



Legislation Text

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Res. No. 1564

Resolution calling on the Governor to establish and publicize specific metrics for when small businesses can reopen at full customer capacity.

By Council Member Gjonaj

Whereas, On March 20, 2020, Governor Cuomo signed the New York State (NYS) on PAUSE executive order, which mandated the closure of all non-essential businesses statewide to deal with the outbreak of COVID-19; and

Whereas, Essential businesses were allowed to remain open but were required to implement strict social distancing rules; and

Whereas, On April 26, 2020, Governor Cuomo announced a phased approach to reopen industries and businesses in NYS based on specific health metrics; and

Whereas, When a region in NYS reached an adequately low infection rate, had sufficient capacity in its health care system, had enough diagnostics testing to detect new cases and a robust contact-tracing program, the region could advance through the Governor's reopening phases; and

Whereas, On July 20, 2020, New York City (NYC) entered "phase four," the final phase of the Governor's reopening plan; and

Whereas, Even after NYC entered phase four, certain industries remained shuttered entirely, such as concert venues and movie theaters, and other storefront businesses, such as restaurants and bars, hair and nail salons, and retailers, were required to abide by strict customer capacity requirements; and

Whereas, As all regions in NYS have completely advanced through the Governor's phased reopening process, the Governor is now using a new set of metrics to determine if businesses in a region can further

reopen; and

Whereas, These metrics include a region's new cases per capita, hospitalizations, and test positivity rate; and

Whereas, The determination of when a region qualifies under these metrics to further reopen is less clear than the Governor's initial phased reopening process; and

Whereas, For example, on January 27, 2021, the seven-day average COVID-19 positivity rate in NYC was 5.4 percent and restaurants could not offer indoor dining, while the positivity rate in Long Island was 6.8 percent and indoor dining remained open; and

Whereas, The use of specific and consistent metrics to determine further business openings would benefit the business community, as it would provide small business owners time to prepare for changes in COVID-19 related restrictions; and

Whereas, The Governor's determination of when businesses can reopen has major implications for the financial success of struggling small businesses; and

Whereas, Even after NYC advanced through the Governor's reopening phases and businesses reopened at reduced capacity, small businesses continued to struggle; and

Whereas, According to a recent survey of restaurants, bars, nightclubs, and event venues in NYC, over 90 percent could not pay their full rent in December 2020; and

Whereas, Unemployment in retail stores, which are currently limited to 50 percent customer capacity, was over 10 percentage points higher in December 2020 in comparison to December 2019; and

Whereas, Governor Cuomo has not specified when numerous small business sectors will be allowed to increase their current in-store customer capacity; and

Whereas, As NYC approaches one year since Governor Cuomo signed the NYS on PAUSE executive order, the Governor should determine and publicize when small businesses will be able to resume their normal operations; and

Whereas, NYC's struggling small businesses deserve to have a plan created that will detail when they will be able to completely reopen; now, therefore, be it

Resolved, That the Council of the City of New York calls on the on the Governor to establish and publicize specific metrics for when small businesses can reopen at full customer capacity.

LS #16,718
2/19/21
NM