

June 7, 2020

Joseph A. Curtatone, Mayor
City of Somerville
City Hall
93 Highland Ave.
Somerville, MA 02143

RE: RESTAURANT WORKING GROUP RECOMMENDATIONS FOR THE OPENING OF SOMERVILLE'S RESTAURANT INDUSTRY

Dear Mayor Curtatone,

Thank you for the opportunity to work with you and your staff to explore options to ensure that the opening of Somerville's restaurant industry can take place in a manner that keeps workers safe and welcomes back our loyal customers so that they feel secure and confident. As an industry that contributes substantially to Somerville's dynamic culture, it is critical that restaurants in Somerville lead the way in building a culture of excellence during COVID-19, while improving our industry's ability to bounce back and be resilient through this crisis. We seek to continue to be partners with the City, in this constantly evolving public health crisis, to ensure a safe and strong opening as well as creating various means of support aimed at building the best environment for a resilient recovery of Somerville's dining and nightlife industry.

Over this past week, we've worked with your staff to review the Commonwealth's reopening guidance for restaurants with an eye toward adjusting and calibrating guidelines and working to clarify others to ensure uniform compliance. We've brainstormed about design solutions to enable restaurants to make better use of private and public areas with potential to host expanded outdoor dining. We've collaborated on strategies to create a unified, simplified permitting process for the reuse of outdoor spaces during the emergency. We've also developed a set of recommendations that we believe can provide a foundation for enabling the restaurant industry to continue to thrive and contribute to Somerville's culture beyond this crisis.

Recommendations to Enhance Safety Guidelines

After analyzing the Commonwealth's guidelines and other industry resources, we ask you to consider making the following recommendations part of Somerville approach to opening restaurants:

- **Require a detailed site-specific COVID 19 Hazard & Safety Plan (HASP) and Dining Layout Plan:** A detailed HASP must be a central requirement for restaurants to open again. The HASP details *how* the Commonwealth's reopening guidelines for

restaurants will be applied. The HASP details the social distancing, hygiene, staffing plans, operations, cleaning and disinfecting protocols restaurants will put in place to ensure that virus spread is minimized and can be managed. The HASP must be completed, printed out and available for inspection to workers, customers and health inspectors while a shop is open. Restaurants must complete and print out a layout plan, detailing all of the physical modifications outlined in the HASP.

A template has been created as a result of the working group's effort that should make it easy for restaurants to develop their own plan.

- **Clarify guidelines as they relate to maintaining a 6 foot distance between persons within restaurants and require that face coverings be worn by all people over the age of 2 years except when individuals are seated for dining services.** The Commonwealth's guidelines are sound, but require clarification to ensure customer and worker safety is maintained as restaurants open again. The following clarifications seek to strengthen practices that will create a safer environment in Somerville's restaurants:

Commonwealth Guideline

Restaurants may provide carry-out or delivery service, but all safety standards for table separation, size of party, and hygiene must be maintained for any indoor or outdoor table seating that is available to carry-out patrons.

Close or reconfigure worker common spaces and high density areas where workers are likely to congregate (e.g., break rooms, eating areas) to allow 6 feet of physical distancing; redesign work stations to ensure physical distancing (e.g., separate tables, stagger workstations on either side of processing lines so workers are not face-to-face, use distance markers to assure spacing including in the kitchen area).

Suggested Somerville Clarification

A 6 foot distance must be maintained from person to person with dining customers as well as take out customers. Face coverings are required for all customers.

6 foot distancing should be maintained for all person-to-person interaction, restaurant employees included. All employees are required to wear face coverings at all times. Markers and work flow arrows are suggested to maintain flow. Whenever possible, 6 foot distance should be maintained.

Restaurants are interested in exploring the legal feasibility of refusing entry to customers who refuse to wear masks and would appreciate the City's support.

- **Require all restaurant employees participate in ServSafe COVID19 or comparable training prior to opening:** While the Commonwealth's guidance requires restaurants

to provide safety training for workers, the Working Group recommends that employees complete a free, online course provided by ServSafe that covers procedures to ensure the safety of guests and staff

It is recommended that the City consider showing the video on the City of Somerville's local cable government channel or City YouTube channel to ensure that the information is accessible to all and working with the industry to distribute training materials in other languages.

- **Distribute the Massachusetts Restaurant Association Reopening Checklist to all restaurants, once approved to reopen.** The Working Group suggests that this resource be shared with all Somerville restaurants as a valuable resource and can be found at <https://files.constantcontact.com/0d5bb3c6be/5a4ef226-3a6b-4602-b7cb-3f4c5f7b18b6.pdf>
- **Require restaurants to keep a customer log for the previous four weeks of reservations to be available for inspection at all times:** To ensure that contact tracing can take place in an expeditious manner, a logbook that keeps the name and telephone number of at least one person in each party will be maintained and available upon request by City or Commonwealth health officials.

Recommendations to Expedite Outdoor Dining Options

The City must create a flexible strategy for the reuse and permitting of private outdoor spaces and the public realm. Recommendations include:

- **Expedite approvals for the existing Somerville outdoor dining license holders.** There are forty-one eating establishments that have already been approved by the License Commission to host outdoor dining on public or private property. So long as permit holders can submit a COVID 19 Safety Plan and Layout, which outlines how they will meet all Commonwealth and local requirements, these businesses can and should be allowed to open right away. We understand that the License Commission will need to vote to allow us to use a new COVID 19 approved layout, but we understand that they are ready to take that vote early this week..
- **Develop an expedited approval process for eating establishments seeking a new, temporary outdoor dining license or expanding the footprint of an existing area.** The Working Group recognizes that in a city as dense as Somerville, there are many competing needs for valuable public and private spaces. These competing needs are magnified as a result of the social distancing guidelines brought on as a response to COVID-19. However, it is imperative that restaurants be allowed to quickly mobilize to make use of outdoor seating locations. We ask that the City commit to

no more than a 24-48 hour review process for all new applications or for existing applications that seek to expand their outdoor dining footprint. This will require, for this calendar year only, the City Council waiving their review of outdoor seating, which we understand the Council will take up at their meeting on Thursday, June 11th.

- **Quickly Explore non-traditional approaches to increase the amount of space available for outdoor dining.** Restaurants are in desperate need to identify more space to allow them to safely host dining customers. One important option is to repurpose street space traditionally used for curbside parking as either circulation space or dining space. Many cities around the world have quickly deployed cones, movable barriers and temporary ramps to create protected dining areas in the street. Others have used this equipment to establish safe and accessible paths of travel for pedestrian circulation in the street, allowing additional sidewalk space to be converted to outdoor dining space. Other solutions will require more investigation, like closing off street segments or public parking lots for reuse for outdoor dining. But, these ideas could potentially create needed space and help to draw customer attention to safe, spacious outdoor dining options, and help put Somerville's restaurants on the map. Creating shared-use spaces will be important to provide a lifeline for those restaurants who don't have outdoor dining space in front of their business. The Working Group is committed to continue to work with your team to identify these opportunities.
- **Share sample layout drawings for outdoor dining to all Somerville restaurants.** The Working Group has helped to inform staff drawings and sketches on how to implement the guidelines in various street and sidewalk scenarios. These sketches can provide valuable guidance for restaurants thinking about setting up outdoor dining for the first time. Guidance documents should be distributed widely to all Somerville restaurants.

Recommendations to Support Restaurants

Somerville's restaurants are in it for the long haul and would welcome the chance to work closely with the City to ensure that the industry can adapt and succeed, now, as we work through the emergency and throughout the recovery phase.

- **Waive all permit and license fees related to outdoor dining during COVID19.** Somerville's restaurant industry is facing the most serious threat to its viability and needs the City's support now. A first and logical step would be your consideration to waive all permit, license and parking meter rental fees related to all temporary outdoor dining expansion during COVID19.

- **Explore additional tax and license fee relief for restaurants to provide long-term support for restaurants:** This may include waiving, delaying the collection of or abating local property taxes, fees, including parking meter rental fees and business parking fees. We recognize that the City is facing financial challenges due to COVID19, but developing relief to ensure long-term strength of both the City and the restaurant industry is mutually beneficial.
- **Support efforts to bring landlords to the table to help identify ways to sustain a viable restaurant industry in Somerville.**
- **Work with the restaurant industry to identify strategies to procure lower-cost PPE:** This might lead to collaborative, group purchasing arrangements or potentially a City-led procurement process, if feasible.
- **Support our efforts to petition the insurance industry** to lower premiums now as a result of COVID19 and not all the insurance industry to wait to adjust premiums until year end audits are completed.
- **Join Somerville's restaurants to advocate to permanently cap third party delivery fees at 15%**
- **Temporarily waive A-frame sign permitting and associated fees during COVID19**
- **A commitment from the City to continue to participate with the Working Committee to address small business/restaurant support beyond the current crisis.** The Working Committee membership should broaden to include City staff, the Chamber of Commerce, lenders, suppliers, liquor distributors, etc. to identify workable strategies to ensure long-term survival.
- **Explore opportunities to increase revenue for restaurants during COVID19:** This could include allowing the use of EBT cards for take-out orders (but, not for alcohol purchases), allowing the sale of cocktails to go, and the sale of alcoholic beverages to people on waitlist/sidewalk.
- **Support efforts to expand a "blanket" approval to expand restaurant hours of operation during COVID19 from 9AM-2AM.** While this may require approval from various boards and commissions, this type of flexibility will be crucial as businesses test capacity reduction and customer patronage patterns during COVID19.
- **Support efforts to allow restaurants to expand the hours of operation for outdoor dining and open windows.** Currently, license holders must close outdoor dining and windows at 10 PM. Even when restaurants are allowed to serve inside, maximizing

the use of outdoor spaces will provide a safer experience for customers and workers.

- **Explore opportunities to find new ways for the City to collaborate with Somerville restaurants and create new business:** This might include programs that use restaurants to provide prepared meals to senior citizens, the local shelters, the schools, or other human service programs.
- **Explore collaborations with large Somerville businesses to utilize local restaurants for catering.**
- **Explore the creation of uniform City signage for reopening rules.** This might be similar to the signage similar to what restaurants receive with liquor licenses.
- **Encourage the collaboration between the restaurant industry, local economic development partners and the City to develop technical assistance programs to support the restaurant industry:** This could include:
 - Assistance to develop an updated, legal handbook for employees regarding rights
 - Establish a network of minority/women small business
 - Seminars and technical assistance on the topics of bankruptcy, debt restructuring, re-negotiating leases, insurance, or legal issues related to asking customers medical questions related to COVID19, screening of customers/employees and other labor law issues
 - Creation of a centralized portal for all business support resources, including information about which businesses are open/closed, the type of services offered. This portal could be designed to allow restaurants to post and communicate with each other.
- **During COVID 19, any use of public spaces for outdoor dining should be prioritized for Somerville licence holders.** These precious public assets should be used to meet City needs or to enhance the ability of local restaurants to expand operations during COVID-19, not out-of-town operators seeking to run beer gardens or other concepts.

The Somerville Restaurant Pledge

Small and independent restaurants and retailers are the soul of Somerville. In order to ensure a safe and successful reopening, we feel a collaborative approach and a stronger than ever partnership are needed among all those involved from owners to employees, city and elected officials, customers, vendors, community organizations and beyond. We will all need to work together with you, Mayor, to ensure that the restaurants of Somerville stay safe, vital and successful.

As an industry and as individual restaurant operators, we have been committed to keeping our customers safe throughout the current crisis. Many of us took the step to close before the Commonwealth issued the state-wide stay at home orders. We are all committed to safety and building the trust of our customers. We are committed to working with you to ensure that Somerville's restaurant industry, a long-time leader in the Greater Boston region, can be *the* leader in COVID19 safety.

The Working Group believes that many Somerville's restaurants are **ready to open on June 8, 2020** and others will be working to open in the coming days and weeks, and we welcome the opportunity to discuss with you this series of collaborative recommendations at your earliest convenience.

Yours in partnership,

Conor Brennan
PJ Ryans Irish Pub

Jess Willis
The Independent, Brass
Union, Foundry on Elm,
Saloon, The Rockwell
Theatre

Dimitra Murphy
Daddy Jones Bar

Maria Rondeau
Celeste

Peter Creyf
Mr. Crepe

Greg Coughlin
Olde Magoun's Saloon

Co-Chairs of the Mayor's Restaurant Working Group