

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, May 29, 2013
1:15 p.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILLS 120338, 120339, 120341, 120651, 130142,
130150, 130163, 130178, 130179, 130180,
130181, 130182, 130183, 130254, 130417,
130443, 130444, 130446, and 130447
RESOLUTION 130190

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COUNCIL PRESIDENT CLARKE: Good afternoon, everyone. We're going to start now. Thank you.

This is a continuation of the public hearing of the Committee of the Whole regarding Bills No. 120338, 120339, 120341, 120651, 130142, 130150, 130163, 130178, 130179, 130180, 130181, 130182, 130183, 130254, 130417, 130443, 130444, 130446, and 130447 and Resolution 130190.

Please note that the following three bills that are on the Calendar today will not be considered by this body. Bill No. 130445 was incorrectly listed for this Committee. Bills No. 130308 and 130141 were previously voted out of this Committee, so they're already teed up.

Ms. Lewis, would you please read the titles of the bills and resolutions.

MS. LEWIS: Bill No. 120651, amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate

1 5/29/13 - WHOLE - BILL 120651, etc.
2 Taxes," by reducing the amount of real
3 estate taxes to be exempted for certain
4 improvements to, or construction of,
5 certain residential, commercial,
6 industrial or other business properties;
7 and by reducing the duration of such
8 exemptions; all under certain terms and
9 conditions.

10 Bill No. 130178, an ordinance
11 to adopt a Capital Program for the six
12 Fiscal Years 2014 through 2019 inclusive.

13 Bill No. 130179, an ordinance
14 to adopt a Fiscal Year 2014 Capital
15 Budget.

16 Bill No. 130182, amending
17 Chapter 19-1800 of The Philadelphia Code,
18 entitled "School Tax Authorization," by
19 amending Section 19-1806, entitled
20 "Authorization of Realty Use and
21 Occupancy Tax," to further authorize the
22 tax and to set the rate for such tax, all
23 under certain terms and conditions.

24 Bill No. 130443, amending
25 Chapter 2-300 of The Philadelphia Code,

1 5/29/13 - WHOLE - BILL 120651, etc.
2 entitled "Property Assessments," by
3 further providing for the manner in which
4 assessments are determined, all under
5 certain terms and conditions.

6 Bill No. 130444, amending
7 Chapter 19-1500 of The Philadelphia Code,
8 entitled "Wage and Net Profits Tax," by
9 revising certain tax rates, under certain
10 terms and conditions.

11 Bill No. 130446, amending Title
12 19 of The Philadelphia Code, entitled
13 "Finance, Taxes and Collections," by
14 providing for a City cigarette tax and by
15 authorizing the School District to
16 provide for a School District cigarette
17 tax, all under certain terms and
18 conditions.

19 Bill No. 130447, amending
20 Chapter 19-1800 of The Philadelphia Code,
21 entitled "School Tax Authorization," by
22 amending Section 19-1805, entitled
23 "Authorization of Liquor Sales Tax," by
24 revising the tax rate, under certain
25 terms and conditions.

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2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Ms. Lewis.

4 For the record, on a couple of
5 notes, this afternoon we will be hearing
6 testimony from the Administration on
7 Bills No. 120341, 130443, 130444, 130446,
8 and 130447. These bills had not had
9 prior conversation in the earlier --
10 either were just introduced or had not
11 had discussion in any earlier hearings.

12 I'd also like to note today we
13 will be taking action on the following
14 bills: 130178, 130179, 130182, 130443,
15 130444, and 130446. Bill No. 130651 will
16 be called up for an amendment. All the
17 remaining bills advertised today will
18 receive further consideration when the
19 Committee reconvenes on Wednesday, June
20 5th, 2:00 p.m. in Room 400. Thank you.

21 At this time, I'd like to ask
22 the Administration to please come up.

23 (Witnesses approached witness
24 table.)

25 COUNCIL PRESIDENT CLARKE:

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2 Thank you. Before we proceed with your
3 testimony, the Chair recognizes
4 Councilman Goode.

5 COUNCILMAN GOODE: Thank you,
6 Mr. President.

7 I wanted to explain the action
8 that I will be taking on Bill No. 120651
9 because I understand we may have some
10 witnesses here to testify, also because I
11 will take the opportunity to maybe
12 question the Administration about the
13 possible amendment. I also wanted to
14 thank you for the conversations we've had
15 on this particular bill and the technical
16 staff for the work they've done on it.

17 I have circulated previous
18 potential amendments over the last week,
19 but I have another amendment, which I
20 circulated to all members of Council, and
21 this is a near final amendment, although
22 we actually will continue discussions
23 with a number of different stakeholders.

24 Where we're at in this process
25 is, we believe that the most effective

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2 way to deal with the issue at hand is to
3 look at capping the tax abatement program
4 as we move forward and to provide a cap
5 that still provides an incentive for
6 affordable housing, but also a cap that
7 is above what is twice the median sales
8 price at this point. In the first
9 quarter of 2013, the median sales price
10 in Philadelphia was \$112,500. We're
11 proposing to keep the tax abatement at
12 this point still at ten years, but to cap
13 it at \$250,000. From analysis done of
14 abatements that currently exist, about 39
15 percent of abatements fall under the
16 \$250,000 threshold. Over 60 percent fall
17 above that threshold. And so had we
18 actually capped the original program at
19 \$250,000, we would be bringing in at this
20 point an additional \$31 million in
21 revenue.

22 We believe that this is an
23 appropriate cap, that it does not disrupt
24 the program that some people fear, but we
25 will continue to discuss what should be

1 5/29/13 - WHOLE - BILL 120651, etc.
2 the appropriate cap as we move forward,
3 but not looking at reducing the duration
4 of the term at this point.

5 What I'm asking my colleagues
6 to do regardless of their position on
7 this bill eventually and on this
8 particular amendment, because this
9 amendment may change as we move forward
10 over the next week, is to allow me to put
11 this in the form that I believe it should
12 be in now, to amend the bill so that we
13 can look at this new proposal as we move
14 forward toward next week.

15 Thank you, Mr. President.

16 COUNCIL PRESIDENT CLARKE:

17 Thank you, Councilman.

18 Good afternoon.

19 MR. DUBOW: Good afternoon.

20 Would you like us to read all the
21 testimony and then take questions or do
22 you want to do -- how do you want to do
23 this?

24 COUNCIL PRESIDENT CLARKE: Is
25 it all three? Is it just you or you and

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2 Mr. McKeithen?

3 MR. DUBOW: Mr. McKeithen has
4 testimony on Bill 130443 and then I have
5 130446, 47, and 44.

6 COUNCIL PRESIDENT CLARKE: Just
7 read it all, then we'll ask questions.

8 MR. DUBOW: Why don't we do it
9 in order. You want to start with yours.

10 MR. McKEITHEN: Good afternoon,
11 Chairman Clarke and members of the
12 Committee of the Whole. My name is
13 Richie McKeithen and I'm the Chief
14 Assessment Officer for the Office of
15 Property Assessment, OPA. I am here to
16 testify on Bill 130443. While the
17 Administration supports the intent of the
18 bill, we believe it should be amended.

19 Bill No. 130443 amends Chapter
20 2-300 of The Philadelphia Code, entitled
21 "Property Assessment." Section
22 2-305(2)(i), as amended, states, Set
23 forth a methodology for the valuation of
24 properties for taxation purposes. The
25 methodology shall be fully explained in

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2 an Appraiser's Reference Manual and shall
3 be based upon the most recent standards
4 approved by the International Association
5 of Assessing Officers, IAAO, for mass
6 appraisals of real property. The Manual
7 shall explain the methodology employed
8 for the valuation of properties
9 containing substantially similar content
10 and analysis as contained in the document
11 issued by the Government of the District
12 of Columbia, entitled "Appraisers
13 Reference Materials." OPA can create a
14 document that explains the methodology
15 employed for the valuation of properties
16 throughout the City of Philadelphia.
17 However, it would be extremely difficult
18 to produce a document that is as detailed
19 as the Appraiser's Reference Manual
20 produced by the District of Columbia.
21 This document contains a great deal of
22 information that is supplied and written
23 by Vision, the vendor that manufactures
24 the CAMA system that the District of
25 Columbia uses.

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2 Section 2-305(2)(s), as
3 amended, states, At least once every
4 three years, beginning with the year
5 2014, undergo an audit by an independent
6 firm in which the firm will complete a
7 statistical analysis of the performance
8 of the appraisers and the accuracy of the
9 property assessment in order to ensure a
10 uniform and accurate system of property
11 taxation. The Council shall, by separate
12 ordinance, name the firm to be engaged
13 for this purpose, which shall be selected
14 pursuant to the procedure set forth in
15 Chapter 17-1400 for the awarding of
16 non-competitively bid contracts. The
17 final audit, including responses by the
18 Office of Property Assessment, if any,
19 shall be submitted to the Mayor,
20 President, and Chief Clerk of Council.

21 It should be noted that the
22 State Tax Equalization Board, also known
23 as STEB, already performs an annual audit
24 of the OPA assessments using statistical
25 analysis to ensure accuracy and

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2 uniformity. An audit commissioned by the
3 City Council could be viewed as being
4 redundant. Nevertheless, OPA doesn't
5 have any opposition to an outside audit
6 as long as the firm selected has recent
7 experience in auditing a jurisdiction
8 similar to Philadelphia, has mass
9 appraisal industry credentials, and
10 preferably the individual is recommended
11 by an organization such as the IAAO.

12 Section 2-305(2)(t), as
13 amended, states, Maintain for at least
14 seven years all records, materials, and
15 supporting data used to certify property
16 values, including documents used to set
17 values for individual accounts. Copies
18 of these records shall be made available
19 to the public immediately upon completion
20 of each reassessment.

21 OPA would contend that the
22 period of maintaining records, materials,
23 and supporting data be five years as
24 opposed to seven years. This would be
25 more consistent with the amount of time

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2 required to keep documents for court
3 challenges. Additionally, OPA would be
4 in position to start making this
5 information available to the public 15
6 days after assessment notices have been
7 mailed.

8 Thank you for giving me the
9 opportunity to testify today. I am ready
10 to answer any questions that you may have
11 regarding this bill.

12 COUNCIL PRESIDENT CLARKE:

13 Thank you, sir.

14 Mr. Dubow.

15 MR. DUBOW: Good afternoon,
16 Council President Clarke, members of the
17 Committee. My name is Rob Dubow, Finance
18 Director. I'm here to testify on Bill
19 No. 130444, which sets rates for resident
20 and non-resident wage tax and for the
21 non-profits tax.

22 The bill would set wage and net
23 profits tax rates for FY14 and FY15, and
24 the rates in the bill are consistent with
25 the rates proposed by the Administration

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2 in the FY14 to FY18 Five Year Plan. The
3 Administration, however, proposed
4 legislation that would continue those
5 reductions through FY18, and we continue
6 to support that legislation.

7 The latest comparison study by
8 the District of Columbia shows that
9 Philadelphia continues to have a
10 relatively high tax burden. Depending on
11 the level of income, a family of four in
12 Philadelphia has either the second or
13 third highest estimated tax burden of the
14 largest city in each state. Studies have
15 shown that our relatively high tax burden
16 has cost us tens of thousands of jobs and
17 that lowering the wage tax rate helps
18 improve the City's competitive position
19 when trying to attract jobs.

20 Recognizing the importance of
21 reducing the wage tax rate, mayors and
22 city councils reduced the wage tax rate
23 each year beginning in FY96, but the
24 severe recession of 2008, 2009 forced a
25 temporary suspension of the wage tax

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2 reductions. The FY14 to FY18 Plan,
3 however, and this bill both propose to
4 resume those reductions in FY14.

5 Resuming those reductions sends
6 an important message to companies that
7 want to bring jobs to Philadelphia. It
8 shows the City's committed to improving
9 its competitive position. Employers have
10 also told us that predictability in tax
11 rates is crucial for them. As a result,
12 the Administration proposed legislating
13 five years of tax cuts. That would give
14 employers increased assurance that rates
15 will be decreasing.

16 In the Five Year Plan, the
17 rates of reductions increase in FY16,
18 '17, and '18, and we think that makes it
19 even more important to demonstrate to
20 employers that those cuts will happen.

21 That concludes my testimony,
22 and I'll move on to testimony on Bills
23 130446 and 130447.

24 COUNCIL PRESIDENT CLARKE: Yes.

25 MR. DUBOW: Okay. Those two

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2 bills would generate crucially needed
3 revenues for the School District. As
4 you're aware, despite years of
5 substantial cuts totalling hundreds of
6 millions of dollars, the District faces a
7 deficit of over \$300 million in FY14.
8 The deficit is the result of substantial
9 reductions in state and federal funding
10 and increases in personnel costs,
11 particularly for pensions and healthcare.
12 The District has put together a five-year
13 plan that would bring its finances back
14 into balance. There are three primary
15 balancing actions in that Plan -
16 increases in funding from the City,
17 increases in funding from the
18 Commonwealth, and reductions in labor
19 costs.

20 If the District's unable to
21 achieve those budget balancing actions,
22 the results will be devastating - schools
23 would have no instrumental music, no
24 extracurricular activities, no guidance
25 counselors, no sports, and very little

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2 except a principal and teachers. The
3 Mayor has pledged not to let that happen
4 and will work with Council to achieve
5 that goal.

6 The two bills are an important
7 part of the plan to bring the District's
8 finances back into balance. Bill No.
9 130446 would impose a \$2 a pack tax on
10 cigarettes, and Bill No. 130447 would
11 increase the rate of liquor by the drink
12 from 10 percent to 15 percent. We
13 estimate the tobacco tax would generate
14 45 million in half a year in FY14 and
15 that the liquor tax would generate about
16 \$22 million annually. When combined with
17 the \$28 million we estimate will be
18 generated by improving tax collections,
19 the two taxes would more than fulfill the
20 City's portion of the School District's
21 request. The District has also asked for
22 \$120 million from the Commonwealth.

23 Each of the bills requires
24 enabling legislation from the
25 Commonwealth, and that enabling

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2 legislation is being introduced soon in
3 Harrisburg. Passage of these two bills
4 would send a strong message to state
5 legislators that Philadelphia is united
6 behind these proposals and would help in
7 the effort to get state legislation
8 enacted.

9 The Administration and the
10 District are grateful for the support
11 Council has given the District. Members'
12 votes to increase taxes helped the
13 District avoid even worse cuts than the
14 ones it has been forced to make.
15 Unfortunately, in no recent year has the
16 District received the combined amount of
17 state and local funding it sought. As a
18 result, it has not been able to attain
19 structural balance and has been forced to
20 return to its funders each year. The
21 District has no ability to raise its own
22 funds. If it does not receive additional
23 support from the City and Commonwealth,
24 its only option is to impose cuts.

25 If the District does receive

1 5/29/13 - WHOLE - BILL 120651, etc.
2 the funding included in these bills and
3 additional funding from the Commonwealth
4 and reductions in its labor costs, it
5 will be able to avoid further cuts and
6 will have balanced its Five Year Plan.

7 That concludes my testimony,
8 and we're available to answer any
9 questions Councilmembers may have.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you.

12 A couple of quick questions.
13 Mr. McKeithen, first, I want to thank you
14 for your willingness to entertain the
15 proposed bill, OPA standards. I
16 understand that you would like to see
17 some amendments or an amendment to the
18 bill with respect to some of the
19 specificity of the requirements. We're
20 clearly -- I believe we're prepared to
21 entertain those, but I must tell you, I'd
22 like to be in a position to move that
23 bill out of Committee today, and over the
24 course of the next week, we can talk
25 about whatever amendment and the type of

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2 amendments that would appropriately be
3 adopted.

4 But I do want to say one thing.
5 With respect to your testimony, when you
6 reference the potential of redundancy and
7 you talked about STEB, State Tax
8 Equalization Board, the reality is when
9 there's a particular issue,
10 controversial, such as this is, it
11 appears that the buck always stops here.
12 It doesn't stop on the second floor. It
13 doesn't stop up in Harrisburg. And who
14 in the world knows where the STEB Board
15 is. I clearly don't know where they
16 convene. It stops here.

17 So our ability as the City
18 Council of Philadelphia to do an audit I
19 think is very important, because at the
20 end of the day, these Councilmembers have
21 to be in a position to go out into these
22 community meetings and talk about the
23 fairness as it relates to the
24 implementation. So one of the things
25 that we struggle with as it relates to

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2 this particular proposal is being in a
3 place where we can honestly talk to the
4 citizens and say that the assessments
5 were done fairly and accurately. Some of
6 us have had challenges in doing that and
7 feeling that I'm honestly -- or we're
8 honestly talking to our people in a way
9 that you can feel comfortable about.

10 So we want to position
11 ourselves as we move ahead the best case
12 as we move ahead, because AVI will be
13 here for the foreseeable future. We want
14 to make sure that this thing is done
15 correctly, and the members that sit in
16 this room need to feel comfortable that
17 when they're talking to their
18 constituents, they're doing it in a way
19 based on information that we have
20 solicited.

21 MR. McKEITHEN: I understand
22 fully.

23 COUNCIL PRESIDENT CLARKE: And,
24 Mr. Dubow, I think your reference to the
25 wage tax bill was a non-opposition but

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2 preference for a five-year tax bill?

3 MR. DUBOW: That's correct.

4 COUNCIL PRESIDENT CLARKE: And
5 I wasn't going to get into it, but since
6 you brought it up in that respect. Some
7 of the concerns that a number of us had,
8 although I was the sponsor of the bill, I
9 do talk to my colleagues before doing
10 anything, there were some considerable
11 issues with respect to a wage tax bill.
12 And, yes, we want to send the appropriate
13 message to any potential business or
14 individuals who live or are interested in
15 residing, which is why we adopted the
16 first portion of the Mayor's proposed
17 wage bill, but we also want to make sure
18 that we do this in a way that's a part of
19 a comprehensive strategy.

20 Right now in the City of
21 Philadelphia, we have some significant
22 uncertainties. One of them is the
23 aforementioned AVI. In various tax
24 proposals, tax reform boards, there was
25 always this question about shifting from

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2 business taxes, which most people include
3 wage to be a business tax in some
4 respects, and putting the burden on
5 property owners as it relates to our
6 ability to raise revenue.

7 Not having a clear sense and
8 the uncertainty of AVI and how it will
9 play out over the next years, there are
10 some concerns about the second part of
11 that particular wage tax proposal --
12 well, bill. Then we still have the
13 uncertainty of our municipal contracts
14 hanging out there for a significant
15 portion of our workforce. We have no
16 idea how that's going to play out over
17 the next couple of years. And then this
18 issue -- and this particular bill caused
19 us to do a little research on the whole
20 notion about who pays property taxes --
21 I'm sorry; wage taxes in the City of
22 Philadelphia, and lo and behold, in the
23 most recent report we got from the Pew
24 Foundation, we found out that 47 percent
25 of the people who pay wage taxes in the

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2 City don't live in the City of
3 Philadelphia. And I don't hold that
4 against them. I mean, my preference
5 would be a hundred percent of the people
6 work here live here, but that's just not
7 the reality. But the reality is of that
8 47 percent, a significant amount of those
9 people live in counties in the State of
10 Pennsylvania where as a result of casino
11 revenues, those people actually also get
12 property tax reduction, whereas we in the
13 City of Philadelphia don't get property
14 tax reduction. So if I live in a county
15 outside the City, in Montgomery County,
16 and I own a property, I get property tax
17 reduction as a result of casino revenue
18 and guess what, I work here, so I also
19 get wage tax reduction.

20 So there seems to be a little
21 bit of unfairness where the residents who
22 live here may be carrying the freight for
23 people who don't live here as it relates
24 to some of the other nuances associated
25 about how we do our wage tax.

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2 And then the one thing that I'm
3 hoping that we actually have to
4 entertain, the City's aggressive wage
5 tax -- I'm sorry; the City's aggressive
6 tax collection policy, and I want to
7 commend you because I understand that you
8 guys have pretty much virtually shut the
9 doors on -- threatening to shut the doors
10 on a couple of high-profile delinquent
11 property owners in and around Center City
12 and actually got checks right there. So
13 it's clear that they had the ability.

14 So as we move forward in our
15 very aggressive collections policy and
16 the continued growth, we may actually be
17 in a position a couple years out to
18 actually reduce wage tax in a more
19 aggressive pace. So there is just all
20 these uncertainties associated with where
21 we are today from our perspective -- and
22 ultimately there will be a vote -- that
23 maybe we need to have a more
24 comprehensive conversation around all of
25 the taxes in the City of Philadelphia.

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2 Just a whole lot of things up in the air
3 at this point. So I would like to see
4 some level of support for the less
5 aggressive wage tax bill until we get a
6 little more certainty.

7 MR. DUBOW: I mean, I
8 understand your position, and our
9 position is kind of what's laid out in
10 the testimony.

11 COUNCIL PRESIDENT CLARKE: I
12 understand. All right. Thank you.

13 So with that, I will recognize
14 Councilman Green.

15 COUNCILMAN GREEN: Thank you,
16 Mr. President.

17 Good afternoon. Good
18 afternoon, Mr. McKeithen.

19 MR. McKEITHEN: Good afternoon.

20 COUNCILMAN GREEN: I have a
21 question for you, which is, the bill that
22 created -- does the bill that created the
23 OPA require that there be a computer
24 automated mass appraisal system in the
25 City, the law creating your office?

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2 MR. McKEITHEN: Right. It
3 requires a CAMA system.

4 COUNCILMAN GREEN: Do we have a
5 CAMA system?

6 MR. McKEITHEN: Yes, we have a
7 CAMA system. It's not an off-the-shelf
8 system, but, yes, it's a CAMA system.

9 COUNCILMAN GREEN: We have a
10 computer automated mass appraisal system?

11 MR. McKEITHEN: Yes, we do.

12 COUNCILMAN GREEN: Is this the
13 same system the BRT was using?

14 MR. McKEITHEN: This is a
15 system that's been enhanced since the
16 BRT, but, yes, effectively it's the
17 system that the BRT had, but it's been
18 enhanced since then.

19 COUNCILMAN GREEN: With all
20 respect, the BRT testified before us that
21 their system was not a CAMA system, that
22 they put -- I frankly just want to put
23 you on notice, I don't think you're
24 complying with the law. The computer
25 automated mass appraisal system is

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2 required, and what you have requires a
3 lot of manual processes that then have
4 you applying formulas to, which we look
5 forward to getting at some point, as
6 opposed to what you have, and I think
7 that we need to be out there. If we're
8 going to take advantage of the
9 opportunity we have with creating a
10 baseline that we hope will be fairly
11 close to fair value, we have to invest in
12 technology in order to maintain that or
13 we will be back in the same place we are
14 today ten years from now, because we
15 won't have annually reassessed every
16 property, which is also required by the
17 bill that created your office; is it not?

18 MR. McKEITHEN: Let me say
19 this: The system that we have will
20 produce a parcel-specific value for
21 properties, and that's a key component of
22 having a CAMA system. A computer
23 assisted mass appraisal system is one
24 that's based on the characteristics of
25 any particular property.

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2 And so, yes, we have a CAMA
3 system. We might not have an
4 off-the-shelf system that is as expensive
5 as some others, some other localities may
6 have, but we do have a system that will
7 produce a parcel-specific value, and
8 that's the core of any CAMA system.

9 COUNCILMAN GREEN: I understand
10 it's the core or a key component of a
11 CAMA system, but in fact, based on that
12 response, it's clear it's not a CAMA
13 system despite your protestations to the
14 contrary. Also, is it capable of
15 annually reassessing every single
16 property in the City every single year as
17 required automatically as opposed to with
18 input from individuals as required by the
19 bill that created the OPA?

20 MR. McKEITHEN: No system
21 automatically values property. You have
22 to add data into the system. And so we
23 add data into our system and it produces
24 values.

25 COUNCILMAN GREEN: Are you

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2 going to as part of your process

3 eliminate the paper associated with the

4 appraisal process?

5 MR. McKEITHEN: That is a goal

6 of ours, yes.

7 COUNCILMAN GREEN: When will

8 that be achieved?

9 MR. McKEITHEN: We will

10 systemically start to reduce our paper as

11 we enhance our system. I would

12 anticipate next year we may not have as

13 much paper.

14 I dare to challenge anyone to

15 have -- to find a jurisdiction that

16 doesn't have any paper at all, but --

17 COUNCILMAN GREEN: I will be

18 happy to provide you with several

19 examples of jurisdictions that use

20 tablets, have all their information

21 automatically go into their systems

22 without requiring paper reports.

23 MR. McKEITHEN: When you start

24 to talk about using tablets, then you're

25 talking about technology enhancements.

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2 COUNCILMAN GREEN: Yes. Yes.

3 MR. McKEITHEN: We look to use
4 things like this as we progress. I can't
5 give you a date right now, but I do
6 anticipate that we will eventually have
7 tablets and things like that.

8 COUNCILMAN GREEN: Thank you.
9 I just am reminded of the testimony last
10 year where we were having hundreds of
11 thousands of pages of reassessments
12 having to be manually input and think
13 that we need to do better if we're going
14 to maintain a fair and accurate tax
15 system going forward.

16 MR. McKEITHEN: Well, just let
17 me say for the record, Councilman, just
18 because a jurisdiction has tablets does
19 not mean that they aren't still using
20 paper. Reports and everything still come
21 out that way manually and are paper
22 generated, so...

23 COUNCILMAN GREEN: Yeah, but
24 you don't have one person recording it
25 and another person doing data entry. It

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2 all happens at one time. The reports you
3 can put on paper if you want, but it's a
4 far more efficient process, plus you
5 don't pay for the records to be stored
6 for five years if they're not on paper,
7 they're in the computer system.

8 Thank you for your testimony.

9 Thank you, Mr. President.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilman.

12 The Chair recognizes
13 Councilwoman Brown.

14 COUNCILWOMAN BROWN: Yes.

15 Thank you, Mr. Chairman.

16 Good afternoon, all.

17 (Good afternoon.)

18 COUNCILWOMAN BROWN: I'm
19 pleased to see that there's a strong
20 potential that the bill around standards
21 will move forward, and given that you're
22 the expert having come from Washington,
23 DC to execute this measure, were there
24 standard operating procedures or
25 standards as such in some of your other

1 5/29/13 - WHOLE - BILL 120651, etc.

2 experiences?

3 MR. McKEITHEN: Certainly. We
4 had standards in -- standard operating
5 procedures in Washington, DC, but you
6 have to realize what Washington, DC had
7 and how long they've been doing
8 assessments versus how long we just
9 started is night and day. So I know for
10 a fact they've been doing them prior to
11 1977, and so we are just getting started.
12 It's a rough comparison at best.

13 COUNCILWOMAN BROWN: Okay.

14 MR. McKEITHEN: But it's my
15 intention to get us to every applicable
16 standard and beyond.

17 COUNCILWOMAN BROWN: Yes.
18 You've been very forthcoming about that.
19 And so can one presume then that
20 Washington, DC tweaked over those X
21 number of years its standards?

22 MR. McKEITHEN: Oh, certainly.
23 Washington, DC went through several
24 gyrations of -- from moratorium to
25 reassessing to getting more advanced

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2 technologically in every way possible.

3 So, yes, there was a lot of
4 tweaking, a lot of lessons learned and
5 things like that, and there still are.
6 You know, if you talk to them, no
7 assessor is really a hundred percent
8 satisfied, because we're always wanting
9 to get better, but you have to be
10 realistic and understand that you're not
11 going to immediately run to the top of
12 the mark right away. It takes time.

13 COUNCILWOMAN BROWN: And you
14 raised the technological issue, which I
15 know Councilman Bill Green would be
16 interested in. Where does Philly --
17 where do you think Philly stacks with the
18 technological aspect of this compared to
19 Washington, DC?

20 MR. McKEITHEN: Once again,
21 that's a comparison that we still have a
22 lot of work to do. Once again, they've
23 been doing this prior to 1977. We have
24 made a lot of improvements, a lot of
25 advances. We continue to make those, but

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2 it's not just the assessment office.
3 Washington, DC has a -- it's an
4 enterprise type of approach. It can't
5 just be the assessment office. It can't
6 just be license and inspection. They
7 have an integrated system. They have a
8 lot of different things that we're
9 striving to get to.

10 COUNCILWOMAN BROWN: Okay.
11 Very helpful. Thank you.

12 Thank you, Mr. Chairman.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilwoman.

15 The Chair recognizes Councilman
16 Squilla.

17 COUNCILMAN SQUILLA: Thank you,
18 Mr. President.

19 Good afternoon, gentlemen.

20 (Good afternoon.)

21 COUNCILMAN SQUILLA: What was
22 the, I guess, total final number? I know
23 we talked about first-level reviews.
24 What was the final number that we
25 received?

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2 MR. McKEITHEN: We had
3 approximately 49,000. We accepted
4 several thousand that went beyond the
5 date, but we had approximately 49,000.

6 COUNCILMAN SQUILLA: So of
7 those 49,000, do we expect them all to be
8 answered by August?

9 MR. McKEITHEN: No. We're
10 going to -- we're taking the approach of
11 addressing our most -- the areas that we
12 had the largest amounts from first, and
13 we look to get as many of those done by
14 September 1st, was our date.

15 COUNCILMAN SQUILLA: Is there a
16 chance that some of them may not be done
17 before October, before the BRT?

18 MR. McKEITHEN: Yeah. There's
19 a chance that some of the 49,000 may not
20 be completed by October 1st, but we are
21 taking the approach of working with the
22 BRT to ensure that the areas that had the
23 largest amounts of FLRs get addressed
24 first.

25 COUNCILMAN SQUILLA: And I know

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2 you mentioned at the previous hearing a
3 lot of them, the ones you got, there was
4 some confusion over the assessment.
5 People didn't know. They didn't fill out
6 a whole bunch of information.

7 MR. McKEITHEN: Right.

8 COUNCILMAN SQUILLA: Are they
9 going to be answered sooner than the ones
10 that gave more data or are you just doing
11 by location right now?

12 MR. McKEITHEN: Well, in the
13 areas -- it's a twofold approach. In the
14 areas where we may have received a lot,
15 we are just going to approach that area
16 en mass. Naturally one of our first
17 steps is to look at as we shift through
18 the first-level reviews, see what's
19 credible and what's not credible, if
20 there's -- we're taking every approach
21 possible to make sure we answer the
22 first-level review regardless of how well
23 they might not have been filled out this
24 first year.

25 COUNCILMAN SQUILLA: And while

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2 you are doing that, are you also looking
3 at some properties that are brought to
4 your attention that may be under-assessed
5 or are you going to wait until the next
6 review in order to do that?

7 MR. McKEITHEN: Well, if
8 there's what we call a manifest area
9 where there was something that was an
10 egregious mistake, then we are taking
11 steps to address that right away, but if
12 there's something that's just an
13 opinionated value situation, then we'll
14 have to address that next year's
15 reassessment as far as under-assessed.

16 COUNCILMAN SQUILLA: Yeah,
17 under-assessed. Because I remember it
18 was during one of the previous hearings
19 we had asked them -- right now you're
20 really looking at a lot of the
21 overassessed properties because they're
22 the ones that people are complaining
23 about.

24 MR. McKEITHEN: Right. We're
25 looking at those first. I mean, we find

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2 things along the way, but once again, it
3 has to be a huge egregious error that
4 we'll --

5 COUNCILMAN SQUILLA: So all the
6 assessments that everybody received at
7 this time, if they received something in
8 the mail and if you're not appealing it,
9 most likely that's the assessment you're
10 going to be paying your taxes on?

11 MR. McKEITHEN: Yes.

12 COUNCILMAN SQUILLA: All right.

13 MR. McKEITHEN: If you're not
14 appealing it with us or the BRT.

15 COUNCILMAN SQUILLA: Right. So
16 out of this close to 50,000, 49,000, if
17 you don't hear by a certain time, I guess
18 most people are going to apply or appeal
19 to the BRT.

20 MR. McKEITHEN: Right.

21 COUNCILMAN SQUILLA: Then there
22 always comes the chance where if it comes
23 from OPA, the first-level review, and
24 they do reduce it, they could drop their
25 BRT appeal.

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2 MR. McKEITHEN: Right.

3 Typically what happens is if you file
4 with the Office of Property Assessment
5 and you get a value that's amenable to
6 you and you want to withdraw, is the
7 term, from BRT, then you can do that.

8 COUNCILMAN SQUILLA: At this
9 point, has there been any return to any
10 residents who filed the first-level
11 review a decision made by OPA?

12 MR. McKEITHEN: No, not yet.

13 COUNCILMAN SQUILLA: When will
14 the first initial you think go out?

15 MR. McKEITHEN: We'll start
16 mailing out decision letters -- I want to
17 pick a couple dates where we're mailing
18 out a lot at one time. So July will be
19 our first round of decision letters, and
20 as we cut through, once again, we're
21 looking at the areas that had the largest
22 amount of appeals. And so we are looking
23 to send a lot of those out at the same
24 time. So July will be one of our first
25 dates that we send out.

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2 COUNCILMAN SQUILLA: When you
3 send them out, do you have reason codes,
4 do you have certain criterias that you're
5 going to say it didn't fail because our
6 assessment shows that this is correct or
7 is it possible to actually lower it a
8 little bit or --

9 MR. McKEITHEN: Well, we have a
10 basic, like any jurisdiction, we have a
11 basic form letter that's a decision
12 letter and it says what occurred, whether
13 it was increased, decreased or whether it
14 remained unchanged. And so we'll send
15 them that decision letter and we will
16 offer them an opportunity to contact us
17 if they want to discuss it further.

18 COUNCILMAN SQUILLA: Oh.

19 MR. McKEITHEN: That's
20 basically what happens. It has our
21 information on it and it also tells them
22 what their rights are as far as policy.

23 COUNCILMAN SQUILLA: As far as
24 filing to the next level, file to the
25 BRT.

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2 And I do appreciate -- I
3 understand you are reaching out to some,
4 I guess, residents and other individuals
5 to do some type of training to understand
6 the methodology?

7 MR. McKEITHEN: Sure. Tomorrow
8 at 8:30 we are meeting with several
9 individuals who had completed studies of
10 our work. And so we're meeting with them
11 to discuss the differences in their
12 report versus what we came up with as far
13 as statistics.

14 COUNCILMAN SQUILLA: And during
15 that meeting, you're going to discuss
16 your analysis?

17 MR. McKEITHEN: We're going to
18 walk through our analysis fully. We're
19 going to show them information what our
20 industry demands that we do and sort of
21 point out things that they might not have
22 done in their analysis and sort of
23 educate and share information and
24 experiences and see how far they want to
25 go in addition to that.

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2 COUNCILMAN SQUILLA: Well, I do
3 commend you on that, because I know
4 there's been some back and forth trying
5 to get information from OPA, and it
6 seemed like we were not getting anywhere
7 at some points. Because when there is
8 information out there and it seems like
9 we're not getting all of it, it just
10 brings doubt to the whole process.

11 MR. McKEITHEN: Well, we
12 welcome individuals to learn our process.
13 That's why I thought it would be more
14 prudent to have this sort of a training
15 session with individuals who have
16 produced reports, because we wanted to
17 make it clear that the reports that they
18 had produced, while it was a great
19 attempt, they may not have produced the
20 results that were reflective of OPA's
21 real statistics. And so when you're
22 doing things like that, you need to bring
23 people in, sit them down, and educate
24 them and show them exactly what you do,
25 how you do it, and why you have to do it

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2 that way as the industry demands that you
3 do.

4 And so I think this kind of
5 dialogue will go a long way in the future
6 to helping people understand exactly what
7 we do and how we do it.

8 COUNCILMAN SQUILLA: I would
9 agree. I think it's a great start. I
10 know it's only a short time before this
11 gets voted on, this process, and I know
12 you have still a big job ahead of you.

13 MR. McKEITHEN: Oh, yes, sir.

14 COUNCILMAN SQUILLA: So we do
15 want to make it as fair and accurate as
16 possible and we want to make sure that
17 the folks that are being assessed have
18 the ability to appeal and also, if not,
19 at least know how the methodology was
20 developed and how the assessments were
21 made. So I'm looking forward to that
22 also and working with OPA to come up with
23 information that will be able to be
24 disseminated to our constituents, because
25 they're asking us a lot of questions

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2 also.

3 MR. McKEITHEN: Sure.

4 COUNCILMAN GREEN: Point of
5 information.

6 MR. McKEITHEN: Sure. I hope
7 to keep these relationships with
8 individuals that come in tomorrow.

9 COUNCIL PRESIDENT CLARKE:
10 Councilman Green.

11 COUNCILMAN GREEN: Thank you.
12 Thank you, Mr. President.

13 Is that 8:30 meeting tomorrow
14 open to the public or the press so that
15 all of Philadelphia can understand how
16 your methods worked to hear about the
17 alternative report?

18 MR. McKEITHEN: The meeting
19 tomorrow is with several individuals who
20 requested a training meeting and a
21 training session. The information that
22 we put out and that we are discussing
23 with Council President will go a long way
24 in describing what we do to the public
25 and to the press. I just wanted to make

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2 sure we had an initial meeting and
3 further training with these individuals,
4 because they had actually produced
5 reports and had information that they
6 wanted to receive from us and things like
7 that.

8 COUNCIL PRESIDENT CLARKE:
9 Thank you, Councilman.

10 Councilman Squilla, were you
11 finished?

12 COUNCILMAN SQUILLA: I'll come
13 back.

14 COUNCIL PRESIDENT CLARKE:
15 Councilman Henon.

16 COUNCILMAN HENON: Thank you,
17 Council President.

18 I appreciate you coming in here
19 for the testimony, and I just wanted to
20 echo -- I'm glad Councilman Green
21 actually brought that. My question was
22 going to be is that open to the public,
23 for one, and who -- you answered the
24 question as well, who was invited for
25 these training sessions. There's a

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2 reason the Council President and other
3 Councilmembers, including myself,
4 introduced a piece of legislation, so we
5 can get to the bottom of -- well, so we
6 can get answers on what the methodology
7 is, which I think your training session
8 tomorrow will have before we have on the
9 methodology. So I hope you would share
10 it, if you could provide that to the
11 Chair, some summaries of the training
12 session, I'd appreciate that.

13 MR. McKEITHEN: Sure.

14 COUNCILMAN HENON: These
15 invitees or people who have requested
16 meetings that do reports, is the
17 Controller's Office somehow involved in
18 that? I know that's one report.

19 MR. McKEITHEN: They're coming
20 tomorrow.

21 COUNCILMAN HENON: They're
22 coming tomorrow? Is anybody from this
23 body, the Council President, been invited
24 to --

25 MR. McKEITHEN: Councilman

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2 Squilla will be there tomorrow morning at
3 8:30.

4 COUNCILMAN HENON: Okay. There
5 are 16 other Councilmembers in this
6 legislative body who have been
7 consistently asking for information on
8 methodologies for these assessments, and
9 I think that is -- that's why we have
10 this legislation, for accountability, for
11 transparency, for a process. I mean,
12 we're going through a process. I don't
13 have to tell you. I mean, we're making
14 decisions.

15 COUNCIL PRESIDENT CLARKE:
16 Councilman Squilla.

17 COUNCILMAN SQUILLA: Thank you,
18 Mr. President. I think the meeting is
19 not tomorrow. I believe it's Thursday.

20 MR. McKEITHEN: That's
21 tomorrow.

22 COUNCILMAN SQUILLA: Oh, is
23 tomorrow Thursday? We missed a day.

24 COUNCIL PRESIDENT CLARKE:
25 Councilman, you'd better hope that they

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2 didn't give you two separate days for a
3 reason.

4 COUNCILMAN SQUILLA: They all
5 run into each other.

6 I'm sorry, Councilman. Please
7 continue.

8 COUNCILMAN HENON: Well, I
9 would like to have somebody in attendance
10 to the training session or the social
11 club meeting that we have.

12 MR. McKEITHEN: What I'm
13 recommending --

14 COUNCIL PRESIDENT CLARKE: Let
15 me do this --

16 MR. McKEITHEN: I'm sorry. Go
17 ahead.

18 COUNCIL PRESIDENT CLARKE: Why
19 don't you contact our office and
20 establish a training session for members
21 in Council and their staff.

22 MR. McKEITHEN: That's what I
23 was going to say.

24 COUNCIL PRESIDENT CLARKE: As
25 opposed to people not being able to

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2 accommodate the schedules for Thursday or
3 Wednesday, whenever the meeting is, so
4 everybody can have access.

5 MR. McKEITHEN: That's an
6 excellent idea. What I was going to
7 recommend --

8 COUNCIL PRESIDENT CLARKE: In
9 addition to Thursday's meeting.

10 MR. McKEITHEN: Yeah. Yeah.
11 We want to do this for whoever wants to
12 learn. So we'll reach out, and if you
13 can get -- I try to keep it to a
14 teachable body of people, because it's a
15 lot of information we cover, but we'll
16 reach out to you guys and see exactly who
17 you want to send and we'll schedule some
18 additional sessions.

19 COUNCILMAN HENON: With all due
20 respect, I would certainly defer to the
21 Council President's Office making those
22 arrangements for training sessions. And
23 this whole process has been an education
24 for everybody. I mean, we're making one
25 of the most significant changes in the

1 5/29/13 - WHOLE - BILL 120651, etc.
2 City of Philadelphia by reassessing these
3 properties in three decades or so. So we
4 want to do it right, but training
5 session, we've been asking. You're
6 saying it's complicated and you want to
7 make sure we get it right. Well, we've
8 been trying to get it right this whole
9 process and trying to -- asking a lot of
10 questions, difficult questions, I'm sure,
11 but appropriate and responsible
12 questions, and we're still waiting some
13 answers.

14 So hopefully through this
15 legislation and these training sessions,
16 we could get some of the answers to
17 several questions that we've been asking
18 through this whole process.

19 MR. McKEITHEN: Yes, sir. I
20 agree.

21 COUNCILMAN HENON: And last,
22 why are we waiting for a training session
23 for the methodology and some of the
24 transparent questions that we've been
25 asking through this whole process?

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2 MR. McKEITHEN: Well, we've
3 responded to the questions that we had
4 been asked here. I think that in order
5 to really get a good understanding of
6 everything from formulas to methodology
7 to -- this is very, very detailed stuff.
8 The training session is the best way to
9 actually really learn it if you want to
10 embrace it that way, and so that's why I
11 applaud Councilman Squilla and some of
12 the people who are coming tomorrow.
13 Because we can explain it verbally as
14 much as we'd like, we can write things
15 down, but if you want to really get into
16 it to that extent, a training session
17 will be very, very enhanced into your
18 knowledge base of this.

19 COUNCILMAN HENON: Listen, I
20 don't want to become an assessor myself.
21 So that's not the intent. I just think
22 that as we move forward with confidence
23 and in a responsible way, that we have
24 some sort of communication --

25 MR. McKEITHEN: Sure.

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2 COUNCILMAN HENON: -- rather
3 than finding out on the floor of a
4 Committee of the Whole that there's a
5 training session on the methodology that
6 we've all been trying to find out about
7 through this process.

8 So as we move forward, having
9 some sort of -- and I know there's an
10 open dialogue, and your office is always
11 open to questions, but there have been
12 some lack of answers and I think having a
13 better communication, at least for me,
14 would add some comfort to moving forward
15 without answers.

16 MR. McKEITHEN: Sure.

17 COUNCILMAN HENON: Sometimes
18 it's as simple as that.

19 That's all I have. Thank you.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, Councilman.

22 The Chair recognizes Councilman
23 Squilla.

24 COUNCILMAN SQUILLA: Thank you,
25 Mr. President.

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2 During the process -- and I
3 know we saw several analysis, one by the
4 Controller's Office and one by Crosstown
5 group -- some of the information they say
6 entered into the formula or system that
7 was used for analysis wasn't actually
8 correct. Are we working on that also
9 simultaneously as far as number of
10 bedrooms in the house, number of
11 bathrooms in the house, things like that
12 at the same time?

13 MR. McKEITHEN: First of all,
14 let me say this. The reports that were
15 done were done with a property CD, which
16 is basic information that the City
17 provides on parcels. That information is
18 accurate. However, if you want to get
19 into doing studies and analysis and
20 detail, then a property CD and taking it
21 home and trying to do that is not going
22 to grant you or give the ability to
23 actually do that accurately. Once
24 again -- and you'll see tomorrow in the
25 session some of the things that we use to

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2 actually do valuation. Some of the
3 information that you'll need is just not
4 provided on a basic property CD. And so
5 when you get into the point of actually
6 trying to do a detailed analysis, you
7 need to contact the assessor, myself, or
8 someone in my office and we work out with
9 you getting you that information.

10 Once again, I think you'll see
11 tomorrow when we sit down the information
12 that was used by these individuals for
13 like bedrooms and things like that,
14 you'll see information that's a lot more
15 usable. That's the best way I can put it
16 right now.

17 COUNCILMAN SQUILLA: Okay. I
18 mean, that's great, and we appreciate
19 that we're getting this training and
20 maybe in the future for Councilmembers,
21 but when we were asking for information
22 all along to try to do an analysis to see
23 how well this was done or have outside
24 people look at the data and information,
25 we were only given certain data, right,

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2 by OPA? I mean, you gave us the CDs and
3 you gave us information that we can
4 analyze it. So we only can analyze what
5 we have. I mean, it's kind of hard to do
6 a study when we don't have the proper
7 data.

8 MR. McKEITHEN: Not to dispute
9 what you're saying, but I got requests
10 for basic property CDs. Had I gotten
11 requests verbally about what you were
12 trying to do, I could have, we could have
13 gotten around a lot of this. But we will
14 now, because, once again, we are bringing
15 in individuals who had attempted to do
16 studies and showing them hands-on exactly
17 what's there and how you use it and that
18 sort of thing.

19 COUNCILMAN SQUILLA: Well, I
20 guess moving forward, it looks like we're
21 heading in the right direction. You can
22 see it's frustrating for us as
23 Councilmembers, how do you know what to
24 ask for? We asked for data that we can
25 analyze to be able to justify the

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2 assessments when requests from our
3 constituents, we go to meetings and we
4 get beat up night in and night out over
5 these assessments, and we try to do our
6 own analysis of it. I mean, what should
7 we have asked for?

8 MR. McKEITHEN: Well, one of
9 the things that you'll see in the
10 training is that the individuals that had
11 done the actual reports used sales that
12 were not true arm's length transactions.
13 You have to use sales -- our industry
14 dictates that you use sales that are true
15 arm's length transactions, and there are
16 several characteristics that sort of
17 delineate that. You want to use
18 properties that have not been changed a
19 great deal from the point in time that
20 they had initially sold to the point in
21 time where we levied an assessment.
22 These are all things that the industry
23 points out that are to be used and what's
24 not to be used. And so, once again, it's
25 an extremely difficult profession to try

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2 to teach you at a microphone or just to
3 teach you --

4 COUNCILMAN SQUILLA: I
5 understand, but what I asked was, what
6 should we have asked for? Should we have
7 asked for just give us a list of the
8 arm's length transactions that you used?

9 MR. McKEITHEN: That's one of
10 the things you should probably ask for.
11 And, once again, I encourage you to just
12 talk to me. I will tell you and guide
13 you as to what you should ask for.

14 COUNCILMAN SQUILLA: All right.
15 Well, that's what we're doing here.

16 MR. McKEITHEN: That's how I
17 think the process will get a lot better,
18 if you talk to me and sit down with me,
19 and I'll tell you what you need to get
20 and give it to you.

21 COUNCILMAN SQUILLA: Okay.
22 Well, if we can, even though we're doing
23 the training, if we could give a list to
24 the Chair of what we could ask for. I
25 know people have asked for different sort

1 5/29/13 - WHOLE - BILL 120651, etc.
2 of things, and maybe we just don't know
3 what to ask for.

4 MR. McKEITHEN: Well, like I
5 said, let's go through the training first
6 and then we're going to give you --

7 COUNCILMAN SQUILLA: Well, by
8 then, this will be done. I mean, we need
9 to have the information now. We're going
10 to do the training. I'm going to go
11 there tomorrow, but not everybody will be
12 getting this information. So we need to
13 know the information so we could make an
14 educated decision moving forward of how
15 we're going to proceed with AVI.

16 COUNCILMAN JOHNSON: Point of
17 information, Mr. President, please.

18 COUNCIL PRESIDENT CLARKE:
19 Councilman Johnson.

20 COUNCILMAN JOHNSON: Thank you,
21 Mr. President.

22 I was just sitting back and
23 listening, taking in the information, but
24 I do want to clarify in terms of what
25 information to ask for and in terms of

1 5/29/13 - WHOLE - BILL 120651, etc.
2 the actual process, the Administration
3 stopped on March 31st of explaining
4 anything publicly regarding this process.
5 After March 31st, I continued to go
6 throughout my district doing AVI hearings
7 to the best of my ability and trying,
8 with the information that I had, to at
9 least try to explain the process to the
10 actual public.

11 And so I just want to clarify,
12 in just taking in the testimony or your
13 response to Councilman Mark Squilla, when
14 you say just ask you, just from a public
15 standpoint, that process stopped
16 officially on March 31st. That's why
17 Councilwoman Blondell Reynolds Brown did
18 a whole briefing session and put forth
19 legislation to host hearings so the
20 public can be better informed about this
21 whole process.

22 So it's not as easy and just
23 say, Hey, Richie, what should we be
24 asking for? Can you give us the
25 information? Because, you know, y'all

1 5/29/13 - WHOLE - BILL 120651, etc.
2 kind of packed up on March 31st and then
3 that was it. We went out on the road and
4 just took what we had and presented that
5 to our constituents.

6 So I just wanted to clarify
7 just a point of information on how this
8 process has been going.

9 MR. DUBOW: A couple of things.
10 I think there are two different types of
11 questions. One is kind of how could you
12 replicate what OPA did, and that I think
13 is what Mr. McKeithen is saying. You
14 really need to kind of sit down and go
15 through the training session.

16 In terms of the public
17 communication, one of the things we've
18 been talking about is offering to work
19 with Councilmembers on outreach and to do
20 further communication. So we haven't
21 packed up our bags and left. It's
22 something we've been talking to
23 Councilmembers about doing.

24 COUNCILMAN JOHNSON: There's a
25 clear difference between -- see, talking

1 5/29/13 - WHOLE - BILL 120651, etc.
2 to the Councilmembers versus the general
3 public -- and I think that's what --

4 MR. DUBOW: We've been talking
5 to Councilmembers about how to reach out
6 to the public.

7 COUNCILMAN JOHNSON: But this
8 is the Administration's policy, this is
9 OPA's policy, and a lot of times
10 specifically -- I can't speak for
11 everybody else, but most of us who have
12 been going out on the road and kind of
13 like addressing this to the best of our
14 ability, we didn't create the Actual
15 Value Initiative. This is not Council
16 implementing it. At least I know where I
17 stand in terms when it's time to vote,
18 but at the end of the day, beyond March
19 31st, just being forward and saying,
20 Listen, here's how we arrived to the
21 numbers, this is our formula, you can --
22 we can agree to disagree, but this is
23 where we're at and this is how we got
24 here beyond this meeting that's taking
25 place tomorrow. That's pretty much --

1 5/29/13 - WHOLE - BILL 120651, etc.

2 MR. DUBOW: Right. And we've
3 had these discussions at the hearings,
4 and I do think the best way to actually
5 understand is what Mr. McKeithen has
6 offered.

7 MR. McKEITHEN: Right. And
8 Richie McKeithen and Mr. McKeithen
9 will --

10 COUNCILMAN JOHNSON: I got you.

11 MR. McKEITHEN: -- talk to you
12 about what --

13 COUNCILMAN JOHNSON: In all due
14 respect, I got you, Richie.

15 MR. McKEITHEN: Thank you, sir.

16 COUNCIL PRESIDENT CLARKE:

17 Thank you.

18 COUNCILMAN JOHNSON: Thank you,
19 Mr. President.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, sir.

22 Councilman Squilla.

23 COUNCILMAN SQUILLA: One last
24 question. So the process we know now is
25 hopefully by October, we'll have most of

1 5/29/13 - WHOLE - BILL 120651, etc.
2 the 50,000 first-level reviews completed,
3 correct, most of them?

4 MR. McKEITHEN: Well, our goal
5 is to have as many of them completed as
6 possible.

7 COUNCILMAN SQUILLA: All right.
8 I think you said at the last hearing that
9 we were going to have them all done by
10 September, right?

11 MR. McKEITHEN: No, no, no. I
12 never said we would have them all done.
13 I said our goal was to have -- September
14 1 was our date, not August 1st, and our
15 goal was to have as many of them
16 completed as possible, and we're going to
17 take the areas that have been filed the
18 most first and address those and march
19 right through them. That's always been
20 my...

21 COUNCILMAN SQUILLA: And then
22 after this year, after the first-level
23 reviews are completed, is that when we're
24 going to start looking at maybe the land
25 values or the under-assessed properties

1 5/29/13 - WHOLE - BILL 120651, etc.
2 or you're going to start your
3 reassessment for the following year?

4 MR. McKEITHEN: We will start
5 our reassessment for the following year
6 after first-level reviews are addressed.

7 COUNCILMAN SQUILLA: So that's
8 when you would most likely look at some
9 of these other problems?

10 MR. McKEITHEN: See, what our
11 analysis shows us are the areas -- and
12 you'll see a lot of this tomorrow -- the
13 areas that we need to address more
14 expeditiously. And so we're going into
15 those areas first for reassessment
16 purposes. We're going to take all of the
17 information that we were given subsequent
18 to this reassessment and address it and
19 then attack as many of the problems first
20 and then march through the reassessment.

21 COUNCILMAN SQUILLA: And then
22 on, I guess it is, March of next year,
23 the new assessments will go out?

24 MR. McKEITHEN: February of '14
25 new assessments will go out for all

1 5/29/13 - WHOLE - BILL 120651, etc.

2 parcels where the property value will
3 have changed.

4 COUNCILMAN SQUILLA: So --

5 MR. McKEITHEN: Now, as of
6 right now, I don't know how many of that
7 will be. I don't anticipate that it will
8 be anything close to what we just had.

9 COUNCILMAN SQUILLA: All right.
10 And does the City -- Rob, I guess -- look
11 at -- once these go through OPA and then
12 they go through BRT, BRT lays the
13 judgment. Is the City looking to do any
14 type of appeals from BRT decisions or is
15 that going to be the School District's
16 decision?

17 MR. DUBOW: No. We're not --
18 if the BRT's decisions make sense, we're
19 not going to appeal it. If we think
20 they're completely out of line, I'm not
21 going to foreclose the ability to do
22 appeal.

23 COUNCILMAN SQUILLA: So it is
24 possible that --

25 MR. DUBOW: There's no plan --

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN SQUILLA: But you
3 don't make that. That's the School
4 District, right?

5 MR. DUBOW: Yeah. And there's
6 no plan to appeal them all, if that's
7 your question.

8 COUNCILMAN SQUILLA: Well, I
9 hope not.

10 MR. DUBOW: Right.

11 COUNCILMAN SQUILLA: We might
12 be here for four more years trying to
13 work out appeals but just on the first
14 year.

15 So at this point, once it goes
16 through the BRT -- now, hopefully we
17 knock a lot of these first-level reviews,
18 we knock -- say we knock half of them
19 out. So maybe we have 25,000 left for
20 the BRT. Do we have an estimated
21 timeframe how many they could handle on a
22 monthly basis?

23 MR. DUBOW: I don't know that.
24 I mean, the way we worked with them is
25 asked them what they thought they needed

1 5/29/13 - WHOLE - BILL 120651, etc.
2 to handle the appeals. They gave us what
3 that amount was and we provided it to
4 them. But we didn't ask them the
5 question the way you're asking it.

6 COUNCILMAN SQUILLA: How many
7 can they handle now?

8 MR. DUBOW: Again, we didn't
9 ask the question that way. We asked them
10 kind of what resources they needed and
11 that's what we gave them.

12 COUNCILMAN SQUILLA: Well,
13 maybe that's a question we should have
14 for the BRT, because my fear is -- I know
15 we spoke about funding and the
16 Administration put some funding in and I
17 know Council President asked about
18 funding, but we have to make sure that
19 these are heard in a timely manner and
20 that the resources are there to do that.
21 We don't want to be brought next year and
22 say, Well, we spent more money with BRT
23 or appeals than we planned do.

24 MR. DUBOW: We completely
25 agree, and if the BRT looks at what we

1 5/29/13 - WHOLE - BILL 120651, etc.
2 gave them, does another analysis and
3 says, No, we think we need a little more,
4 we think we should provide those
5 resources.

6 COUNCILMAN SQUILLA: Okay. So
7 the Administration is willing to do that
8 moving forward?

9 MR. DUBOW: Yes.

10 COUNCILMAN SQUILLA: Do you
11 have a cap on what you would provide or
12 not at this time?

13 MR. DUBOW: I would never say
14 there's no cap. I mean, you know, we're
15 willing to give them --

16 COUNCILMAN SQUILLA: Another 20
17 million? I'm just throwing a number out
18 there.

19 MR. DUBOW: I don't want to
20 just throw numbers out.

21 COUNCILMAN SQUILLA: All right.
22 Thank you very much. Thank you for your
23 testimony.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you, Councilman.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 Councilman Green.

3 COUNCILMAN GREEN: Thank you,
4 Mr. President.

5 Mr. Dubow, are you familiar
6 with a report cited by Professor Inman,
7 who testified before the Fiscal Stability
8 Committee last week, that a 9 percent,
9 essentially 10 percent reduction in a
10 millage rate in a jurisdiction increases
11 the value of all properties in that
12 jurisdiction by 3 or 4 percent?

13 MR. DUBOW: Sorry. Say that
14 again.

15 COUNCILMAN GREEN: A decrease
16 in the millage rate of property taxes of,
17 say, 10 percent increases the value of
18 all properties in that jurisdiction by 3
19 or 4 percent.

20 MR. DUBOW: So I'm familiar
21 with Professor Inman's analysis in
22 general and I'm familiar that he looks at
23 various taxes and looks at their impacts
24 on jobs.

25 COUNCILMAN GREEN: No. This is

1 5/29/13 - WHOLE - BILL 120651, etc.

2 a question about property taxes.

3 MR. DUBOW: I'm not familiar
4 with that, but I'm talking about what I
5 am familiar with. And I think his
6 argument is that any kind of tax
7 reduction will have a value. I think
8 what he's also said is that wage tax and
9 business tax reductions have a bigger
10 impact on jobs. But the specific
11 question you're asking, I'm sure -- I
12 haven't seen that, but I'm sure that's
13 what he would say.

14 COUNCILMAN GREEN: Well, I
15 estimate that a zero percent homestead
16 reduction based on this analysis would
17 increase the aggregate value of all real
18 estate in the City by \$3 or \$4 billion
19 or, since we're setting a new system and
20 rate, prevent it from being \$3 or \$4
21 billion lower next year than it is this
22 year, because people --

23 MR. DUBOW: But I think what
24 he's looking at is the reduction in the
25 level of taxes you pay. So whether

1 5/29/13 - WHOLE - BILL 120651, etc.
2 that's through a millage reduction or a
3 homestead, each one is going to have an
4 impact on value of properties, because if
5 you get a homestead and it means that
6 you're paying less in taxes, that would
7 increase the value of your property just
8 like a millage reduction would.

9 COUNCILMAN GREEN: No. It was
10 tied to the rate we're collecting, so
11 amount of revenue.

12 MR. DUBOW: Right, but I'm sure
13 if he analyzed homesteads, he would find
14 the same thing, that a homestead by
15 reducing your tax has the same
16 positive --

17 COUNCILMAN GREEN: Will
18 increase the value of those properties?

19 MR. DUBOW: Yeah. I think
20 that's what he would find.

21 COUNCILMAN GREEN: I actually
22 probably have to agree with that.
23 Thanks.

24 MR. DUBOW: Can we end the
25 hearing now? Can we end on that note?

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Wishful thinking, sir.

4 There are no other questions.

5 Thank you very much. Is somebody going

6 to hang around, any of you? Rebecca?

7 I'm sorry. Ms. Rhyhart, you're going to

8 hang around?

9 MS. RHYNHART: Sure.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you. Thank you for your testimony.

12 I'd like to have five minutes,

13 I guess. Managing Director, Public

14 Property team, whatever, however we're

15 going to reference it.

16 (Witnesses approached witness

17 table.)

18 MS. STITT: Good afternoon.

19 COUNCIL PRESIDENT CLARKE: Good

20 afternoon. Pull the mic a little closer.

21 MS. STITT: That good?

22 COUNCIL PRESIDENT CLARKE: Yes.

23 MS. STITT: Mary Stitt, Office

24 of Managing Director.

25 COUNCIL PRESIDENT CLARKE:

1 5/29/13 - WHOLE - BILL 120651, etc.

2 Thank you.

3 MR. LEONARD: James Leonard,
4 Law Department.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you. I think we have like family
7 connections with both of you guys.

8 Real quick. I talked to the
9 Mayor, received a letter from
10 Mr. Gillison. Favorite subject matter,
11 municipal marketing. Can you tell me
12 where you guys are now based on the
13 conversations that I've had over the last
14 week?

15 MS. STITT: Okay. So I'm sure
16 you're aware that we convened a committee
17 to discuss a plan for municipal
18 advertising, which includes several
19 departments, including a representative
20 from your office. At this time, we need
21 to put out -- we still need to put out an
22 RFP. It's looking towards the end of the
23 year. I know that's not something you're
24 hoping for, but --

25 COUNCIL PRESIDENT CLARKE: That

1 5/29/13 - WHOLE - BILL 120651, etc.
2 was my conversation with the Mayor
3 yesterday, and he, like I, thought that
4 timeline, in all due respect, didn't make
5 a whole lot of sense since we've already
6 issued two RFPs.

7 MS. STITT: Right. So, I mean,
8 I would have to sit down with the
9 committee and discuss some of the things
10 that you guys concluded, and we certainly
11 will do everything and adjust whatever is
12 needed to advance the program on the
13 timeline.

14 COUNCIL PRESIDENT CLARKE: All
15 right. Well, the committee is formed by
16 the government. And I know this is your
17 first time here, so I'm not going to beat
18 you up today.

19 MS. STITT: You can beat me up
20 later. That's fine.

21 COUNCIL PRESIDENT CLARKE: This
22 is my former Public Property
23 Commissioner.

24 There were a couple of RFPs
25 issued earlier, and for whatever reason,

1 5/29/13 - WHOLE - BILL 120651, etc.
2 they were pulled, and then we're being
3 told that it has something to do with
4 bonds.

5 MS. STITT: Right.

6 COUNCIL PRESIDENT CLARKE: The
7 bonds and the series of bonds that may
8 have had certain limitations on the
9 ability to market and raise private
10 dollars.

11 MS. STITT: On certain
12 properties.

13 COUNCIL PRESIDENT CLARKE:
14 Right. So the question then became
15 whether or not we would have a timeline
16 at the end of the week at that last
17 meeting. I understand the Treasurer had
18 some concern. Now the Treasurer is
19 saying that every property in the City of
20 Philadelphia has to be reviewed because
21 there were overlaps in some of the bonds
22 that were issued to build buildings
23 across the City of Philadelphia. As a
24 layperson, somebody who is just simply
25 trying to make some money for the City of

1 5/29/13 - WHOLE - BILL 120651, etc.
2 Philadelphia or the School District, I
3 thought it made more sense to simply,
4 one, look at the buildings that there
5 might be some level of interest, because
6 I guarantee you, as much as I'm trying to
7 promote this program, every building is
8 probably not going to be something that
9 people want to advertise on. So there
10 are probably a set number of locations, a
11 set number of buildings. So why don't we
12 just look at those buildings, right, and
13 we can pretty much get that information
14 in a day, because there are a set number
15 of people who do this, and they can tell
16 you -- and I can tell you that building
17 across the street is real high up on the
18 list. Why don't we just look at those
19 buildings and determine those buildings
20 and the origin of the construction
21 financing for those buildings as opposed
22 to looking at every building or every
23 property in the City's inventory? Does
24 that make sense?

25 MS. STITT: No; I understand

1 5/29/13 - WHOLE - BILL 120651, etc.
2 where you're coming from. I don't have
3 the details on the way the taxes and
4 bonds are structured and how the
5 buildings were purchased. That is
6 something that I would have to refer to
7 the Treasurer, but I certainly can bring
8 that back to the committee and really
9 punch this out so that we can get a plan
10 to you, because I appreciate that you
11 feel that the end of the year would not
12 be appropriate.

13 COUNCIL PRESIDENT CLARKE: So
14 now are you in charge of the committee?

15 MS. STITT: I am -- the
16 Managing Director's Office is
17 coordinating the committee and the Law
18 Department is the Chair of the committee.

19 COUNCIL PRESIDENT CLARKE: What
20 does that mean, coordinating? Does that
21 mean setting the meetings up?

22 MS. STITT: No. It actually
23 means more making sure that all the data
24 is being brought together, making sure
25 things are moving forward. That's

1 5/29/13 - WHOLE - BILL 120651, etc.
2 certainly in partnership with the Law
3 Department, but just making sure that
4 this program and this project will get
5 moving, because it has been slow going --

6 COUNCIL PRESIDENT CLARKE:

7 That's an understatement.

8 MS. STITT: -- my
9 understanding.

10 COUNCIL PRESIDENT CLARKE:

11 Based on this letter I got, I thought I
12 was going to get something a little more.
13 This is actually taking a step back from
14 our last conversation.

15 MS. STITT: Is it?

16 COUNCIL PRESIDENT CLARKE: Yes.

17 MS. STITT: I don't know how to
18 respond to --

19 MR. LEONARD: Council
20 President, just to respond to your one
21 comment. We did look at -- and I want to
22 caveat by saying I'm not a tax lawyer or
23 a bond lawyer, but my understanding is
24 that we did look at, the committee, the
25 concept of pulling out a smaller number

1 5/29/13 - WHOLE - BILL 120651, etc.
2 of properties as you're referring to, and
3 one of the complexities that I understand
4 with the tax analysis is that the
5 analysis, even if we were to pull out a
6 small number of buildings, the analysis
7 is done not by building but by bond
8 series. So there's a complexity that
9 exists, because any particular building,
10 even if we were to isolate a few, have
11 been the subject of multiple -- or
12 improvements made using funds from
13 multiple bond series.

14 COUNCIL PRESIDENT CLARKE:
15 Right.

16 MR. LEONARD: So there's still,
17 I understand from our tax lawyers, that
18 underlying complexity.

19 COUNCIL PRESIDENT CLARKE: I
20 understand that, but wouldn't it make
21 more sense just to simply look at those
22 buildings that would be subject to a
23 marketing program as opposed to doing all
24 of the buildings and then saying, Okay,
25 now we're going to find out who is

1 5/29/13 - WHOLE - BILL 120651, etc.
2 interested in marketing on the buildings?
3 That just seems like it makes more sense
4 for me to say to the people who actually
5 do this for a living, Tell me what you're
6 interested in, and then look at those
7 buildings and then determine the series
8 of bonds and the overlap associated with
9 some limitations on the ability to
10 market. I mean --

11 MS. STITT: And I believe there
12 is a meeting --

13 COUNCIL PRESIDENT CLARKE: Am I
14 missing something?

15 MS. STITT: I believe that
16 actually the representative from your
17 office is setting up a meeting with the
18 Treasurer with one of the firms that
19 could give more information on that and
20 could help us work through that. So I'm
21 almost positive that is moving forward.

22 COUNCIL PRESIDENT CLARKE: I
23 don't get a sense that the Treasurer is
24 going to cooperate. I'm being honest
25 with you. I just think this whole thing

1 5/29/13 - WHOLE - BILL 120651, etc.
2 is pretty ridiculous, why we can't figure
3 out a way to get -- I've just never seen
4 anything like this in my life, maybe with
5 the exception of the Mormon building.

6 MS. STITT: I can tell you
7 we're very committed. We really are
8 committed. This committee is very
9 committed to getting this done. So we
10 will be happy to come back and give
11 status updates, you know. We wanted to
12 have someone from your office on the
13 committee to make sure this is going
14 through and that you feel comfortable
15 that you're getting the information that
16 you need.

17 COUNCIL PRESIDENT CLARKE: My
18 person has no ability to influence the
19 conversation in that room. That is very
20 clear. This is an initiative that must
21 be implemented by the Administration. If
22 City Council had the ability to do this,
23 the contract would have been signed, let,
24 we'd be bringing in money by now. But
25 unfortunately because of the way the

1 5/29/13 - WHOLE - BILL 120651, etc.
2 government is structured, we don't have
3 the ability to do this. So this is
4 clearly in you all's shop. I can have
5 five people sitting at the meeting. At
6 the end of the day, they cannot influence
7 the committee.

8 MS. STITT: Well, we're
9 committed at moving this forward. I can
10 tell -- remember, I just started being
11 the coordinator of this, and I understand
12 that that's --

13 COUNCIL PRESIDENT CLARKE:
14 Ms. Stitt, I'm not going to be beat you
15 up because you're new, but in my numerous
16 years in government, that's a part of the
17 strategy when people don't want to do
18 something. You wear out the person who
19 is before you and then they bring a new
20 team member in and they come in and say,
21 Well, I just got here, you can't expect
22 me to have an answer. And this is not
23 personal.

24 MS. STITT: No; I understand.

25 COUNCIL PRESIDENT CLARKE: But

1 5/29/13 - WHOLE - BILL 120651, etc.

2 I've been here a lot of years and I've
3 seen this process where they bring in new
4 people and then the new person doesn't
5 know anything.

6 MS. STITT: And you should
7 expect an answer from us. I have no
8 problem with that. However, what I'm
9 saying is the commitment level that I
10 have and that I have seen in this
11 committee is there. So we're going to
12 push this through and we're going to get
13 it done. So if there's been an agreement
14 between you and the Mayor, then that
15 agreement is going to be held. I mean,
16 that's what we have to do. So we have to
17 work around this. We just have to figure
18 it out. But I do have to --

19 COUNCIL PRESIDENT CLARKE: I'm
20 going to ask -- because a lot of people
21 are here that want to testify on another
22 matter. I just want to ask you, again,
23 does it make more sense to talk to people
24 in the industry and then they can tell
25 you today, because they've been working

1 5/29/13 - WHOLE - BILL 120651, etc.
2 on this for a year and a half, what level
3 of interest that they have and what
4 buildings that are owned by the City of
5 Philadelphia?

6 MS. STITT: And my
7 understanding is that a firm is going to
8 meet with the Treasurer to have that
9 discussion.

10 COUNCIL PRESIDENT CLARKE: Will
11 that firm then be barred from bidding on
12 the property? I'd actually recommend
13 that that firm wouldn't do that, because
14 I'm telling you, I know how it works
15 around here. You had an inside track;
16 therefore, you're not going to get the
17 contract.

18 MS. STITT: No. We wouldn't
19 want that to happen, so we would have to
20 be careful about that, of course.

21 COUNCIL PRESIDENT CLARKE: I'm
22 just telling you, I know how it works.

23 All right. Okay. Thank you.

24 MS. STITT: You're welcome.

25 COUNCIL PRESIDENT CLARKE: Oh,

1 5/29/13 - WHOLE - BILL 120651, etc.

2 I'm sorry. Hold on.

3 The Chair recognizes Councilman
4 Kenney.

5 COUNCILMAN KENNEY: Thank you,
6 Mr. President.

7 In your research, vetting,
8 discussions, have you looked at cities
9 like New York and Chicago that do this
10 quite successfully?

11 MS. STITT: There have been
12 some cities that have been reviewed.

13 COUNCILMAN KENNEY: Chicago and
14 New York?

15 MS. STITT: I believe that
16 Chicago is one of them, but I would have
17 to refer to the Treasurer's Office who
18 has been doing that work.

19 COUNCILMAN KENNEY: I'm sorry.
20 Who is looking at the other cities?

21 MS. STITT: I believe it's the
22 Treasurer's Office specifically.

23 COUNCILMAN KENNEY: The
24 Treasurer's Office?

25 MS. STITT: Yes.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN KENNEY: You're the
3 Managing Director's Office.

4 MS. STITT: Right, but they
5 started the process because of the taxes
6 and bond issues. So they're the ones
7 that have been driving this, forming
8 municipal advertising to assess what
9 properties will be available.

10 COUNCILMAN KENNEY: The theme
11 of this last couple of conversations,
12 this panel and the last panel, are like
13 ones of confusion. I mean, I feel like
14 we need like a Sherpa to -- like Richie
15 McKeithen is the Dalai Lama and he needs
16 to take us on a journey to show us what
17 the inner meanings of property assessment
18 are. And now we're on this, which seems
19 to be not all that complicated, and in a
20 city that needs all this money, why would
21 you wear heels out dragging your feet?

22 MS. STITT: I don't believe
23 that we're wearing our heels out and
24 dragging our feet.

25 COUNCILMAN KENNEY: You might

1 5/29/13 - WHOLE - BILL 120651, etc.
2 have a new pair of shoes on, but there
3 are lots of heels that have been worn out
4 in the last number of months. And the
5 one -- I mean, again, Council President
6 has been around a long time and I've been
7 around a long time here. When you don't
8 want to do something, you know when
9 somebody don't want to do something. I
10 mean, when you raise kids and you know
11 they don't want to do something, you know
12 they don't want to do something. And
13 when the government doesn't want to do
14 something, it's going to not do it.

15 MS. STITT: Well, I personally
16 can't comment on that. I can tell you
17 that we're dedicated to it.

18 COUNCILMAN KENNEY: It's
19 bizarre. And, again, and the requests
20 that are being made all around schools
21 and all around the needs of the City and
22 we're being asked quickly to raise this
23 tax and that tax and this tax and that
24 tax and this fee and that fee, and when
25 something is sitting there wrapped up in

1 5/29/13 - WHOLE - BILL 120651, etc.
2 a bow, just wrapped up in a bow waiting
3 for you to take it, we don't want it. We
4 got problems, we got tax-exempt status,
5 we got this, we got that. I mean,
6 there's like a million reasons. It's
7 just insane. I mean, he's calm. I mean,
8 Council President is a calm person. I
9 mean, if I were sitting there, I don't
10 know how calm I'd be, but I give him
11 credit for being calm, because this is
12 insanity. It's insanity in a city that
13 needs this kind of money. It really is.
14 So maybe we can go to a training with you
15 guys and you can enlighten us to the
16 great needs of tax-exempt bond status.

17 Mr. President, I'm sorry. I
18 don't want to be sarcastic, but it's my
19 best trait, and I just think it's crazy.
20 It's just crazy, crazy.

21 COUNCIL PRESIDENT CLARKE:
22 Councilman, I understand.

23 COUNCILMAN KENNEY: Thank you.

24 COUNCIL PRESIDENT CLARKE: I'm
25 calm because I had two cameras facing me

1 5/29/13 - WHOLE - BILL 120651, etc.
2 and the likelihood that the cameras are
3 on is pretty high, and I have people in
4 the audience. So I have to be calm. If
5 I was pre-Council President, I'd probably
6 be in my office throwing things by now.
7 But this is generally the most bizarre
8 opportunity I've ever had to experience
9 in my many years in government. Thank
10 you.

11 The Chair recognizes Councilman
12 Jones.

13 COUNCILMAN JONES: First of
14 all, welcome to government. You've been
15 here before, but this is not directed at
16 you. You're new, but you wear the
17 jersey.

18 MS. STITT: Absolutely. I have
19 no problem with that.

20 COUNCILMAN JONES: One of the
21 things I would ask is SEPTA, for example,
22 is a municipal marketing entity, and
23 can't we take a best practice from them
24 and figure out some of the norms on how
25 to structure this and just cut and paste

1 5/29/13 - WHOLE - BILL 120651, etc.
2 and do that? I don't understand why we
3 don't -- how much does SEPTA derive from
4 revenues annually approximately; do you
5 know?

6 MS. STITT: I don't know, but I
7 can get that answer for you if you need
8 it.

9 COUNCILMAN JONES: I'm
10 thinking, you know -- and they're not a
11 perfect entity, but, I mean, they've got
12 this municipal marketing thing down.

13 COUNCIL PRESIDENT CLARKE:
14 Fourteen million last year. That was
15 primarily vehicles, and they didn't even
16 have a significant number of buildings.
17 So they primarily got 14 million off of
18 vehicles.

19 MS. STITT: And vehicles are
20 one of the things that we are
21 considering. That is certainly one of
22 the categories that is being looked at.

23 COUNCIL PRESIDENT CLARKE:
24 Well, I know. You're considering a lot
25 of things, but nothing ever happens. I

1 5/29/13 - WHOLE - BILL 120651, etc.
2 mean, we've been considering this since
3 February of last year.

4 MS. STITT: Would moving on
5 vehicles as the first phase be something
6 you would be interested in?

7 COUNCIL PRESIDENT CLARKE: I
8 mean, I asked you to give me a status and
9 you didn't mention that. So are you
10 telling me that there's an RFP out for
11 vehicles?

12 MS. STITT: No. I'm not saying
13 that, but I'm just trying to assess if
14 that's something that you would be
15 interested in. We certainly can go in
16 that direction.

17 COUNCIL PRESIDENT CLARKE:
18 Mr. Carter, do you have one of those
19 books?

20 Before you leave, I'm going to
21 give you the book, and it lays out -- and
22 I'm not trying to be --

23 MS. STITT: It's all good. You
24 guys can be as sarcastic as you'd like.

25 COUNCIL PRESIDENT CLARKE: We

1 5/29/13 - WHOLE - BILL 120651, etc.
2 have a book. We have a book that was put
3 together. It has pictures of -- the
4 question was asked earlier about other
5 municipalities. It actually listed a
6 number of municipalities that have
7 marketing programs. It talks about the
8 revenue associated on an annual basis
9 with those programs, pretty significant,
10 and one in particular, it actually did a
11 mock-up of a City of Philadelphia
12 sanitation vehicle with a Hefty trash bag
13 wrap. It looked pretty slick, I must
14 say. So, I mean, the vehicles is a big
15 part of what we're trying to push.

16 MS. STITT: Okay. And the
17 Office of Fleet Management is one of the
18 departments that is on this committee and
19 we can look at that. That's not an issue
20 at all.

21 Can I keep this?

22 COUNCIL PRESIDENT CLARKE: That
23 is yours.

24 MS. STITT: Thank you.

25 COUNCIL PRESIDENT CLARKE: So,

1 5/29/13 - WHOLE - BILL 120651, etc.

2 I mean, we're interested in whatever, but
3 look at the last page. I'm sorry. The
4 last page is where -- see that truck?
5 Pretty nice, right?

6 MS. STITT: No; it's good.

7 COUNCIL PRESIDENT CLARKE:

8 That's a lot of money there.

9 MS. STITT: All right.

10 COUNCIL PRESIDENT CLARKE: So
11 we're --

12 MS. STITT: This is what you're
13 talking about.

14 COUNCIL PRESIDENT CLARKE: All
15 right.

16 The Chair recognizes Councilman
17 Henon.

18 I'm sorry. Councilman Jones,
19 I'm sorry.

20 COUNCILMAN JONES: That's all
21 right, Council President. I'm going to
22 yield, because this issue is --

23 COUNCIL PRESIDENT CLARKE:

24 Councilman Kenney got me ramped up. I
25 was pretty calm.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN JONES: I'm going to
3 let it go, and hopefully we won't be back
4 at this next year this time.

5 COUNCIL PRESIDENT CLARKE: This
6 is crazy.

7 COUNCILMAN JONES: We're
8 betting dinner that we won't have this by
9 this time next year.

10 COUNCIL PRESIDENT CLARKE:
11 Councilman Henon.

12 COUNCILMAN JONES: I have
13 faith.

14 COUNCILMAN KENNEY: I'll take
15 you out.

16 COUNCILMAN HENON: Thank you,
17 Council President.

18 It's been an interesting
19 afternoon with all the snarkiness and
20 back and forth of some of the
21 conversation. We most likely will be
22 back next year, because it's not our
23 idea. I mean, if anything comes out of
24 this body, this legislative body, it's
25 not a good idea, we're not going to get

1 5/29/13 - WHOLE - BILL 120651, etc.
2 anything done. I don't understand why we
3 can't keep things moving or do several
4 things at one time. I feel like we're
5 just having the same kind of conversation
6 we had with the OPA. Because we don't
7 ask a specific question? It's not like
8 it's the first time that that municipal
9 financing book has been around here.
10 Council President has been talking about
11 it for a long time.

12 I mean, we have opportunities
13 to generate more revenue for the City.
14 Instead of putting the burden on
15 businesses and burden on our taxpayers
16 and the residents of the City of
17 Philadelphia, the opportunity is in front
18 of us. And we're going to be back here
19 again next year.

20 Council President, I mean, I'll
21 be a little upset for you. I mean, I
22 think this is utterly ridiculous.

23 I just want to know one thing.
24 Is it because it's Council's idea? I
25 mean, that's a question. OPA says, Well,

1 5/29/13 - WHOLE - BILL 120651, etc.
2 you didn't ask a specific question.
3 Well, why should we have to ask all these
4 specific questions when we're not experts
5 in the field? If we're working in
6 partnership for the common good and to
7 make sure that we're creative and
8 responsible for generating revenues and
9 providing great services for the City of
10 Philadelphia, especially when we're doing
11 transformation of our property tax system
12 and now our public property -- and by the
13 way, I am the Chair of Public Property,
14 so the Councilman's agenda and -- well,
15 it's at the Whole now, but a lot of these
16 things are going to come through Public
17 Property. Next year is too late. Next
18 year is too late.

19 So I would hope that you guys
20 get it together. And I understand you're
21 new, and I understand that you knew what
22 was coming here today. Let's get it
23 together, get with the Council President
24 himself, and get things done. Otherwise,
25 we'll be back here next year, and it's

1 5/29/13 - WHOLE - BILL 120651, etc.
2 going to be the year after and then it
3 will be election time and it's just same
4 old, same old.

5 This kind of bureaucracy has
6 got to stop around here. We have the
7 ability. You're smart people. You got a
8 lot of smart people that work here in the
9 City. Let's just get things done,
10 Council President. Next year is too
11 late.

12 That's all I got.

13 COUNCIL PRESIDENT CLARKE:

14 Thank you, Councilman.

15 The Chair recognizes Councilman
16 Kenney.

17 COUNCILMAN KENNEY:

18 Mr. President, quickly. In fairness to
19 the folks at the table, again, I think
20 the next time we have this discussion, I
21 think we need the Managing Director or
22 the City Solicitor and/or the Chief of
23 Staff, because if decisions are being
24 made from a policy standpoint to move
25 forward or not move forward, it's being

1 5/29/13 - WHOLE - BILL 120651, etc.
2 made there, and I think it's unfair to
3 have them get the brunt of this
4 frustration. So I apologize to them, but
5 I think we should have the people that
6 actually can make a decision there next
7 time.

8 COUNCIL PRESIDENT CLARKE:
9 Thank you, Councilman. I agree 1,000
10 percent.

11 MS. RHYNHART: Hi. Rebecca
12 Rhynhart, Budget Director.

13 Just listening to this
14 conversation, if I might suggest, given
15 what Mary has been saying and your
16 conversation with the Mayor yesterday,
17 maybe it would make sense for us to go
18 back and talk to the Chief of Staff and
19 fully figure out a way to come to some
20 sort of way to move forward, perhaps more
21 in line with what you're saying, or if
22 not that, then at least something to put
23 it more in line with what your
24 conversation with the Mayor was
25 yesterday. I just think that that might

1 5/29/13 - WHOLE - BILL 120651, etc.

2 be something that we could do in the next
3 few days hopefully and then --

4 COUNCIL PRESIDENT CLARKE: That
5 your team will do? Do I have to be in
6 that conversation?

7 MS. RHYNHART: You don't have
8 to be in that conversation. I think we
9 need to do that. That's my perspective
10 on listening to this conversation. But I
11 just -- I hear what you're saying and I
12 hear your frustration and everyone's
13 frustration, and I think there's just got
14 to be a way that we can figure something
15 out that is a more concrete path forward.

16 COUNCIL PRESIDENT CLARKE: I
17 mean, we've been for that for a while.

18 MS. RHYNHART: I know.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you.

21 MS. RHYNHART: I think we can
22 do that.

23 COUNCIL PRESIDENT CLARKE:
24 Thank you. Thank you for your testimony.

25 (Thank you.)

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCIL PRESIDENT CLARKE: We
3 will now have our public testimony.
4 Before we start, we're going to ask --
5 and I apologize to those of you that have
6 been waiting for some time. Government
7 is about making sausage. It's not
8 pretty, but at the end of the day, we'll
9 come up with a conclusion on making sure
10 that the City runs well. So I apologize
11 for you having to wait so long.

12 Yes, sir. Councilman.
13 Councilman Johnson.

14 COUNCILMAN JOHNSON: Tofu.

15 COUNCIL PRESIDENT CLARKE:
16 Tofu?

17 COUNCILMAN JOHNSON: Yes.

18 COUNCIL PRESIDENT CLARKE:
19 Councilman, I can honestly say I've never
20 seen tofu made. That sausage thing, I
21 see it. Don't want to see it again,
22 but...

23 I'm sorry. Folks, we're going
24 to ask when you come forward, we're going
25 to ask that you limit your testimony to

1 5/29/13 - WHOLE - BILL 120651, etc.
2 three minutes, although people have left,
3 and then there may be questions from the
4 Councilmembers, which you can respond to.
5 So we're going to call panels of three so
6 we can get you in and say what you have
7 to say and we'll be able to interact with
8 you on this very important initiative.

9 Ms. Lewis.

10 MS. LEWIS: Guy Pigliacelli,
11 Kelly --

12 COUNCILMAN KENNEY: They left.

13 MS. LEWIS: Kelly Gastley,
14 Montgomery Wilson, and Jonathan Kirch.
15 Kelly Gastley, Montgomery Wilson, and
16 Jonathan Kirch.

17 (Witnesses approached witness
18 table.)

19 MR. WILSON: Excuse me,
20 Councilman. I can speak quickly, but I
21 move slowly.

22 COUNCIL PRESIDENT CLARKE:
23 That's okay. Good to see you again.

24 Good afternoon.

25 (Good afternoon.)

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Please proceed. Just state your name for
4 the record, please.

5 MS. GASTLEY: My name is Kelly
6 Gastley. I'm a supervising attorney at
7 Philadelphia VIP. As many of you may
8 know, VIP is a non-profit legal services
9 agency here in Philadelphia. We connect
10 low-income clients with pro bono
11 attorneys who handle their civil cases.
12 I'm here today to speak about primarily
13 the deferral bill that's under
14 consideration, 130417.

15 VIP works with a large number
16 of clients who have tangled title issues,
17 which I'm sure all of you are familiar
18 with. We have worked with the
19 Cartographic Modeling Lab at the
20 University of Pennsylvania to determine
21 there are approximately 14,000 tangled
22 title cases throughout the City of
23 Philadelphia, and that's most likely an
24 underestimate by our standards. So
25 that's the issue that brings me here

1 5/29/13 - WHOLE - BILL 120651, etc.
2 today.

3 I'd like to thank Council for
4 its support of VIP through OHCD. The
5 funding that we receive through OHCD
6 allows us to assist nearly 400 clients
7 every year and allows us to use something
8 called the Tangled Title Fund to help
9 clients pay the costs associated with
10 their cases.

11 I'd like to thank all of the
12 Councilmembers who have supported the
13 bills that would provide relief from AVI
14 for those taxpayers who will see a tax
15 increase. I understand that many of them
16 will not and may actually see a lowering
17 of their taxes, but we know that for some
18 folks, they will see an increase, and
19 that's why we're here today.

20 VIP does support the deferral
21 bill that Councilman Johnson and
22 Councilwoman Quinones-Sanchez have
23 introduced. We believe that the deferral
24 bill is very important, particularly for
25 low-income taxpayers who are already

1 5/29/13 - WHOLE - BILL 120651, etc.
2 struggling with their financial
3 obligations, who will be stretching their
4 budgets further if their real estate tax
5 collection bill goes forward. We know
6 that being able to defer an increase in
7 their real estate tax bill may be crucial
8 for those who are going to face a
9 hardship due to it.

10 We're very happy to see that
11 the bill includes protection for
12 equitable owners, those who have tangled
13 title issues, because there is such a
14 large number of these cases in the City
15 and because so many of those folks who do
16 have title issues have them because they
17 do not have the funds in order to resolve
18 those issues. Legal services, we have
19 very limited means. We simply cannot
20 help all of those with title issues, but
21 it's very important that they still be
22 protected from any tax increases.

23 We agree with the financial
24 hardship theories that are laid out in
25 the deferral bill. We see them as an

1 5/29/13 - WHOLE - BILL 120651, etc.
2 excellent tool to weed out those
3 lower-income taxpayers who do have a
4 financial hardship, and we're happy to
5 see that it's in proportion to income,
6 which we think is very important.

7 And importantly, we're also
8 very happy to see that the bill provides
9 the taxpayers who have a pending
10 application for delinquent real taxes are
11 also eligible. As we know, it can take
12 quite some time for a payment plan
13 application for real estate taxes to be
14 approved, and it's very important that
15 those who have pending applications be
16 considered eligible for deferral in
17 addition to those who already have
18 approved applications.

19 Relief under deferral is
20 incredibly important for low-income
21 taxpayers, many of whom will not be
22 eligible for the gentrification exemption
23 and some of whom are still going to see a
24 high increase in their taxes even with
25 the homestead exemption. So that's

1 5/29/13 - WHOLE - BILL 120651, etc.
2 something that we really support. And I
3 just want to mention briefly we're also
4 happy to see the low-income tax credit
5 bill, 120339, that Councilman Jones has
6 introduced with the support of many of
7 the members of the Council. It's very
8 important. We would advocate that
9 thresholds be considered to be even
10 higher than they currently are. The
11 thresholds currently are fairly low. A
12 taxpayer living alone would only be
13 eligible if she made \$729 a month. I
14 realize that the income does not include
15 public assistance, and we're grateful for
16 that, but I do think that it would really
17 be worthwhile to consider raising those
18 income levels.

19 VIP and all of my legal
20 services colleagues are very committed to
21 working with City Council to educate
22 taxpayers on AVI and the resources
23 available, and we look forward to
24 continue working with you on that.

25 Thank you very much.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Thank you so very much for your testimony
4 and your continued good work.

5 Yes, sir.

6 MR. KIRCH: Thank you, Council.

7 I'm Jonathan Kirch. I'm here
8 representing on behalf of the American
9 Heart Association. The American Heart
10 Association distributed a written
11 statement to Council. I won't read that
12 because you have that. What my comments
13 will focus on -- well, let me begin.

14 We strongly support the Mayor
15 and Council President's proposal to place
16 a \$2 per pack tax on cigarettes in the
17 City of Philadelphia. And cigarette
18 smoking and tobacco use is responsible
19 for more deaths in this city than murder,
20 traffic issues combined, and so -- and
21 there is ample evidence that raising the
22 price for cigarettes and tobacco products
23 reduces the number of people who smoke
24 and certainly discourages folks from
25 considering beginning to smoke. And

1 5/29/13 - WHOLE - BILL 120651, etc.
2 really what I'd like to ask Council to do
3 when they consider this proposal, think
4 about the School District. The children
5 of the City and the School District do
6 need more funds. Think also about family
7 members, friends, and folks that you know
8 who have been afflicted with the terrible
9 suffering and the diseases that their
10 tobacco use have resulted in. I think
11 most of you can think about folks you
12 know that this has affected, and I would
13 ask you to consider those folks and
14 recognize and appreciate -- you have a
15 real opportunity to reduce the suffering
16 that will be experienced by the people of
17 this city for many, many years to come.

18 We hope that you will pass the
19 bill, and maybe unanimously.

20 Thank you.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you so much for your testimony,
23 sir.

24 Good afternoon.

25 MR. WILSON: Thank you,

1 5/29/13 - WHOLE - BILL 120651, etc.
2 Councilman. My name is Monty Wilson.
3 I'm an attorney at Community Legal
4 Services. And I guess in a brief moment
5 of tofu making, I'm going to return to
6 the deferral bill on AVI taxes.

7 COUNCILMAN JOHNSON: Thank you.

8 MR. WILSON: You're welcome.
9 I've seen tofu made. It's not pretty.

10 I'm a supervising attorney at
11 CLS and I'm here in support of 130417,
12 the property tax deferral bill that we
13 believe will help some homeowners who are
14 not necessarily going to be helped by
15 some of the other tools that are out
16 there when homeowners are going to be
17 dealing with increased taxes in the next
18 few years.

19 This deferral bill, it's
20 important to realize, is not a free ride
21 or a waiver of tax liabilities. It is an
22 opportunity for some homeowners to apply
23 to the Revenue Department to allow some
24 portion of the increase to be temporarily
25 deferred until they either sell that

1 5/29/13 - WHOLE - BILL 120651, etc.
2 property or until they die so that they
3 can live within their budget, and the
4 Department makes the ultimate decision
5 about what amount of increase they can
6 afford.

7 As the City has moved forward
8 on AVI, we know there's been a lot of
9 discussion about will that increase
10 people's taxes in the coming years, and I
11 realize that's been a hot topic of
12 discussion. In prior sessions before
13 Council, you've heard me talk about
14 people who are dealing with delinquent
15 taxes. We know from the PlanPhilly
16 article that Patrick Kerkstra ran in
17 March that there are about 40,000
18 owner-occupied delinquent properties in
19 Philadelphia. Those are the residents
20 I'm helping and Councilman Green is also
21 working on getting them into payment
22 plans. Some of those same people, about
23 21,000 of whom are low-income homeowners,
24 are going to see increases in their tax
25 bill if certain steps aren't taken. The

1 5/29/13 - WHOLE - BILL 120651, etc.
2 first step that I think is really
3 important is a \$30,000 homestead
4 exemption. I know that the talk has been
5 there will not be an increase for
6 homeowners if we move forward on AVI, and
7 based on the experiences that I've had at
8 CLS of having homeowners come in with
9 their questions obviously about AVI and,
10 as you well know, there's a lot of fear
11 about what its effect will be.

12 What I'm seeing is, if people
13 have a \$30,000 homestead exemption, they
14 will in fact see a small tax decrease.
15 Most of my clients who live at about 125
16 percent of poverty will see a decrease of
17 about \$100 to \$200. Without that
18 exemption, they'll see an increase of
19 about \$200 to \$600. The deferral bill
20 will reach the people who are going to
21 win the unlucky lottery. There are
22 people who even with the exemption,
23 purely through the luck of where they
24 bought the house, are going to see
25 substantial increases. This is not

1 5/29/13 - WHOLE - BILL 120651, etc.
2 everyone. I would say it's three or four
3 out of the clients that I've seen. But
4 those people are looking at \$2,000 to
5 \$3,000 increases in their yearly tax bill
6 on top of what they're already paying.
7 They can't afford that. These are people
8 living right at the poverty line or just
9 a little bit above it.

10 My client L.G., who I described
11 in my testimony, is 71 years old. She's
12 paid her taxes every year. She's not
13 delinquent. She pays her mortgage on
14 time. Without the deferral bill, she's
15 likely to lose her home, because she
16 simply won't be able to manage the
17 increase. With the deferral bill, she'd
18 be able to continue to pay, but defer the
19 balance until she dies, and at the age of
20 71, the City may be able to collect that
21 money reasonably soon with interest.

22 For that reason, I would urge
23 you to take the step of looking at this
24 bill and considering whether we need this
25 one more step of protection for the

1 5/29/13 - WHOLE - BILL 120651, etc.
2 homeowners for whom just getting into a
3 payment plan or having an exemption will
4 not help them stay in their homes even if
5 they've paid their taxes.

6 COUNCIL PRESIDENT CLARKE:
7 Thank you. Thank you so much for your
8 testimony.

9 MR. WILSON: Thank you.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you all very much.

12 COUNCILMAN GREEN: Mr.
13 President?

14 COUNCIL PRESIDENT CLARKE: I'm
15 sorry. Councilman Green.

16 COUNCILMAN GREEN: Thank you.
17 Thank you, Mr. President.

18 Just very quickly, Monty, I
19 appreciate all the work you do. I just
20 can't let a portion of your testimony
21 stand, because it's anecdotal and not
22 based on any kind of statistical fact,
23 which is you don't have an average 125
24 discount and an average up to \$600
25 increase with a \$30,000 homestead

1 5/29/13 - WHOLE - BILL 120651, etc.
2 exemption. That math simply doesn't
3 work. The fact of the matter is, most
4 people, whether we have a homestead or
5 not in this city, will have their taxes
6 go down, and that is, the statistics bear
7 out, especially true for people whose
8 homes are of less value in the City of
9 Philadelphia. Those are just the
10 statistical facts.

11 MR. WILSON: And I won't
12 necessarily disagree with you.

13 COUNCILMAN GREEN: That's all.
14 Thank you.

15 MR. WILSON: Councilman, I
16 won't disagree with you. As I said in
17 the testimony, it's not a scientific
18 sample. What I can say is that based on
19 the people who come to CLS, we are seeing
20 the exemption is exactly the flipping
21 point between whether they will see an
22 increase or a decrease.

23 COUNCILMAN GREEN: Once again,
24 that doesn't -- it's not borne up at all
25 by the statistics.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 MR. WILSON: Understood.

3 COUNCILMAN GREEN: Thank you.

4 MS. LEWIS: Meredith Rebar,
5 Melissa Bova, and Garth Weldon.

6 COUNCILMAN JONES: Thank you
7 all for your testimony.

8 (Witnesses approached witness
9 table.)

10 COUNCILMAN JONES: Good
11 afternoon. Please be seated. Pull the
12 mic to you and please begin your
13 testimony.

14 MS. REBAR: Hello. My name is
15 Meredith Rebar. I'm presenting a
16 statement on Bill 130446, the proposal to
17 enact \$2 per pack on cigarette taxes.

18 Good afternoon, Councilmembers.
19 My name is Meredith Rebar. I live at
20 2201 Pennsylvania Avenue in Philadelphia.
21 I'm a grassroots relationship manager for
22 the American Cancer Society Cancer Action
23 Network, also known as ACS CAN, here in
24 the City. ACS CAN is the advocacy
25 affiliate of the American Cancer Society.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 With me is Diane Phillips, who is the
3 Senior Director for Policy at ACS CAN.

4 We commend the City for its
5 important public health efforts through
6 the Get Healthy Philly program. We also
7 appreciate City Council's consideration
8 of this important issue. While some may
9 regard this simply as a matter of
10 revenue, creating a \$2 per pack City tax
11 on cigarettes has also positive health
12 implications.

13 Higher cigarette taxes help
14 keep people from starting to smoke,
15 motivate people to quit smoking, and
16 reduce the number of cigarettes consumed
17 by smokers. Young people are especially
18 price sensitive. According to the 2012
19 Surgeon General's report, for every 10
20 percent increase in price, there is a 6
21 percent decrease in youth smoking and 3
22 percent decrease in young adult smoking.

23 Tobacco use is still a serious
24 health problem in the City. Each year,
25 2,100 Philadelphians die from

1 5/29/13 - WHOLE - BILL 120651, etc.
2 tobacco-related diseases. This is nearly
3 16 percent of all deaths in the City.
4 Another 40,000 suffer from illnesses like
5 cancer, heart disease, asthma, and other
6 lung ailments. About half of all smokers
7 in the City will die from an illness
8 caused by tobacco. Smoking kills more
9 Philadelphians than homicide, AIDS, car
10 accidents, diabetes, and illegal drugs
11 combined.

12 Increasing the price of
13 cigarettes is an effective deterrent for
14 smoking. Quitting smoking improves the
15 health of smokers and those exposed to
16 secondhand smoke. It also makes
17 financial sense. The Philadelphia
18 Department of Health projects that a \$2
19 per pack tax, along with other tobacco
20 control activities, would lead to 48
21 million in yearly healthcare savings and
22 28 million in yearly productivity gains
23 for area employees within four years.
24 Furthermore, people who quit smoking have
25 more disposable income to spend on other

1 5/29/13 - WHOLE - BILL 120651, etc.

2 goods and services.

3 More than 450 local

4 jurisdictions have their own cigarette

5 tax rates, bringing in more than 500

6 million in annual revenue, working

7 effectively to reduce smoking rates,

8 especially among youth. The top four

9 locals per pack taxes are Cook County in

10 Illinois, including Chicago, which it's

11 \$3, but it was just recently increased to

12 4; Bethel, Alaska, which is 2.21;

13 Anchorage, Alaska, which is 2.20; and New

14 York City, which is 1.50.

15 New York City's tax is the

16 result of an increase from 8 cents to

17 \$1.50. Enacted in July 2002, the

18 increase immediately brought in

19 substantial new revenue despite sharp

20 declines in smoking rates and pack sales.

21 After that, revenue from the cigarette

22 tax declined somewhat, but has leveled

23 off. It still remains eight times higher

24 than it was before.

25 Combined with the ongoing

1 5/29/13 - WHOLE - BILL 120651, etc.
2 tobacco control efforts, a City tax can
3 have a positive impact on health
4 behaviors. From 2002 to 2007, the number
5 of adult smokers in New York City
6 declined by 21 percent. From 2001 to
7 2007, the smoking rates among high school
8 students have dropped by 52.8 percent.

9 A major goal of the American
10 Cancer Society and ACS CAN is to prevent
11 cancer in Philadelphia and across
12 Pennsylvania. We support a \$2 per pack
13 City tax on cigarettes because it will
14 reduce smoking among children and adults
15 in the City. We also recommend that a
16 portion of the funds be used to continue
17 Philadelphia's exemplary efforts to
18 reduce tobacco use.

19 ACS provides support for
20 families and cancer patients who have
21 cancers related to tobacco issues. We
22 want to decrease that number of cancer
23 incidents.

24 I lost my mom to lung cancer
25 when I was a teenager, so this bill is

1 5/29/13 - WHOLE - BILL 120651, etc.
2 very important to me.

3 In addition to a cigarette tax,
4 we recommend the City Council again look
5 at taxing other tobacco products such as
6 smokeless tobacco and cigars. This would
7 help to close price gaps among all
8 tobacco products and also making other
9 harmful products less affordable and
10 attractive to young Philadelphians.
11 Taken together, tobacco issues and
12 ongoing tobacco control can result in
13 healthier Philadelphians.

14 Thank you for this opportunity
15 to speak.

16 COUNCILMAN JONES: Thank you
17 for your testimony.

18 And feel free to abbreviate.
19 We'll put it on the record in writing.
20 But please begin.

21 MR. WELDON: Thank you.
22 Members of the City Council, thank you
23 for allowing me to testify today
24 regarding Bill 130447, which would raise
25 the Philadelphia alcohol sales tax from

1 5/29/13 - WHOLE - BILL 120651, etc.
2 10 to 15 percent. I'm Garth Weldon. I
3 operate the Prime Rib Restaurant here in
4 Philadelphia. I'm a past Chairman of the
5 Pennsylvania Restaurant and Lodging
6 Association, which represents over 500
7 businesses in the City of Philadelphia
8 and 7,500 members across the state.

9 An alcohol tax unfairly targets
10 one industry; more specifically, an
11 industry made up primarily of small
12 businesses. It creates an uneven playing
13 field. Just last year, Philadelphia
14 raised the use and occupancy tax by over
15 20 percent to help fund the School
16 District. Our industry cannot afford
17 another tax increase. It puts existing
18 businesses at a disadvantage to others
19 outside of the City and discourages other
20 businesses from coming to the City.

21 As part of my work with the
22 Pennsylvania Restaurant and Lodging
23 Association, I talk to a number of
24 operators who operate in the surrounding
25 jurisdictions who will not come to

1 5/29/13 - WHOLE - BILL 120651, etc.

2 Philadelphia, will not open a restaurant
3 in Philadelphia.

4 A 15 percent tax will
5 discourage customers from going out for a
6 meal in the City. The surrounding
7 suburbs do not have a tax on alcohol and
8 there's no cost for parking. Customers
9 notice a 15 percent markup on a glass of
10 wine. More specifically, they notice a
11 15 percent markup on a bottle of wine.
12 Patrons will spend less, venture into the
13 City less, and it will affect the
14 hospitality industry.

15 In 1994, when the 10 percent
16 tax was implemented, there was an
17 extremely different economy.
18 Unemployment was at 5.4 percent. The
19 economy was on the upswing. Philadelphia
20 now is not in a positive economic
21 environment. Unemployment in March was
22 10.3 percent.

23 I know people point out that a
24 lot of restaurants have opened since the
25 10 percent tax was put in, but the fact

1 5/29/13 - WHOLE - BILL 120651, etc.
2 is 60 percent of restaurants fail within
3 three years. So a tax that is only
4 applied to this industry discourages
5 growth, investment, and leads to more
6 failed ventures.

7 Our industry -- just can I have
8 one more thing? There are only ten
9 locations across the United States that
10 have an alcohol tax similar to this. The
11 second highest is the City of Pittsburgh,
12 7 percent. The third highest has a cap
13 of 6 percent in Minnesota. So this tax
14 is not the norm, nor the solution.

15 Thank you.

16 COUNCILMAN JONES: Thank you
17 for your testimony and we appreciate it.

18 You don't want to speak?

19 MS. BOVA: No. I'm just here
20 for any questions.

21 COUNCILMAN JONES: Are there
22 any questions for this panel?

23 (No response.)

24 COUNCILMAN JONES: Members?

25 (No response.)

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN JONES: Seeing none,
3 thank you for your testimony.

4 MS. LEWIS: Jennifer Keith.
5 (Witness approached witness
6 table.)

7 COUNCILMAN JONES: Thank you.
8 Please state your name for the record and
9 begin your testimony. Good afternoon.

10 MS. KEITH: Thank you. Good
11 afternoon. My name is Jennifer Keith.
12 I'm a senior research associate at Public
13 Health Management Corporation and today
14 I'm representing the American Lung
15 Association.

16 The American Lung Association
17 supports Bill 130446 proposed by
18 Philadelphia Mayor Michael Nutter to
19 increase the excise tax and the sale of
20 cigarettes in Philadelphia to a rate of
21 \$2 per pack. The American Lung
22 Association fully supports Mayor Nutter's
23 proposal, which will simultaneously
24 improve public health and provide revenue
25 for Philadelphia's schools.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 The American Lung Association
3 has championed cigarette taxes for many
4 years, and cigarette tax increases will
5 reduce cigarette consumption, promote
6 cessation among current users, and
7 prevent youth from starting to smoke.
8 This is a proven public health policy
9 that will improve the health of all
10 Philadelphians, will generate revenue for
11 needed tobacco control and education
12 programs in the City.

13 Each year, the American Lung
14 Association releases the State of Tobacco
15 Control Report. The report ranks
16 progress on key tobacco control laws and
17 policies. It determines if tobacco
18 control laws are adequately protecting
19 citizens from the enormous toll of
20 tobacco in lives and money caused by
21 tobacco use. In 2013, Pennsylvania
22 received a "C" for our tax rate on
23 cigarettes. Establishing a basis to
24 grade cigarette excise tax begs the
25 question what is the appropriate level to

1 5/29/13 - WHOLE - BILL 120651, etc.
2 tax cigarettes to protect public health.

3 Research shows that as the
4 price of cigarettes increases,
5 consumption decreases. For each 10
6 percent price increase, consumption drops
7 by about 7 percent for youth and 4
8 percent for adults. The CDC reported
9 that each pack of cigarettes sold in this
10 country cost the economy \$10.47 in direct
11 medical costs and lost productivity. So
12 the answer to the cigarette excise tax is
13 simple: The higher, the better.

14 According to the Philadelphia
15 Department of Public Health, 2,100
16 Philadelphians die each year due to
17 tobacco use. This makes up 16 percent of
18 the deaths in the City, more than is
19 caused by homicide, AIDS, car accidents,
20 diabetes, and illegal drugs combined.
21 Tobacco use is the leading cause of
22 preventable death in the City and
23 statewide. It has been calculated that a
24 \$2 per pack tax increase would result in
25 approximately 40,000 fewer adult smokers

1 5/29/13 - WHOLE - BILL 120651, etc.
2 and 1,000 to 2,000 fewer youth smokers,
3 causing fewer preventable deaths. A \$2
4 per pack tax would not only reduce
5 overall consumption of cigarettes, but
6 will also deter individuals from
7 beginning to smoke, to motivate higher
8 rates of quitting.

9 I'll just skip to the end here.
10 I'll give this to you for the record.

11 The American Lung Association
12 is committed to providing the support
13 that will be necessary to move Mayor
14 Nutter's timely proposal forward and
15 encourages all efforts in passing the
16 relevant and critical public health
17 measure.

18 On a personal note, I think
19 this is a really good time for me to bet
20 my sister that she can quit smoking with
21 this as a good motivation.

22 COUNCILMAN JONES: What's the
23 bet?

24 MS. KEITH: Well, I'll let her
25 name the terms. That will be the other

1 5/29/13 - WHOLE - BILL 120651, etc.

2 side.

3 COUNCILMAN JONES: There you

4 go.

5 MS. KEITH: Thank you.

6 COUNCILMAN JONES: Thank you so

7 much for your testimony.

8 Are there any questions for

9 this witness?

10 (No response.)

11 COUNCILMAN JONES: Seeing none,

12 thank you for your testimony.

13 MS. KEITH: Thank you.

14 COUNCILMAN JONES: There's a

15 brief break, not at all for you to leave.

16 The President is coming back and we will

17 take action on the bills and resolutions.

18 Are there any others to testify

19 today on the bills and/or resolutions?

20 (Witness approached witness

21 table.)

22 COUNCILMAN JONES: Good

23 afternoon.

24 MS. McCONNELL: Good afternoon.

25 Sorry. I thought I was signed up.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN JONES: That's all
3 right. State your name.

4 MS. McCONNELL: My name is Beth
5 McConnell. I'm the Policy Director for
6 the Philadelphia Association of Community
7 Development Corporations, PACDC. We're
8 here today to support Bill No. 130417,
9 which would give homeowners in
10 Philadelphia the opportunity to defer
11 paying a portion of the increase in their
12 property taxes until the sale or transfer
13 of their property subject to eligibility.
14 We would like to suggest some minor
15 modifications to the bill to ensure that
16 the deferral program is more targeted to
17 those who truly need assistance with
18 their property tax bills.

19 As you know, as a result of
20 AVI, some property owners' real estate
21 taxes could double, triple or more in
22 2014, and some homeowners in Philadelphia
23 then could be forced to move out of their
24 neighborhoods or become tax delinquent if
25 they're unable to pay. This destabilizes

1 5/29/13 - WHOLE - BILL 120651, etc.
2 neighborhoods and can lead to vacancy and
3 blight. So keeping responsible property
4 owners in their homes and complying with
5 tax laws should be a priority, and we
6 believe that the deferral program in Bill
7 No. 130417 is a good tool to achieve that
8 goal.

9 The bill would allow property
10 owners whose real estate taxes increase
11 by more than 15 percent in a given year
12 and who meet income and expense
13 eligibility criteria the opportunity to
14 apply for a deferral of the increase in
15 the taxes until they sell or transfer the
16 title of the property. A modest interest
17 rate of no more than 2 percentage points
18 above the U.S. Treasury bill rate would
19 be assessed on those deferrals. The
20 eligibility criteria are actually quite
21 rigorous in this bill. For Tier 1
22 taxpayers, an individual earning \$56,000
23 a year, which is just over 70 percent of
24 area median income, AMI, would qualify if
25 their tax bill was 25 percent of their

1 5/29/13 - WHOLE - BILL 120651, etc.
2 income or a very steep \$13,860 per year,
3 which is pretty unlikely someone at that
4 income can afford a property at those
5 taxes. So it may be more appropriate to
6 consider all of the individual's housing
7 expenses in that qualification, not just
8 their tax expenses. Typically a home is
9 considered affordable if the housing
10 expenses are about 30 percent of an
11 individual's income.

12 For comparison on the lower
13 end, Tier 4 taxpayers with income at 30
14 percent of AMI, or just less than \$24,000
15 a year, would be eligible for a hardship
16 deferral if their tax bill was 5 percent
17 of their income, or about \$1,188.

18 We support the language in the
19 bill that allows the Department of
20 Revenue to consider reasonable household
21 expenses and available liquid assets in
22 combination with the income eligibility
23 criteria.

24 Very quickly, the bill would
25 also allow the Department to determine

1 5/29/13 - WHOLE - BILL 120651, etc.
2 that a property owner has a hardship if
3 their property tax bill increases more
4 than two and a half times in a given
5 year. PACDC has some concerns that
6 properties whose ten-year tax abatement
7 is expiring may attempt to use the
8 deferral program as an opportunity to
9 defer their taxes even further. While
10 the bill does give the Department of
11 Revenue discretion in approving or
12 denying a deferral plan, we'd like to
13 suggest strengthening that language a bit
14 to give the Department clearer direction
15 that it must consider income, expenses,
16 and assets as well as the reason for the
17 tax increase when determining who's
18 eligible.

19 I have some additional comments
20 that I'll submit in writing, but in
21 closing, we do believe our tax system can
22 be reformed equitably, and we think that
23 Bill No. 130417 takes an important step
24 towards that goal, and we thank
25 Councilwoman Sanchez and Councilman Jones

1 5/29/13 - WHOLE - BILL 120651, etc.
2 in taking leadership on this bill.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you so much for your testimony.

5 The Chair recognizes Councilman
6 Johnson.

7 (Microphone not turned on.
8 Councilman Johnson talking without
9 microphone.)

10 MS. McCONNELL: Did I say
11 Jones? I looked at you, though. Sorry.
12 Thank you.

13 COUNCILMAN JOHNSON: On a
14 serious note, I also thank you for your
15 testimony. I just want to make sure I
16 get a copy of it so we can take it back
17 and take a look at it. Thank you.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you.

20 Any other witnesses, Ms. Lewis?

21 MS. LEWIS: There are no other
22 witnesses, sir.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you.

25 There being none, this now

1 5/29/13 - WHOLE - BILL 120651, etc.
2 concludes the public hearing. We will
3 now go into the public meeting.

4 The Chair recognizes
5 Councilmember Goode for a motion on the
6 amendment to Bill No. 120651.

7 COUNCILMAN GOODE: Thank you,
8 Mr. President. I'm offering an amendment
9 to Bill No. 120651 after further
10 discussion on this bill so that we can
11 come up with an ultimate conclusion
12 within the next week or so. The
13 amendment has been circulated to all
14 members of Council, and I move for the
15 adoption of the amendment.

16 (Duly seconded.)

17 COUNCIL PRESIDENT CLARKE: It
18 has been moved and properly seconded that
19 the amendment to Bill No. 120651 be
20 adopted.

21 All those in favor say aye.

22 (Aye.)

23 COUNCIL PRESIDENT CLARKE:

24 Those opposed?

25 (No response.)

1 5/29/13 - WHOLE - BILL 120651, etc.

2 COUNCIL PRESIDENT CLARKE: The
3 ayes have it and the motion carries, and
4 Bill No. 120651 has been adopted.

5 The Chair recognizes Councilman
6 Jones for a motion on Bill No. 130178.

7 COUNCILMAN JONES: Thank you,
8 Mr. Chairman. I move that Bill No.
9 130178 be reported from this Committee
10 with a favorable recommendation and
11 further move that the rules of Council be
12 suspended to permit first reading of this
13 bill at our next session of Council.

14 (Duly seconded.)

15 COUNCIL PRESIDENT CLARKE: It
16 has been moved and properly seconded that
17 Bill No. 130178 be reported from
18 Committee with a favorable recommendation
19 and further moved that the rules of
20 Council be suspended so to permit first
21 reading of this bill at the next session
22 of Council.

23 All those in favor say aye.

24 (Aye.)

25 COUNCIL PRESIDENT CLARKE:

1 5/29/13 - WHOLE - BILL 120651, etc.

2 Those opposed?

3 COUNCILMAN GOODE: Nay.

4 COUNCIL PRESIDENT CLARKE: One
5 nay. The motion carries. Bill No.
6 130178 will be reported from this
7 Committee with a favorable
8 recommendation, with a request that the
9 rules of Council be suspended so as to
10 permit first reading at the next session
11 of Council.

12 The Chair recognizes Councilman
13 Jones for a motion on Bill No. 130179.

14 COUNCILMAN JONES: Thank you,
15 Mr. Chairman. I move that Bill No.
16 130179 be reported from this Committee
17 with a favorable recommendation and
18 further move that the rules of Council be
19 suspended to permit first reading of this
20 bill at our next session of Council.

21 (Duly seconded.)

22 COUNCIL PRESIDENT CLARKE: It
23 has been moved and properly seconded that
24 Bill No. 130179 be reported from this
25 Committee with a favorable recommendation

1 5/29/13 - WHOLE - BILL 120651, etc.
2 and further moved that the rules of
3 Council be suspended so as to permit
4 first reading of this bill at the next
5 session of Council.

6 All those in favor say aye.
7 (Aye.)

8 COUNCIL PRESIDENT CLARKE:
9 Those opposed?

10 (No response.)

11 COUNCILMAN GOODE: Nay.

12 COUNCIL PRESIDENT CLARKE: The
13 ayes have it. The motion carries. Bill
14 No. 130179 will be reported from this
15 Committee with a favorable
16 recommendation, with a request that the
17 rules of Council be suspended so as to
18 permit reading at the next session of
19 Council.

20 Councilman Jones, 130182.

21 COUNCILMAN JONES: Thank you
22 again, Mr. Chairman.

23 COUNCILMAN KENNEY:
24 Mr. Chairman?

25 COUNCIL PRESIDENT CLARKE: I'm

1 5/29/13 - WHOLE - BILL 120651, etc.

2 sorry.

3 COUNCILMAN KENNEY: My

4 apologies.

5 COUNCIL PRESIDENT CLARKE: Want

6 me to do the motion first?

7 COUNCILMAN KENNEY: Yes. Thank

8 you.

9 COUNCIL PRESIDENT CLARKE:

10 Councilman Jones.

11 COUNCILMAN JONES: Thank you,

12 Mr. Chairman. I move that Bill No.

13 130182 be reported from this Committee

14 with a favorable recommendation and

15 further move that the rules of Council be

16 suspended to permit first reading of this

17 bill at our next session of Council.

18 (Duly seconded.)

19 COUNCIL PRESIDENT CLARKE: It

20 has been moved and properly seconded that

21 Bill 130182 be reported from this

22 Committee with a favorable recommendation

23 and further moved that the rules of

24 Council be suspended to permit first

25 reading of this bill at the next session

1 5/29/13 - WHOLE - BILL 120651, etc.
2 of Council.

3 All those in favor say aye.
4 (Aye.)

5 COUNCIL PRESIDENT CLARKE:

6 Those opposed?

7 (No response.)

8 COUNCIL PRESIDENT CLARKE: The
9 ayes have it. The motion carries. Bill
10 No. 130182 will be reported from this
11 Committee with a favorable
12 recommendation, with a rules suspension
13 to allow first reading at the next
14 session of Council.

15 Councilman Kenney.

16 COUNCILMAN KENNEY: No. I'm
17 good.

18 COUNCIL PRESIDENT CLARKE: The
19 Chair now recognizes Councilman Jones for
20 a motion on Bill No. 130443.

21 COUNCILMAN JONES: Thank you
22 again, Mr. Chairman. I move that Bill
23 No. 130443 be reported from this
24 Committee with a favorable recommendation
25 and further move that the rules of

1 5/29/13 - WHOLE - BILL 120651, etc.

2 Council be suspended to permit first
3 reading of this bill at our next session
4 of Council.

5 (Duly seconded.)

6 COUNCIL PRESIDENT CLARKE: It
7 has been moved and properly seconded that
8 Bill No. 130443 be reported from this
9 Committee with a favorable recommendation
10 and further moved that the rules of
11 Council be suspended to permit first
12 reading of this bill at the next session
13 of Council.

14 All those in favor say aye.

15 (Aye.)

16 COUNCIL PRESIDENT CLARKE:

17 Those opposed?

18 (No response.)

19 COUNCIL PRESIDENT CLARKE: The
20 ayes have it. The motion carries. Bill
21 No. 130443 will be reported from this
22 Committee with a favorable
23 recommendation, with a request for rules
24 suspension to allow reading at the next
25 session of Council.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 The Chair recognizes

3 Councilmember Jones on 130444.

4 COUNCILMAN JONES: Mr. Chair, I
5 move that Bill No. 130444 be reported
6 from this Committee with a favorable
7 recommendation and further move that the
8 rules of Council be suspended to permit
9 first reading of this bill at our next
10 session of Council.

11 (Duly seconded.)

12 COUNCIL PRESIDENT CLARKE: It
13 has been moved and properly seconded that
14 Bill No. 130444 be reported from this
15 Committee with a favorable recommendation
16 and further moved that the rules of
17 Council be suspended so as to allow first
18 reading of this bill at the next session
19 of Council.

20 All those in favor say aye.

21 (Aye.)

22 COUNCIL PRESIDENT CLARKE:

23 Those opposed?

24 (No response.)

25 COUNCIL PRESIDENT CLARKE: The

1 5/29/13 - WHOLE - BILL 120651, etc.
2 ayes have it. The motion carries. Bill
3 No. 130444 will be reported from this
4 Committee with a favorable
5 recommendation, with a rules suspension
6 to allow reading at the next session of
7 Council.

8 Councilman Jones, Bill No.
9 130446.

10 COUNCILMAN JONES: Thank you,
11 Mr. Chair. I move that Bill No. 130446
12 be reported from this Committee with a
13 favorable recommendation and further move
14 that the rules of Council be suspended to
15 permit first reading of this bill at our
16 next session of Council.

17 (Duly seconded.)

18 COUNCIL PRESIDENT CLARKE: It
19 has been moved and properly seconded that
20 Bill No. 130446 be reported from this
21 Committee with a favorable recommendation
22 and further moved that the rules of
23 Council be suspended so to permit first
24 reading of this bill at our next session
25 of Council.

1 5/29/13 - WHOLE - BILL 120651, etc.

2 All those in favor say aye.

3 (Aye.)

4 COUNCIL PRESIDENT CLARKE:

5 Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT CLARKE: The
8 ayes have it. The motion carries. Bill
9 No. 130446 will be reported from this
10 Committee with a favorable recommendation
11 and a request that the rules of Council
12 be suspended to permit first reading at
13 the next session of Council.

14 This concludes our public
15 meeting. The remaining bills will be
16 recessed until Wednesday, June 5th, 2013
17 at 2:00 p.m., at which time we will
18 reconvene in Room 400.

19 Thank you all very much.

20 (Committee of the Whole
21 concluded at 3:20 p.m.)

22 - - -

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
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