the Liberty Bell to
8 Independence Hall and over to Franklin
9 Court into the Bourse for lunch and out
10 the City they go again. I have never
11 told them dates, times, places, styles of
12 architecture, but I shepherd them. I
13 move them. I kept them on schedule.
14 They listened to the National Park
15 rangers tell their story. I would be
16 considered a guide. I could potentially
17 be fined for moving that group without a
18 license.

19 COUNCILWOMAN BROWN: So what
20 you're suggesting is that we need to put
21 in the body of this bill a -- we need to
22 define what a guided tour is and we need
23 to define what an escorted tour is and
24 hold harmless escorted tours. Is that
25 what I'm hearing?

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2 MR. BEYERLE: Correct. And
3 back to your last point, Councilwoman,
4 about the out-of-area guides, where does
5 that line get drawn? Because a guide
6 comes from Bala Cynwyd, are they
7 considered out of area, and where does
8 that -- is geographic the way to define
9 that or might there be a different way to
10 define it?

11 COUNCILWOMAN BROWN: Thank you
12 very much.

13 Why don't we ask Mr. Fritz to
14 come to the witness table and help us
15 work that through.

16 While he moves to the table,
17 what is the difference between a private
18 tour versus a public tour?

19 MS. KRAMER: I can answer that.
20 Linda Kramer.

21 The public tours would be the
22 fixed route tour services that operate
23 with multiple stops. The public can come
24 up and buy a ticket and go on
25 individually.

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2 The private tours offered by my
3 colleagues to the right, as well as our
4 company, are where a group or individual
5 charters you specifically to travel as a
6 group and go on a tour. They'll have a
7 tour guide escort a specific group and
8 plan specialty tours or general tours
9 like that where they travel as a group
10 privately. They're not interacting with
11 other groups from the public.

12 COUNCILWOMAN BROWN: Am I
13 hearing that there should be different
14 treatment for one versus the other? Work
15 that through for me. Clarify that for
16 me.

17 MS. KRAMER: Well, there's a
18 different breadth and scope of what
19 private tour guides speak about and know
20 versus a tour guide who is staying on the
21 same route traveling the same pathways
22 all the time. Their discussions are
23 determined really by the geography;
24 whereas, private tours have any of a
25 number of slants or topics or specialty

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2 groups or geographic areas that they go
3 through.

4 COUNCILWOMAN BROWN: So why is
5 it unreasonable to suggest that the
6 baseline standard of information should
7 be consistent across the board?

8 MS. KRAMER: Well, I guess it
9 would be determined by what the baseline
10 standard of information would be.
11 Certainly a horse-drawn carriage driver
12 who is restricted to going no further
13 west than 7th and Market Street in the
14 City is not going to have potentially the
15 base of knowledge of the Art Museum and
16 the statues and things like that. It's
17 almost unreasonable to ask them to be
18 scholars, so to speak, on that
19 information, but they should know the
20 area where they're traveling; whereas, a
21 tour guide that's doing private charters
22 throughout the City or Center City or
23 even a public tour guide in different
24 venues needs a different menu.

25 If you were to look at the tour

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2 script for 76 Carriage Company, there is
3 some general information on the City of
4 Philadelphia, but it predominantly deals
5 with the Independence National Historic
6 Park, Society Hill and Old City, because,
7 by previous Council legislation, that's
8 where they're allowed to go.

9 COUNCILWOMAN BROWN: Okay.

10 MS. KRAMER: So we try to make
11 them experts in the area of which they're
12 speaking. So that's one of the
13 differentiations there. I think in
14 what -- the devil is in the details, and
15 like with other legislation, for example,
16 just the whole mechanism of getting
17 badges, we are licensed -- the carriage
18 drivers are licensed. They expire March
19 31st. While this is a mundane fact for
20 those sitting in Council, it almost
21 crippled us this year. The machine
22 broke. We didn't get our licenses until
23 the end of August. Multiple times they
24 were stopped by PPD and et cetera, given
25 fines, tickets. We had to fight them.

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2 Through no fault of them or us. We paid
3 the fee. We did everything. But it took
4 the City many, many months past the
5 deadline to give them these licenses.

6 So that's the kind of
7 mechanisms that we think need to be in
8 place to make this work smoothly, because
9 as an operator, they're crippling, not to
10 mention embarrassing and those types of
11 things, because there's multiple
12 jurisdictions as to who regulates you.

13 COUNCILWOMAN BROWN: Question:
14 Do any of the private or public tours
15 currently operate outside of the district
16 designated in this legislation?

17 MR. WALSH: Yes.

18 MR. BEYERLE: Yes.

19 COUNCILWOMAN BROWN: And they
20 would be whom?

21 MR. WALSH: All of us.

22 MR. BEYERLE: Every single
23 company would do something outside the
24 district.

25 COUNCILWOMAN BROWN: All right.

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2 Okay. Any other questions or
3 comments from members of the Committee?

4 (No response.)

5 COUNCILWOMAN BROWN: Different
6 question. You spoke about, quote,
7 "fly-by-night" operators and the
8 submission of training programs or tour
9 scripts. Are you suggesting that they
10 should be separate from -- that they
11 should or should not be exempted from the
12 exemption opportunity that would be
13 available for those who believe their
14 tour guide script is sufficient and meets
15 the standards stipulated?

16 MS. KRAMER: Those operators
17 don't even have scripts that I refer to,
18 but what we've seen in the industry is
19 that you have companies that are
20 established that follow the breadth and
21 detail of the law. Because the City is
22 large and really doesn't have oversight
23 or the ability for oversight and be there
24 every day, there is a segment of this --

25 COUNCILWOMAN BROWN: Industry.

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2 be treated that way.

3 COUNCILWOMAN BROWN: Sure.

4 MS. KRAMER: That's the
5 problem. I mean, if Councilman DiCicco
6 was here, he could tell you that. He
7 could -- he's got the whole depth of
8 knowledge of the horse and carriage
9 industry that you could -- it just goes
10 on and on.

11 COUNCILWOMAN BROWN: Write a
12 book about it.

13 MS. KRAMER: Yeah, I could
14 write a book about it. It just goes on
15 and on and on, and we're to the point now
16 where we just -- when people call to
17 complain about them, we deal with it even
18 though it's not our issue, because it
19 makes our industry look bad, and that's
20 what we don't want to see revisited.

21 COUNCILWOMAN BROWN: Another
22 question I have here are volunteer tour
23 guides versus all the others. Talk about
24 them again.

25 MR. BEYERLE: I had that in my

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2 testimony prior to hearing of today's
3 amendment, but when this bill was
4 originally -- my intent today with the
5 bill was looking at the Center City
6 tourist district, which encompassed a
7 larger area than this amendment now does,
8 and there is a group from the Mural Arts
9 Tours that actually are volunteer guides
10 even though the company itself does tours
11 for compensation.

12 COUNCILWOMAN BROWN: Okay.

13 MR. BEYERLE: There's much of
14 my testimony I actually didn't mention as
15 a result of the amendment.

16 COUNCILWOMAN BROWN: Okay. All
17 right, then.

18 MS. KRAMER: And how would
19 those Mural Arts guides impact -- for
20 example, they step on Philadelphia
21 Trolley Works trolleys to give their
22 tours. We are chartered by the Mural
23 Arts group to be the transportation for
24 their tours. So am I in violation if I'm
25 operating the vehicle and a volunteer

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2 guide is on there giving a tour that I
3 don't have licensed? It's those kind of
4 details that --

5 COUNCILWOMAN BROWN: Sure.
6 That's a detail that we did discuss in
7 great detail at one of our meetings, and
8 I clearly have to go back and check my
9 notes, but if my memory serves me
10 correctly, we said that volunteer tour
11 guides that come under the jurisdiction
12 of another institution like the Art
13 Museum, like the Mural Arts would not be
14 subject to this legislation. I'll check
15 my notes.

16 We're going to move this bill
17 out of Committee today with the clear
18 understanding that we have some
19 additional work to do. But I will go
20 back and check my notes, because we gave
21 great discussion to that world of the
22 industry. Okay?

23 Any other comments,
24 observations, remarks by members of this
25 Committee?

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2 (No response.)

3 COUNCILWOMAN BROWN: Any
4 comments, other observation -- let me say
5 this also: We gave a survey out to
6 members of the committee so that we could
7 benefit from this kind of feedback. It's
8 a rhetorical question. I don't know if
9 you answered it. I will go back and
10 check my notes to see if you did.

11 We met since last April to have
12 an opportunity to walk through, talk to,
13 dissect all of the intimate issues that
14 come with making this bill right. Some
15 of these issues I just heard for the
16 first time today.

17 So we're moving it out of
18 Committee. We've done all we can do in
19 terms of being inclusive with regards to
20 participation. I recognize that we still
21 have work to do, because nothing is 100
22 percent, but we are moving this bill out
23 of Committee today.

24 So I'll take your testimony and
25 still seek to address the questions

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2 you've raised, because it's clear that
3 some additional amendments have to
4 happen.

5 Thank you very much all for
6 your testimony and input.

7 MR. BEYERLE: Thank you all.

8 MS. KRAMER: Thank you.

9 COUNCILWOMAN BROWN: You're
10 welcome.

11 Anyone else to -- thank you,
12 Fritz. I think we covered that.

13 Anyone else to remark, comment,
14 offer testimony on Bill No. 080024?

15 (No response.)

16 COUNCILWOMAN BROWN: We'll give
17 members of the Committee a few minutes
18 just to make sure they're clear about the
19 amendments being offered this afternoon.

20 (Pause.)

21 COUNCILWOMAN BROWN: Okay. I
22 would like to ask Councilman Jones, if he
23 would, to please make a motion on the
24 amendment to Bill No. 080024.

25 COUNCILMAN JONES: I move for

1 2/20/08 - PARKS - BILL 080024
2 the adoption of the amended bill, 080024.
3 COUNCILWOMAN BROWN: Can I hear
4 a second on that?
5 (Duly seconded.)
6 (Off-the-record discussion
7 between Councilman Clarke and Councilman
8 Jones.)
9 COUNCILMAN JONES: I move for
10 the adoption of the amendment for Bill
11 080024.
12 This is the first time I did
13 this.
14 COUNCILWOMAN BROWN: And that's
15 okay. Guess what? We sat in that seat
16 one time, too.
17 (Duly seconded.)
18 COUNCILWOMAN BROWN: All in
19 favor say aye.
20 (Aye.)
21 COUNCILWOMAN BROWN: All
22 opposed?
23 (No response.)
24 COUNCILWOMAN BROWN: Could I
25 please now ask Councilman Jones to please

1 2/20/08 - PARKS - BILL 080024
2 make a motion on the amended bill.
3 COUNCILMAN JONES: I move for
4 the adoption of the amended bill, 080024.
5 (Duly seconded.)
6 COUNCILWOMAN BROWN: All in
7 favor?
8 (Aye.)
9 COUNCILWOMAN BROWN: All
10 opposed?
11 (No response.)
12 COUNCILWOMAN BROWN: Therefore,
13 Bill No. 080024 has been moved and
14 properly seconded. Bill No. 080024 will
15 be reported out of this Committee with a
16 favorable recommendation and further
17 moved that the rules of Council be
18 suspended so as to permit first reading
19 at the next scheduled session of
20 Philadelphia City Council.
21 We thank you all for your
22 participation and your input. The
23 mission continues.
24 Thank you very much.
25 (Committee on Parks, Recreation

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2 and Cultural Affairs adjourned at 11:45
3 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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foregoing matter on February 20, 2008, and

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