

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, March 29, 2016
10:40 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN ALLAN DOMB
COUNCILMAN DEREK S. GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILWOMAN HELEN GYM
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN AL TAUBENBERGER

BILLS 160170, 160171, and 160172
RESOLUTION 160180

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1
2 COUNCIL PRESIDENT CLARKE: Good
3 morning. We're going to start now.

4 Thank you very much. We are
5 starting our long and arduous process
6 called the budget, and I want to welcome
7 everyone this morning. I promise you we
8 will pretty much have a lot of fun.

9 There will probably be a couple of days
10 we'll get a little testy, but it's
11 business, it's not personal.

12 So, folks, thank you very much.
13 Good morning, everyone. We will start
14 our process. We do have a quorum
15 present. This is a public hearing of the
16 Committee of the Whole regarding Bills
17 No. 160170, 160171, 160172, and
18 Resolution No. 160180.

19 Mr. Stitt, please read the
20 titles of the bills and resolution.

21 THE CLERK: Bill No. 160170, an
22 ordinance to adopt a Capital Program for
23 the six Fiscal Years 2017 through 2022
24 inclusive.

25 Bill No. 160171, an ordinance

1 3/29/16 - WHOLE - RES. 160170, etc.
2 to adopt a Fiscal 2017 Capital Budget.

3 Bill No. 160172, an ordinance
4 adopting the Operating Budget for Fiscal
5 Year 2017.

6 Resolution No. 160180,
7 resolution providing for the approval by
8 the Council of the City of Philadelphia
9 of a Revised Five Year Financial Plan for
10 the City of Philadelphia covering Fiscal
11 Years 2017 through 2021, and
12 incorporating proposed changes with
13 respect to Fiscal Year 2016, which is to
14 be submitted by the Mayor to the
15 Pennsylvania Intergovernmental
16 Cooperation Authority (the "Authority")
17 pursuant to the Intergovernmental
18 Cooperation Agreement, authorized by an
19 Ordinance of this Council approved by the
20 Mayor on January 3, 1992 (Bill No.
21 1563-A), by and between the City and the
22 Authority.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you, Mr. Stitt.

25 Today we begin public hearings

1 3/29/16 - WHOLE - RES. 160170, etc.
2 of the Committee of the Whole to consider
3 the bills read by the Clerk that
4 constitute proposed operating and capital
5 spending measures for Fiscal 2017, a
6 Capital Program, and a forward-looking
7 Capital Plan for Fiscal 2017 through
8 Fiscal 2022.

9 Today we will hear testimony
10 from the Administration on the Five Year
11 Plan. The first person to testify,
12 Mr. Stitt, is?

13 THE CLERK: Jane Slusser.

14 COUNCIL PRESIDENT CLARKE:
15 Please approach the table.

16 (Witnesses approached witness
17 table.)

18 MS. SLUSSER: Good morning,
19 Council President and members of City
20 Council.

21 COUNCIL PRESIDENT CLARKE: Good
22 morning.

23 MS. SLUSSER: I'm Jane Slusser,
24 Chief of Staff in the Office of Mayor Jim
25 Kenney. On behalf of the Mayor, I am

1 3/29/16 - WHOLE - RES. 160170, etc.
2 pleased to provide testimony on the
3 Mayor's first Proposed Operating Budget
4 for FY17 and our Proposed FY17 through
5 FY21 Five Year Financial and Strategic
6 Plan. I am joined today by Rob Dubow,
7 Finance Director, and Anna Adams, Budget
8 Director, and a number of our city's top
9 officials are also here in the audience
10 and are able to answer any questions that
11 you all may have.

12 The Mayor's focus on investing
13 in opportunity for all children and
14 families, in all neighborhoods across
15 Philadelphia are made clear by the
16 choices in this Budget and in this Five
17 Year Plan. The Mayor's Proposed Budget
18 and Five Year Plan includes the expenses
19 for four key initiatives that will help
20 us tackle our largest and most crippling
21 problems head-on. This Budget and Five
22 Year Plan also contains a new revenue
23 source, a tax on sugary drinks, that will
24 cover all of the costs of these vital
25 programs over the Five Year Plan, as well

1 3/29/16 - WHOLE - RES. 160170, etc.
2 as additional contributions to the City's
3 Pension Fund.

4 Despite recovering from the
5 recession of 2007 to 2009, the City still
6 operates with very narrow margins, and
7 any moderate change in revenues or
8 expenditures can create real challenges
9 within the City's budget. Each fiscal
10 year of the Plan ends with much lower
11 fund balances than recommended by
12 government experts. In FY18, the fund
13 balance reaches a low of 37.7 million,
14 less than 1 percent of revenues, and
15 peaks in FY21 at \$127 million, 2.8
16 percent of revenues, still less than half
17 of the City's 6 to 8 percent goal.

18 Having a healthy fund balance would allow
19 the City to have greater flexibility,
20 mitigate current and future financial
21 risks, and to ensure predictability of
22 services. With high fixed costs such as
23 our contribution to the Pension Fund,
24 projected at over 15 percent of the
25 City's budget in FY17, as well as our

1 3/29/16 - WHOLE - RES. 160170, etc.
2 contribution to the School District, debt
3 service and indemnities, all other
4 important services and programs upon
5 which residents depend are squeezed for
6 resources.

7 Major taxes are projected to
8 show moderate base growth throughout the
9 Five Year Plan. For the wage tax, the
10 base growth values are projected at
11 between 3 and 4 percent annually. The
12 Plan includes wage tax rate reductions,
13 costing \$214.6 million over the five
14 years, and rates are proposed to decline
15 from the current resident rate of 3.9102
16 percent to 3.7276 percent in FY21 and
17 current non-resident rate of 3.4828
18 percent to 3.3202 percent in FY21. The
19 reform of the Business Income and
20 Receipts Tax is also included in the
21 Plan, with legislated reductions in the
22 rate, exclusions, and single sales factor
23 apportionment costing \$270.6 million.
24 Base growth fluctuates throughout the
25 Plan, from 1.5 percent to 4 percent

1 3/29/16 - WHOLE - RES. 160170, etc.
2 depending on the year, although there has
3 been a rise in the number of credits
4 taken by businesses in recent years,
5 causing some concerns about the total
6 revenue collected for this fiscal year.
7 Largely because of those credits, BIRT
8 collections are projected to be about \$60
9 million lower than they were projected to
10 be a year ago.

11 For the real property tax, the
12 City remains committed to ensuring that
13 real estate assessments are both fair and
14 accurate. For FY17, the OPA reassessed
15 all land values in the City, and the
16 Budget Office assumes that will result in
17 an additional 3 percent growth of
18 residential taxable market values in our
19 projections. For FY18, OPA will reassess
20 all commercial properties, projected to
21 produce 3 percent in commercial taxable
22 market values. And then for FY19 and
23 beyond, once a new Computer-Assisted Mass
24 Appraisal, or CAMA, system is in place,
25 OPA will be able to complete a full

1 3/29/16 - WHOLE - RES. 160170, etc.
2 reassessment annually.

3 The sales tax is also showing
4 moderate growth of between 3.3 percent
5 and 3.7 percent annually. As a reminder,
6 the first 1 percent of the local portion
7 of the sales tax goes to the City's
8 General Fund and is projected to bring in
9 \$150 million in FY17. The second percent
10 is shared between the City and the School
11 District, with 120 million going to the
12 School District and the remainder to the
13 City, first through FY18 to pay off debt
14 service for a School District borrowing
15 and then to the Pension Fund. In the
16 last year of this Five Year Plan, an
17 additional 52.6 million is projected to
18 be available for the Pension Fund due to
19 the sales tax proceeds. The remaining
20 taxes are also showing moderate growth.
21 The City's real estate transfer tax is
22 now projected at pre-recession values,
23 showing Philadelphia's recovery from the
24 economic downturn.

25 In order to provide the ability

1 3/29/16 - WHOLE - RES. 160170, etc.
2 to make important investments, the
3 Proposed Five Year Plan sought a number
4 of efficiencies throughout City agencies
5 and looked at the ways that we could
6 improve our delinquent collections.
7 Almost 170 million in -- sorry; almost 70
8 million in additional collections are
9 expected to be collected from the FY15
10 baseline by the end of the Plan due to a
11 variety of initiatives within the Revenue
12 Department. These investments include
13 doubling the number of billings to inform
14 taxpayers on a more frequent basis,
15 increasing the number of service
16 representatives assisting taxpayers, and
17 adding technical programming to their IT
18 system. By more broadly publicizing the
19 list of top business tax delinquents,
20 Revenue also expects to boost collection
21 activities, and another tax lien sale is
22 planned for FY17, building off the prior
23 two highly successful sales. City
24 managers in every department have also
25 been tasked with carefully controlling

1 3/29/16 - WHOLE - RES. 160170, etc.

2 spending, most notably through the
3 management of overtime in a variety of
4 departments across the City.

5 Despite these initiatives and
6 revenue enhancements, in order to
7 meaningfully tackle long-term challenges
8 such as poverty, education, and
9 neighborhood inequity, we have to look
10 outside of the existing budgetary
11 resources. With low fund balances, the
12 Administration examined other revenues
13 that could provide recurring funding for
14 programs that are proven to make an
15 impact in the lives of children and
16 families. We believe that taxing sugary
17 drinks will provide the City with the
18 necessary funding to deliver critical
19 services, without raising a broad-based
20 tax that would be a challenge for all
21 residents and families across
22 Philadelphia. The tax is proposed to be
23 levied on the distributors of sugary
24 drinks at 3 cents per ounce and is
25 expected to generate 96 million annually

1 3/29/16 - WHOLE - RES. 160170, etc.
2 when fully implemented.

3 The largest investment funded
4 by the sugary drinks tax is the expansion
5 of quality pre-kindergarten to thousands
6 of families across the City. Currently,
7 46 percent of Philadelphia's
8 kindergartners show up to their first day
9 of school unprepared to learn. At that
10 point, they are already behind their
11 peers, and they often stay behind them
12 for their entire academic careers. But
13 studies show that children who complete
14 quality pre-K are more likely to stay on
15 track in the early grades, graduate high
16 school, complete college, and become
17 employed adults.

18 As a city continually seeking
19 cost-effective ways to better support
20 local schools, quality pre-K expansion is
21 the solution. It presents a tremendous
22 cost-saving potential for the School
23 District by dramatically reducing the
24 need for special education services. The
25 Commission on Universal Pre-K found the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 District could save as much as 72 million
3 per cohort. Additionally, affordable,
4 quality pre-K benefits families just as
5 much as students. In a state where
6 childcare costs rival college tuition
7 rates, publicly funded, quality pre-K
8 enables parents to achieve participation
9 in the workforce, with reduced
10 absenteeism and higher productivity. By
11 committing 256 million in this Five Year
12 Plan, when combined with state and
13 federal funding, we can reach almost
14 25,000 quality, publicly funded pre-K
15 seats in Philadelphia in the next three
16 years.

17 The tax on sugary drinks would
18 also enable the City to pay debt service
19 on the cost of borrowing for rebuilding
20 community infrastructure. With a 348
21 million investment from the City, of
22 which 48 million is from the City's
23 Capital Program, combined with state and
24 private philanthropic donations, our
25 parks, libraries, recreation centers, and

1 3/29/16 - WHOLE - RES. 160170, etc.
2 trails can improve significantly and
3 become safe havens for our children and
4 families to enjoy. We know that students
5 who participate in extracurricular
6 activities have a 15 percent higher
7 school attendance rate than
8 non-participating students, and our
9 students, seniors, and all residents, for
10 that matter, deserve quality spaces that
11 they can enjoy.

12 The Five Year Plan also
13 proposes an additional 39 million to
14 create 25 community schools. Community
15 schools provide services such as
16 healthcare, job training, and other
17 programs, directly in the school where
18 residents can access them most easily.
19 These services are organized by a
20 dedicated coordinator who works with the
21 community to determine which services are
22 most needed. As a result, the services
23 in each community school vary, but the
24 goal is the same. We allow educators to
25 focus on teaching and students to focus

1 3/29/16 - WHOLE - RES. 160170, etc.
2 on learning instead of concentrating on
3 hunger, sickness or even in some cases
4 shelter. The community schools approach
5 is having a positive impact in cities all
6 across the nation. Low-performing
7 schools in Los Angeles, Cincinnati,
8 Austin, and Baltimore are all reducing
9 the barriers to student success, thereby
10 increasing academic achievement.

11 The sugary drinks tax also
12 provides revenue to cover the costs of
13 debt service related to the borrowings
14 for the Philadelphia Energy Campaign, a
15 cause championed by the Council
16 President. Through these investments,
17 City buildings will become more
18 sustainable and energy efficient, saving
19 the City utility costs. These up-front
20 investments have a high return on
21 investment and will pay for themselves
22 after a few years through utility
23 savings.

24 And, finally, the sugary drinks
25 tax will enable the City to add more

1 3/29/16 - WHOLE - RES. 160170, etc.
2 funds to our biggest fiscal challenge,
3 the City's Pension Fund. The
4 contribution to the Pension Fund is now
5 projected to take up 15.4 percent of all
6 City General Fund expenditures, 641
7 million in FY17, squeezing out many other
8 critical expenditures. However, the fund
9 is only 45 percent funded, meaning that
10 we have more liabilities than assets.
11 While the 26 million from the sugary
12 drinks tax is a small number compared to
13 the size of our pension challenge,
14 improving the funding level of the
15 Pension Fund is critical, and this
16 contribution shows that any opportunity
17 that we have to add additional resources,
18 even when relatively small, the
19 Administration plans to take. That's an
20 important signal for us to send to both
21 our creditors as well as to our citizens
22 and our workforce.

23 Thank you all very much for the
24 opportunity to testify today. As
25 mentioned before, members of the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Administration are here and we are glad
3 to answer any questions that you may
4 have.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you very much for your testimony.

7 One quick -- I'm not sure it's
8 a -- on Page 8 of your Budget in Brief,
9 you show a \$4.5 billion fund balance for
10 FY17. Is that an error?

11 MR. DUBOW: Yes. There's a
12 typo in the FY17 numbers. We picked up
13 just the Aviation Fund instead of the
14 combination of all funds on the
15 expenditure side. So we'll correct that.

16 COUNCIL PRESIDENT CLARKE: All
17 right. And that's a public document.
18 It's kind of --

19 MR. DUBOW: Right.

20 COUNCIL PRESIDENT CLARKE: I
21 don't want to give people the impression
22 we have more money than we have.

23 MR. DUBOW: Got it.

24 COUNCIL PRESIDENT CLARKE: I'm
25 sure those municipal contract

1 3/29/16 - WHOLE - RES. 160170, etc.
2 negotiations will be quite different if
3 we in fact had a 4.5 --

4 MR. DUBOW: That would make
5 them much easier.

6 COUNCIL PRESIDENT CLARKE:
7 Yeah. Thank you. That will be
8 corrected, okay.

9 In your testimony -- and I want
10 to preface this by saying that we agree
11 with the laudable goals of the
12 Administration in terms of pre-K and
13 fixing up neighborhood rec centers and
14 all the other good things that we like to
15 take credit for, but, you know, there's
16 always -- what do they say, the devil is
17 in the detail, how do you pay for it. So
18 I wanted to ask you a couple of quick
19 questions.

20 When you talked about without
21 raising a broad-based tax, it will be
22 challenging for all residents, and you
23 know we don't like that since we've been
24 having a significant number of challenges
25 over the last several fiscal years

1 3/29/16 - WHOLE - RES. 160170, etc.

2 because we've had to raise some

3 broad-based taxes to support schools.

4 But can you talk about or have you given

5 an analysis in terms of who the sugary

6 drink tax will actually affect the most?

7 MR. DUBOW: So if you're asking

8 have we looked kind of neighborhood by

9 neighborhood, we haven't done that kind

10 of analysis. I mean, we know that

11 there's usage throughout the City. We

12 know that it's more heavily concentrated

13 probably in low-income neighborhoods,

14 because that's where the advertising is

15 targeted. So we do know that that's

16 where the heaviest usage is.

17 MS. SLUSSER: I would also add

18 that unlike other previous proposals for

19 a sugary drinks tax, we have chose to put

20 this on the distributors. So in other

21 cities such as Berkeley, we've seen that

22 they did not actually pass the entire tax

23 onto the consumer. So it's a tax on the

24 distributor, and it's unclear if all of

25 that goes through to the consumer, which

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Rob does have more information about.

3 COUNCIL PRESIDENT CLARKE: So
4 it's your position that unlike most tax
5 increases, it's not passed through to the
6 consumer? I'm not clear that there's
7 ever been an increase in taxes that
8 wasn't ultimately passed on to the
9 consumer.

10 MR. DUBOW: If you look at what
11 happened, I guess, both in Berkeley and
12 in Mexico, the increase in price at the
13 end was much smaller than the percentage
14 increase in cost from the tax at the
15 distributor. So in Berkeley, depending
16 on the product, it ranged from a little
17 less than half to a little more than half
18 of the increase, and you saw kind of a
19 similar thing happen in Mexico. So we
20 have seen in other places it's not all
21 passed on.

22 COUNCIL PRESIDENT CLARKE: What
23 was the increase in taxes in Berkeley?

24 MR. DUBOW: It was 1 cent per
25 ounce.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCIL PRESIDENT CLARKE: So

3 do you --

4 MR. DUBOW: Smaller increase,

5 but --

6 COUNCIL PRESIDENT CLARKE: Do
7 you think that might have something to do
8 with the fact that the passthrough or the
9 pass-on was not as dramatic as opposed to
10 3 cents?

11 MR. DUBOW: I think that kind
12 of the larger dynamics are the same.
13 It's a decision kind of at every end of
14 the distribution line about what you want
15 to do with that price, and I think that
16 you'll see a similar reaction.

17 COUNCIL PRESIDENT CLARKE: And
18 I, frankly speaking, have been beating
19 back most of the anti-sugary drink
20 coalition folks, because, frankly
21 speaking, I say, well, you know, I kind
22 of have like two and a half months to
23 make a decision. But there were some
24 people that talked about the realities of
25 having a much higher increase on one

1 3/29/16 - WHOLE - RES. 160170, etc.
2 particular product, that what ultimately
3 happens on retailers is that they spread
4 that cost among all of the products that
5 they sell, because the reality is you
6 can't sell a particular product at a
7 significant price. That just wouldn't be
8 good business. So when you talk about
9 broad-based nature, to some degree if
10 that's factual -- because I don't know,
11 that's why we're going to have this
12 series of hearings -- wouldn't that be
13 broad based as it relates to costs being
14 spread among all of the groceries or --

15 MR. DUBOW: It's not
16 necessarily that it would be spread among
17 all the groceries. It may be that the
18 distributor takes some of the hit
19 themselves, passes some of it on, so --

20 COUNCIL PRESIDENT CLARKE: I
21 guess fundamentally I don't believe that.
22 I'm just saying, Rob. I believe at the
23 end of the day they're going to pass that
24 on, because people talk about, well, we
25 have to keep our profits. You know, that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 means, in other words, I'm not paying for
3 this. You are.

4 MR. DUBOW: I mean, that's not
5 what we saw in the other couple of
6 places. I mean, the dynamic could be
7 different everywhere, but that's not what
8 we saw.

9 COUNCIL PRESIDENT CLARKE: I'm
10 just saying, the 3 cents versus 1 cent,
11 that's a big difference. That's why I'm
12 saying if you're going to analyze what
13 happened in Berkeley and you're talking
14 about what would happen in Philly, that's
15 a big difference in terms of the numbers.
16 So a person might be able to,
17 quote/unquote, eat the difference to some
18 degree if it's 1 cent versus 3 cents. I
19 just think nobody is going to eat the
20 difference as it relates to a 3 cent.
21 That's going to be passed on.

22 MR. DUBOW: I don't think that
23 we're saying that they eat the entire
24 difference. I think that there's a
25 portion they would, which is kind of what

1 3/29/16 - WHOLE - RES. 160170, etc.
2 happened out there too.

3 COUNCIL PRESIDENT CLARKE:
4 Okay.

5 MS. SLUSSER: I would
6 additionally add that in our first
7 year -- I don't know the numbers from
8 Berkeley, but in our first year, we look
9 at a 55 percent decrease in consumption.
10 So part of the idea is that people will
11 also have a choice to make here and they
12 can change to other beverage consumption.

13 COUNCIL PRESIDENT CLARKE: All
14 right. So I wasn't going to bring that
15 up. Apparently there is somewhere in
16 some documents where you reference a 55
17 decrease in consumption, but in another
18 document there is a reference of 14
19 percent -- 36. So what's the accurate
20 number? I mean, you have different
21 numbers.

22 MR. DUBOW: So there was a
23 request at the briefings we did last week
24 to show the impact at 2 cents and 3
25 cents. And the way we got to that is

1 3/29/16 - WHOLE - RES. 160170, etc.
2 measuring the elasticity, and we looked
3 at the tax increase as a percent of the
4 cost. At 3 cents, the tax increase is 55
5 percent of the cost. So there's a 55
6 percent decrease. At 2 cents, it's a 36
7 percent increase. So there's a 36
8 percent decrease. So in between the 55
9 and the 36 was different
10 assumptions about --

11 COUNCIL PRESIDENT CLARKE: So
12 it's a different number, okay.

13 MR. DUBOW: Yes.

14 COUNCIL PRESIDENT CLARKE: All
15 right. Real quick, and I'm going to open
16 it up to my colleagues, but when you have
17 the first mic, you tend to abuse the
18 privilege of having the first opportunity
19 to ask questions.

20 Real quick, on Page 3 of your
21 testimony, you talked about the sugary
22 tax providing revenue to cover the cost
23 of that service for the Energy Campaign,
24 and it talks about the up-front
25 investments having a high rate of return

1 3/29/16 - WHOLE - RES. 160170, etc.
2 and will pay for themselves after project
3 completion through utility savings.
4 However, these projects can be funded
5 through the use of ESCOs, and we've
6 talked about this, the relationship in
7 any tax versus what has traditionally
8 happened with retrofits of energy.

9 Is there a reason why we're
10 looking at tying the sugary tax to the
11 Energy Campaign? Because our premise is
12 that the debt service associated with the
13 savings on the retrofit will more than
14 pay for -- be paid for by those
15 particular savings.

16 MR. DUBOW: Yeah, and the
17 reason is that we think the interest rate
18 that we would pay on a bond issue that we
19 did ourselves would be less expensive
20 than going through an ESCO where you're
21 essentially using private financing. So
22 that to the extent that the savings repay
23 the investment, the payback would be even
24 better if we do the borrowing ourselves
25 than if we do it through an ESCO.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCIL PRESIDENT CLARKE: So
3 why are we paying it back with the sugary
4 drink tax? That's my question.

5 MR. DUBOW: It kind of goes
6 back to kind of the original reason why
7 we're doing the tax in the first place.
8 We don't have enough resources in our
9 base budget to pay for the new
10 initiatives. So we're paying for it
11 through the new tax.

12 COUNCIL PRESIDENT CLARKE: Rob,
13 I don't understand that. If the ESCO is
14 going to borrow the money to do the
15 retrofit, you dedicate the savings based
16 on the utility costs, reduction in
17 utility costs to pay back, you dedicate
18 that to the ESCO. Why do we need to --

19 MR. DUBOW: You're still paying
20 it back and you're paying it back at a
21 higher rate than you pay it back if you
22 borrow on your own.

23 COUNCIL PRESIDENT CLARKE:
24 Okay. But it's not going to be a high
25 rate that requires that we go in the red.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: Over the long term,
3 that's right. It will pay for itself,
4 but there are still up-front investments
5 that we have to make.

6 COUNCIL PRESIDENT CLARKE: I
7 don't see where that's the case. I've
8 seen no scenario where we have to borrow
9 money. And we may decide to do that, but
10 that it be based on an increase in the
11 tax.

12 I guess what I'm saying, I
13 don't -- a program that we propose that
14 is clearly a net benefit as it relates to
15 savings, as it relates to -- actually in
16 the case when we did the quadplex, we
17 actually made a little bit of money. I
18 don't want to tie that to a tax. I don't
19 know why we would even entertain that.

20 MR. DUBOW: Well, I think the
21 reason is in the long term, that's
22 clearly right. In the short term, we
23 need resources for it.

24 COUNCIL PRESIDENT CLARKE: I'd
25 like to see something that shows where

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that's a necessity.

3 MR. DUBOW: Sure.

4 COUNCIL PRESIDENT CLARKE: I
5 just haven't seen that, and these folks
6 from the Energy Campaign have been
7 working on this for a long time.

8 MR. DUBOW: We can show you
9 that, and we're happy to -- as we said,
10 we're happy to meet with them again and
11 kind of walk through it.

12 COUNCIL PRESIDENT CLARKE: All
13 right. Okay. I'm going to turn it over
14 to my colleagues. I'll be back for a
15 couple more questions. Thank you.

16 We're going to start out, if
17 it's okay with my friends and colleagues,
18 with seven minutes. Is that cool? All
19 right. So we can make sure -- we got a
20 pretty lengthy list here.

21 The Chair recognizes Councilman
22 Greenlee.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. President. I think I'll be less
25 than seven minutes.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Good morning, everybody.

3 (Good morning.)

4 COUNCILMAN GREENLEE: My
5 question, on top of Page 2, you talk
6 about OPA and the new CAMA system, and
7 you say from FY19 and beyond, once it's
8 in place. Is that pushing it back? I
9 thought at one time the plan was to have
10 it earlier than that. Is there a reason?
11 If that's true, is there a reason why?

12 MR. DUBOW: I think that's
13 been -- I mean, it may have been back in
14 '12 or '13 we thought that we'd be done
15 sooner, but I think that's been the plan
16 for a while.

17 COUNCILMAN GREENLEE: Can you
18 explain just briefly why it takes -- it
19 seems like a long time.

20 MR. DUBOW: Yeah. I can tell
21 you the process we went through. I can
22 tell you the process we went through to
23 select. We put out an RFP to kind of
24 get -- that went to all the kind of
25 leading providers in the field, leading

1 3/29/16 - WHOLE - RES. 160170, etc.
2 vendors, got responses and really asked
3 them for their best timeline, and that's
4 what we got. So, I mean, this is what
5 the industry is telling us is the pace at
6 which it should be done.

7 COUNCILMAN GREENLEE: Okay.
8 Somewhat along those same lines, I know
9 our offices are still hearing the kind of
10 problems that are a disconnect between
11 BRT, OPA, and Revenue. Maybe that got
12 fixed, so it's not in the Five Year Plan,
13 but is there something that you know that
14 it's continuing to try to make those more
15 married, if you will?

16 MR. DUBOW: Right. They
17 continue to kind of meet with each other
18 and talk. There are still things that
19 slip through, as you know, but they are
20 working hard to make sure that they can
21 minimize the number of things that slip
22 through.

23 COUNCILMAN GREENLEE: Again, I
24 guess my question is, why is that -- it
25 seems like that's taking a long time.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 You would think if any department should
3 be together, it should be those three.

4 MR. DUBOW: I think this is one
5 of those things that CAMA will really
6 help with, because there's not a great
7 information system for the three of them
8 to communicate.

9 COUNCILMAN GREENLEE: Okay.
10 All right. Thank you.

11 Thank you, Mr. President.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you, Councilman.

14 The Chair recognizes
15 Councilwoman Gym.

16 COUNCILWOMAN GYM: Hi. Thank
17 you very much.

18 I'm going to follow up a little
19 bit with my colleague Councilman Greenlee
20 and just repeat that -- so residential
21 properties then are not fully reassessed
22 for five years, is that right, 2019?

23 MR. DUBOW: So what we've done
24 on residential properties is the
25 reassessment, the full reassessment. The

1 3/29/16 - WHOLE - RES. 160170, etc.

2 following year we looked at all of our --

3 COUNCILWOMAN GYM: The land
4 values.

5 MR. DUBOW: What we call GMA,
6 the geographic market areas, to see
7 whether there were places where the
8 variation kind of didn't fit within
9 industry standards. Went back in those
10 and changed those values. And I think
11 there were about 120,000 values that
12 changed. And this year we're just
13 completing a full land value
14 reassessment.

15 So while there hasn't been a
16 full residential reassessment, we have
17 been kind of making changes as we go
18 along so that the next time we do, we
19 don't think there'll be big changes in
20 values because we've been kind of keeping
21 up with them.

22 COUNCILWOMAN GYM: So I guess
23 one of the concerns is can we do it
24 faster than 2019?

25 MR. DUBOW: We don't think so.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 I mean, that's what we asked the vendors
3 to do, to give us their fastest time.

4 COUNCILWOMAN GYM: Is that a
5 technical problem or is that a personnel
6 issue?

7 MR. DUBOW: I think it's a
8 combination of technical problems and
9 work process changes and kind of -- there
10 are certain things where the expertise
11 required is only in-house. There's some
12 where it's kind of -- it's only with
13 vendors. So there's just a lot of
14 different steps that go into the process.

15 COUNCILWOMAN GYM: And so I
16 guess one of the concerns around it is
17 that as a result of not fully
18 reassessing, is that our values on
19 property remain at this relatively stable
20 3 percent rate, whereas property values
21 and valuation given growth in particular
22 areas may significantly increase within a
23 five-year period. Then we re-loop back
24 into the problem that we had in 2013 and
25 2014, which is that people get really

1 3/29/16 - WHOLE - RES. 160170, etc.
2 angry about the differentials when
3 they're not getting timely tax
4 assessments, while growth in the City and
5 construction in the City is going -- is
6 significant.

7 MR. DUBOW: Right.

8 COUNCILWOMAN GYM: How do we
9 plan to address that?

10 MR. DUBOW: So I think on the
11 residential side, you won't see that kind
12 of big increase because of the steps
13 we've taken to kind of keep up with
14 what's been going on.

15 The commercial side, we're
16 doing a full reassessment next year, so
17 for the next tax year. So we should be
18 then kind of up to date on the commercial
19 side. So by the time we do that full
20 reassessment in '19, I don't think we'll
21 see kind of major increases like we did
22 back in '13.

23 COUNCILWOMAN GYM: And do you
24 feel like the 2017, 2018, and 2019
25 schedule that you have listed in your

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Five Year Plan, is that like pushing the
3 Administration or is that kind of like --
4 it's what the general timeline of things
5 would be or do you think that this is a
6 big push on behalf of the
7 Administration's part to make sure that
8 our assessments are well --

9 MR. DUBOW: I think it's a push
10 to get the --

11 COUNCILWOMAN GYM: So it will
12 be hard to do the 2017 land value?

13 MR. DUBOW: Well, that's
14 finished, so, yeah.

15 COUNCILWOMAN GYM: Or the 2018
16 commercial?

17 MR. DUBOW: Yes, I think that
18 will be a push and getting the CAMA. I
19 think this will all be a push, and I
20 think we'll get it all done, but I do
21 think it will be a push.

22 COUNCILWOMAN GYM: Are you
23 inflexible on trying to speed up that
24 timeline?

25 MR. DUBOW: No. I mean, we're

1 3/29/16 - WHOLE - RES. 160170, etc.
2 very flexible, but we haven't found
3 anything to speed it up. If there's some
4 great idea that does that, you know, we'd
5 love to work with you on it.

6 COUNCILWOMAN GYM: And
7 personnel and staffing is not the problem
8 here?

9 MR. DUBOW: I don't think so,
10 but, you know, happy to have other
11 discussions about it.

12 COUNCILWOMAN GYM: The second
13 question is about the School District of
14 Philadelphia. So the City has chosen to
15 flat rate funding to the schools other
16 than the natural increases through tax
17 revenue, but at any time -- I mean,
18 obviously in the last five years, if we
19 were to look back to FY12 and see the
20 Five Year Plan from FY12, we would have
21 been in a precarious state if we had
22 continually projected out flat five-year
23 funding for the District. We raised
24 local revenue. I think the City has been
25 very vocal about saying that we've raised

1 3/29/16 - WHOLE - RES. 160170, etc.
2 local revenue to the tune of almost \$400
3 million, but done pretty much on an
4 annualized ad hoc kind of basis.

5 Here we have a Five Year Plan
6 presented before us. We have a new
7 Administration. We have a School
8 District that may see some stability,
9 though one would argue that the fund
10 balance is based off of massive vacancies
11 and real problems that are evident in our
12 City schools. But what is the City's
13 plan? Because surely you know that
14 according to the District's own financial
15 projections, they are not going to be
16 fiscally stable over the next five years.
17 I would argue that given their
18 projections, particularly that charter
19 expansion will grow by 50 percent in
20 revenues -- in cost expenditures over
21 five years to become a \$1.1 billion
22 industry in the School District, that the
23 District is rapidly moving on massive
24 expansion that's not accurately even
25 reflected in its own plans. And so like

1 3/29/16 - WHOLE - RES. 160170, etc.
2 where -- how is the City really thinking
3 genuinely about a five-year spending
4 approach towards the District and why not
5 consider incremental types of measures
6 that we can do right now that are not
7 hurtful to City residents or dramatic in
8 scale, but steadily kind of shore up the
9 District on other things?

10 MR. DUBOW: Right. And as you
11 know, I mean, the District is projecting
12 over \$130 million --

13 COUNCILWOMAN GYM: Based off of
14 vacancies, no teacher contract for three
15 years.

16 MR. DUBOW: -- both this year
17 and next year. In the end, I guess they
18 start to go negative in '19.

19 I think from our perspective,
20 we obviously want to keep working with
21 them and talking to them, but we've been
22 in a situation over the years where we go
23 first and then the state goes based on
24 what we've done. I think because we have
25 a little bit of room, we can actually see

1 3/29/16 - WHOLE - RES. 160170, etc.
2 what happens with the state over the long
3 term, and that can help inform what we
4 do, which I think is kind of a better
5 position for us to be in than we've been
6 in over the last few years.

7 COUNCILWOMAN GYM: The state
8 currently, though, is -- we're almost at
9 a one to one, right? I mean --

10 MR. DUBOW: That's right.

11 COUNCILWOMAN GYM: -- we are
12 very close to being at an even level with
13 the state. We've got a Harrisburg
14 Legislature that's been intractable for
15 266 days and we ended up with very little
16 revenue at the end of it. I'm asking
17 like why the City isn't planning out for
18 five years rather than doing it on an
19 incremental year-by-year basis?

20 MR. DUBOW: And part of that is
21 we've been having ongoing conversations
22 with the District. I think that kind of
23 over time they'll come to a place where
24 they know what they specifically need
25 from us. I don't --

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN GYM: Their Five
3 Year Plan indicates that they will be --
4 they will be bankrupt.

5 MR. DUBOW: It doesn't indicate
6 they'll be bankrupt. It has projections
7 for where their fund balance is given the
8 investments that they're planning to make
9 over the next five years and not
10 including any substantial increases from
11 the state after this year. So there are
12 both sides where it doesn't include
13 changes over time, and I think we want to
14 see how that plays out before we make
15 further commitments.

16 COUNCILWOMAN GYM: And I would
17 just end by saying that I hope that we
18 can work with the Administration just not
19 to see a year-to-year approach to School
20 District funding, that we really need to
21 shore up a long-term approach from the
22 City and figure this thing out on a more
23 long-term basis.

24 MR. DUBOW: And we're happy to
25 have those discussions.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN GYM: Thank you.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilwoman.

5 The Chair recognizes Councilman

6 Jones.

7 COUNCILMAN JONES: Thank you,

8 Mr. President.

9 Madam Chief of Staff, welcome
10 to government.

11 MS. SLUSSER: Thank you.

12 COUNCILMAN JONES: To your
13 colleagues, welcome back. And couple of
14 questions. Number one, a statement. The
15 Mayor gave a very ambitious budget
16 address and really intrigued most of
17 Council. Even those who may be cynical
18 about proposed taxes were excited about
19 some of the usage and what it could mean
20 in a big picture way for the City of
21 Philadelphia. If it were me, I would
22 have took the vote right then for the
23 sugary drink tax. It might have had a
24 really good opportunity to pass, but as
25 we sobered up a little bit, some of the

1 3/29/16 - WHOLE - RES. 160170, etc.

2 questions started to pop up and some of
3 them I'm going to preview today.

4 I'm very glad that you brought
5 government with you today, because there
6 are going to be some themes that this
7 Council is going to kind of constantly
8 reinforce department by department. So
9 as they prepare their budget testimony,
10 we would like you to consider these
11 answers:

12 One, how do we create -- and if
13 you had nothing better to do but to watch
14 our eight-hour gun violence hearing
15 yesterday, it was compelling, riveting
16 testimony from the people in
17 neighborhoods who not from a 50,000 foot
18 view have to deal with government from
19 boots-on-the-ground view. And some of
20 the questions we're going to, in a public
21 safety way, in a prevention way on crime
22 prevention, which is a priority that this
23 President has set forth, ask each
24 department what you are doing to prevent
25 violence, what you are doing to create

1 3/29/16 - WHOLE - RES. 160170, etc.
2 jobs, how do we create a pipeline from
3 our schools to our City departments,
4 similar to a CEDA program back in the
5 day. Many of you in Council here are too
6 young to remember the CEDA program, but
7 some of the actual participants in that
8 early entry program are matriculating and
9 retiring from government today and had
10 good middle-class careers.

11 So by department, we're going
12 to ask that question, what is your
13 contribution to that.

14 I would ask you, Rob, in
15 retrospect on some of our tax policies,
16 we aggressively went after a cigarette
17 tax. Looking back now, was it
18 successful?

19 MR. DUBOW: So it has
20 generated, I guess, about 50 million a
21 year for the School District. So I think
22 for their finances, it did what it was
23 supposed to do. I think there's --

24 COUNCILMAN JONES: It's okay to
25 be successful.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: Yeah. I think the
3 issue is that it has a sunset, and so we
4 have to figure out whether that stays in
5 place after '19.

6 COUNCILMAN JONES: So that tax
7 policy that we pursued as a body actually
8 helped them out, and it is preventing us
9 from having to necessarily go back to the
10 well once more on real estate.

11 MR. DUBOW: Right. It is part
12 of the reason that -- yeah.

13 COUNCILMAN JONES: Okay.
14 Establishing that.

15 You're now looking at a sugary
16 drinks tax, whether we say 3 percent, 1
17 percent, whatever it is projected to
18 have, in addition to the borrowing
19 somewhere in the neighborhood of \$348
20 million worth of new revenue to do some
21 worthwhile things like pre-K but also
22 aggressively go after libraries,
23 recreation centers that many of our
24 municipal workforce have to live in, work
25 in, and provide services in, and that's a

1 3/29/16 - WHOLE - RES. 160170, etc.

2 lofty goal, correct?

3 MR. DUBOW: Correct.

4 COUNCILMAN JONES: So as we

5 look at retrospectively that we've had a

6 capital budget that has had a ten-year

7 backlog and now we're going to add on

8 every library, every rec center, parks,

9 public buildings, how do you fix the

10 systemic problem of procurement in the

11 City of Philadelphia, A, and then, B, how

12 do you create a pipeline from

13 neighborhoods? Because I know many of my

14 colleagues want to hear that part, that

15 the kid in the barber shop that has to

16 make a choice of what kind of human being

17 he's going to be has an opportunity to

18 have the optimism that some day he will

19 either work in the City of Philadelphia

20 or work on a public works project here.

21 How do we fix that problem?

22 MR. DUBOW: I think the

23 Managing Director is going to come up to

24 address that.

25 (Witnesses approached witness

1 3/29/16 - WHOLE - RES. 160170, etc.
2 table.)

3 MR. DiBERARDINIS: Good
4 morning --

5 COUNCILMAN JONES: Good
6 morning.

7 MR. DiBERARDINIS: --
8 Councilman Jones.

9 We have been spending a lot of
10 time in recent weeks in trying to sort of
11 not only have this rebuild program,
12 improve the physical characteristics of
13 our rec centers, libraries, and
14 playgrounds, not only to provide citizens
15 and children with safe places and really
16 quality places to recreate and learn, but
17 to make sure there's an enduring impact
18 on young people and their prospects for
19 work in the future.

20 So we have begun conversations,
21 beginning conversations, with the trades
22 to make really a substantial step forward
23 in creating a pre-apprentice program,
24 which recruits young people from
25 disadvantaged neighborhoods that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 establishes a path not only for some
3 temporary work but to find a path into
4 the skills trades.

5 So we think this is a very
6 important part of what we're doing. We
7 think it's -- we're not only going to
8 transform the facilities, we're going to
9 be transformational in how this work gets
10 set up in the City and how it affects
11 folks who have not ordinarily had the
12 possibilities of working in the trades.

13 MR. EPPS: So good morning.

14 COUNCILMAN JONES: Good
15 morning.

16 MR. EPPS: My first chance to
17 speak --

18 COUNCILMAN JONES: Welcome.

19 MR. EPPS: -- among Council.
20 Thank you. But in addition, the size of
21 these opportunities --

22 COURT STENOGRAPHER: Can you
23 state your name.

24 MR. EPPS: I'm sorry. Harold
25 Epps, the Director of Commerce for the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 City of Philadelphia.

3 The size of the libraries, the
4 park and rec centers provide unique
5 opportunity to increase a level of direct
6 Tier 1 participation of minority and
7 women-owned contractors, and we have been
8 working to get a plan together to make
9 sure that that is the outcome if we are
10 so successful with the project.

11 MR. ABERNATHY: And just to add
12 a little bit of flesh, I think there
13 is -- Brian Abernathy, Deputy Managing
14 Director.

15 COUNCILMAN JONES: We know you,
16 Brian.

17 MR. ABERNATHY: Understood,
18 Councilman.

19 In order to meet our inclusion
20 goals, this isn't just a program about
21 MBE/WBE contractors, nor is it just about
22 getting additional diversity within the
23 trades. It's also about how we handle
24 our professional service contracts. So
25 we're looking at this as a holistic

1 3/29/16 - WHOLE - RES. 160170, etc.
2 program and being very, very aggressive
3 in how we meet those goals. You know,
4 historically we've looked at 30 to 35
5 percent participation. That's not good
6 enough. We need to do better, and we
7 need to do that across the board, and
8 that's going to take partnership with the
9 trades through project-labor agreements.
10 That's going to take being aggressive and
11 creating an aggressive enforcement
12 strategy and figuring out how to move
13 this forward, and I think we're going to
14 welcome your input as we drive this
15 forward.

16 COUNCILMAN JONES: I actually
17 trust the good faith of our Mayor. I
18 really do. I actually trust the good
19 faith of our trades that they want to do
20 something different. I get that. I want
21 to know how we fix Procurement to take
22 care of the 200 steps in between bid and
23 award so that we don't have a ten-year
24 backlog of projects that will be proposed
25 in this Administration that the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 ribbon-cutting might be in the next
3 Administration by the time we get it done
4 if there's a ten-year lag.

5 MR. DiBERARDINIS: A very
6 important question, and although there's
7 going to be and is a serious effort to
8 reform the Capital Program, we're
9 considering moving outside of that system
10 and working with PAID. This is what
11 we're trying to figure out now, so we can
12 build the speed and the efficiency and
13 the cost savings that we would get from
14 that process. So we would both get speed
15 and efficiency and move the projects and
16 hire owners rep to drive -- to get the
17 bid work done through PIDC, then hire
18 owners rep to drive these projects
19 forward and make sure they're on time.
20 It's not to diminish the importance of
21 the work being done right now, to reform
22 the Capital Program as well.

23 MS. RHYNHART: Rebecca
24 Rhynhart, Chief Administrative Officer.
25 To address the issues that you

1 3/29/16 - WHOLE - RES. 160170, etc.
2 raise, the issues that you raise that are
3 obviously real and very important to us
4 to fix, the problems with capital
5 projects as well as the procurement
6 process, so we're taking steps to fix it.
7 On the procurement side, right now all of
8 the processes are paper based. We are
9 moving towards an e-procurement system,
10 which will be up and running within the
11 next year, which will actually allow bid
12 initiations from departments as well as
13 companies to bid online. It seems like
14 we should be there already, but we're not
15 and we are going to get there.

16 We're also doing reverse
17 auction bidding, which you might have
18 seen, to try to spur competition.

19 The other thing we're looking
20 at is the number of bids -- the number of
21 opportunities we have that don't have
22 many bidders coming back, and we are
23 meeting with the Chambers of Commerce,
24 met with the Chamber of Commerce about
25 two weeks ago, small business, the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 supplier series, and also going to be
3 reaching out to the other chambers to say
4 if you're a small business, we want to
5 help you partner with us.

6 So those are steps we're taking
7 on procurement. In terms of on the other
8 aspects of capital projects, we're
9 working with the Law Department to lessen
10 the requirements for vendors to submit --
11 they have to submit all these forms every
12 time they bid. We are working with
13 Public Property to focus on project
14 management to get things done on time
15 within budget. So we are making this an
16 absolute top priority to fix.

17 COUNCILMAN JONES: So --

18 COUNCIL PRESIDENT CLARKE:

19 Councilman?

20 COUNCILMAN JONES: And I'm
21 going to end.

22 COUNCIL PRESIDENT CLARKE:

23 You're up to ten minutes.

24 COUNCILMAN JONES: All right.

25 So one last thing. You've already done

1 3/29/16 - WHOLE - RES. 160170, etc.
2 some work increasing the workforce in
3 Recreation to do jobs. If you could hone
4 that in on a couple of departments that
5 we could take some of those contracts,
6 break them down and hire some people from
7 neighborhoods, that would be a long way
8 to take care of that.

9 Thank you.

10 MR. DiBERARDINIS: We agree.

11 COUNCIL PRESIDENT CLARKE:

12 Before you leave, I'm sorry to break in.
13 So I've been here as a Councilperson for
14 16 years and a member of staff a lot of
15 years, and every time a new program comes
16 up, the conversation and the proposed
17 remedy to participation is always after
18 the fact. And the reality is that this
19 program was being discussed in the last
20 Administration last year, and at what
21 point -- and I only saw it happen once
22 when we did NTI. As you pull together a
23 program of any type, does the
24 participation actually be a part of the
25 front side of the conversation and not

1 3/29/16 - WHOLE - RES. 160170, etc.

2 the aftermath of the conversation?

3 I'm sitting in here every year.

4 It's like something new comes up and then

5 we have to make a determination as to

6 whether or not we're going to be

7 supportive and they say, Oh, well, we're

8 going to work on that. It's like, Well,

9 why wasn't it worked on before we even

10 got to this point? The fact we're

11 running around here trying to create a

12 new entity and a new process that will

13 establish different bid processes, I

14 mean, give me a break. I mean, come on.

15 When are we going to get beyond that?

16 MR. ABERNATHY: Well,

17 Councilman, I actually think we're in the

18 process of creating this program now. I

19 don't think the program has been created.

20 COUNCIL PRESIDENT CLARKE: The

21 program started --

22 MR. ABERNATHY: The initial

23 analysis --

24 COUNCIL PRESIDENT CLARKE:

25 Brian, Brian, this goes back to the last

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Administration. Trust me, I know when
3 the conversation started around this. So
4 don't go there.

5 MR. ABERNATHY: Councilman, I'm
6 actually aware of when the conversation
7 started around the analysis.

8 COUNCIL PRESIDENT CLARKE:
9 Brian, you weren't even working in your
10 current capacity.

11 MR. ABERNATHY: I understand
12 that.

13 COUNCIL PRESIDENT CLARKE: You
14 were in the RDA, and this started with
15 Mike in conversations in the Nutter
16 Administration, right? I mean --

17 MR. ABERNATHY: Well,
18 Councilman, if you don't want me to
19 answer the question, that's fine, but I
20 do think we're in the --

21 COUNCIL PRESIDENT CLARKE:
22 Well, I'm not going to let you give me a
23 bunch of you know what.

24 MR. ABERNATHY: I'm not going
25 to give you a bunch of you know what. I

1 3/29/16 - WHOLE - RES. 160170, etc.
2 actually want this program to be put
3 together with your input. We haven't put
4 together the entire program. We don't
5 have all the details worked through.

6 COUNCIL PRESIDENT CLARKE: But
7 my point is, that should be the first
8 conversation, is how do we have a full
9 and inclusive process when we first
10 decide we're going to do anything, and
11 it's always in the aftermath.

12 MR. ABERNATHY: Councilman,
13 it's always been --

14 COUNCIL PRESIDENT CLARKE:
15 Brian, come on.

16 MR. EPPS: Again, Harold Epps,
17 Director of Commerce.

18 I can only speak from January
19 4th of this year going forward. I will
20 say to you that two people brought into
21 the Administration from outside, myself
22 and Nolan Atkinson, bring a fresh
23 perspective. We were on the other side.
24 I ran the largest minority-owned company.
25 I come with one agenda and one agenda

1 3/29/16 - WHOLE - RES. 160170, etc.
2 only, and that's to make sure
3 neighborhoods and diversity are at a
4 level never seen before in Philadelphia.
5 I can assure you this is getting full
6 attention, and we will ensure a better
7 outcome than the City has seen in the
8 past.

9 COUNCIL PRESIDENT CLARKE: And
10 that's not my point. My point is, it
11 should get full attention from the onset
12 of the thought.

13 MR. EPPS: And I'm just saying
14 January 4th is my only --

15 COUNCIL PRESIDENT CLARKE: It
16 should be a systemic approach to making
17 sure that we have an inclusive project,
18 so when we come up with something else --

19 MR. EPPS: We are completely in
20 agreement.

21 COUNCIL PRESIDENT CLARKE:
22 Excuse me. Excuse me.

23 When we have a process, that
24 you basically have a template on how we
25 have significant participation. We

1 3/29/16 - WHOLE - RES. 160170, etc.
2 shouldn't have to think about it how we
3 do it every time we come up with a
4 process. And you weren't here. I'm not
5 casting anything on anybody up here, but
6 at the end of the day, I don't
7 understand. Every time, in all my years
8 in government, every time we come up with
9 something, once we say, okay, we're going
10 to do this thing, oh, by the way. It's
11 like it shouldn't be a conversation, oh,
12 by the way, we got to have an inclusion
13 in this process.

14 MR. DiBERARDINIS: Well, we
15 don't think it's an oh, by the way.
16 Look, before you guys vote, you'll
17 know -- we'll have something before you.
18 We're not going to ask you to vote and
19 then say, oh, here it is. So that's
20 number one.

21 Number two is, we will present
22 some aspirational ambitious numbers and
23 we will live by them and we will sink or
24 swim with them. We won't be ducking.
25 We'll be right here. So you can whip us

1 3/29/16 - WHOLE - RES. 160170, etc.
2 if we're -- if we don't do it right,
3 we're going to be here. But we're
4 committed to doing it right. We're
5 committed to working with you guys.
6 We're committed to breaking the rules to
7 get it right. And, again, I agree you
8 can't -- we can't ask you to vote on a
9 measure until you see how we're going to
10 do this. We understand that, and we'll
11 have it to you before then.

12 COUNCIL PRESIDENT CLARKE: All
13 right.

14 COUNCILWOMAN BLACKWELL:
15 Question, Mr. President.

16 COUNCIL PRESIDENT CLARKE: Yes,
17 Councilwoman.

18 COUNCILWOMAN BLACKWELL: We
19 want to note that this is really
20 important, and as I said last week during
21 the hearing, I got a \$3.9 billion program
22 going in my area, and we still have
23 questions about what we're going to do
24 about 4601.

25 So our process has to be tight

1 3/29/16 - WHOLE - RES. 160170, etc.
2 and we have to deal with this monitoring
3 from start to finish so that we know we
4 have a way to make sure that something
5 gets done.

6 We do know that something is
7 wrong. We do know it's not working. We
8 do know that the people who elect us who
9 put us here are very, very upset about
10 what's happening and that life hasn't
11 changed.

12 So I can't tell you where the
13 problem is, but I've been around too long
14 not to know there is a problem. I
15 remember when it was good, when Lucien
16 Blackwell was here, and then we got the
17 Richmond decision and knocked out
18 inclusion.

19 But after all these years that
20 the President has been here, that I have,
21 that many of us have, we know that -- we
22 can't justify when our people say, I
23 don't have a job, I only see tags from
24 out of town. Every time I pass the job,
25 I see people I don't know, not from my

1 3/29/16 - WHOLE - RES. 160170, etc.
2 neighborhood and certainly people who
3 don't look like me. It's just that we
4 are just there. You know how in history
5 there are times -- and all of you, you
6 know, are fine. As you know, I work
7 closely with all of you and appreciate
8 your efforts. I just want to say to
9 reiterate that the President knows, as I
10 know, you feel it because you're out here
11 in the streets every day. You hear it
12 from the people every day, and we are
13 just there in history. Here at the end
14 of March 2016, we have got to on these
15 projects -- our city is booming, but we
16 have to make sure that as it's booming,
17 that we're not only doing business in the
18 right way and we can measure this stuff,
19 and we want low and moderate-income
20 housing too while I'm talking about
21 things we need.

22 COUNCIL PRESIDENT CLARKE:

23 Right.

24 COUNCILWOMAN BLACKWELL: So I
25 thank you for being able to make that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 remark, just to reiterate what we see the
3 problem is.

4 COUNCIL PRESIDENT CLARKE: All
5 right.

6 COUNCILWOMAN BLACKWELL: And
7 I'll still come back later, because I
8 need to --

9 COUNCIL PRESIDENT CLARKE: I'll
10 tee you back up, Councilwoman.

11 COUNCILWOMAN BLACKWELL: Thank
12 you.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you. Thank you very much.

15 MR. DiBERARDINIS: Thank you.

16 COUNCIL PRESIDENT CLARKE: The
17 Chair recognizes Councilwoman Reynolds
18 Brown.

19 COUNCILWOMAN BROWN: Thank you,
20 Mr. President.

21 Good morning. Welcome to
22 Budget the Marathon 2016.

23 MR. DUBOW: Good morning.

24 COUNCILWOMAN BROWN: I join the
25 chorus that is -- frustrated doesn't even

1 3/29/16 - WHOLE - RES. 160170, etc.
2 begin to capture the sentiment with this
3 broken record about ensuring MBE/WBE
4 participation. So on that, let's go back
5 to the soda tax wherein it was stated
6 that it is intended to fall on the
7 distributor. So let's follow that
8 best-case scenario. What triggers or
9 protocols or red flags are in the system
10 to ensure that it will indeed fall to the
11 distributor?

12 MR. DUBOW: So one of the
13 things we've done is put in an additional
14 \$1.8 million in the Revenue Department's
15 budget for implementation and enforcement
16 of this new tax. So that will enable
17 them to make sure that distributors are
18 complying.

19 COUNCILWOMAN BROWN: Okay. And
20 I appreciate the brief answers, because
21 we want to get as much in as possible.

22 Back to the MBE/WBE song. It
23 will be unacceptable and insufficient
24 just to present numbers, aspirational
25 numbers. For me, they say nothing. I

1 3/29/16 - WHOLE - RES. 160170, etc.
2 said privately and I will now say
3 publicly, my philosophy is if it's not in
4 writing, it doesn't exist. So if there
5 are not plans in the legislation or the
6 document or whatever that will tell us
7 and inform us how we're going to indeed
8 make this real and make it happen given
9 the systemic issues, it will be a hard
10 sell.

11 MR. ABERNATHY: Thank you,
12 Councilwoman, and I absolutely agree.
13 And I think to the Council President's
14 point, we must do better. We have
15 every -- we have not done well enough.
16 We haven't worked with the trades well
17 enough. The project-labor agreement, we
18 need to lay forth our expectations in
19 what we think are the number of
20 apprentices that will be brought into the
21 trades, what the number of apprentices to
22 journeymen will be through the trades.

23 Through our contracts, there
24 has to be enforcement, and we've already
25 started to have a conversation about what

1 3/29/16 - WHOLE - RES. 160170, etc.
2 is that enforcement mechanism, how do we
3 staff it, how do we fund it, and that
4 would actually be a portion of the bond
5 proceeds.

6 COUNCILWOMAN BROWN: Repeat
7 your last statement.

8 MR. ABERNATHY: It would be a
9 portion of the bond proceeds to pay for
10 the enforcement at the outset.

11 So everything you're saying I
12 think we have been thinking about from
13 the outset. We are trying to put
14 together a program. This is relatively
15 complicated. It's a generational issue
16 that's been going on for some time. We
17 want to tackle it. We have to -- as
18 Councilwoman Blackwell said, this is the
19 day. This is the time to do better, and
20 we are committed to making sure that not
21 only do we just put aspirational goals,
22 that we hit those goals and that we make
23 our workforce working on these projects
24 look more like the City of Philadelphia.

25 MR. EPPS: So, Councilwoman

1 3/29/16 - WHOLE - RES. 160170, etc.
2 both Blackwell and Reynolds Brown -- I
3 happen to be looking at Councilwoman
4 Blackwell. So in your district, there
5 will be somewhere between six and ten
6 million square feet of additional space
7 built in the next five to seven years.
8 At least that's the target. This program
9 that we're talking about is much bigger
10 than the rebuild. We've got to make sure
11 that we got a workforce ready for all of
12 those projects that are planned for west
13 of the river and in North Broad Street
14 and beyond, such that our people are
15 ready for the next phase of growth. And
16 so we are going to work on it, rebuild.
17 It will be where we start, but it will
18 not be where we end.

19 MR. ABERNATHY: And just to
20 piggyback off of Mr. Epps, rebuild gives
21 us an opportunity to build an
22 infrastructure, an infrastructure of
23 enforcement and an infrastructure of
24 inclusion. We want to make sure that
25 that program lives on beyond rebuild. We

1 3/29/16 - WHOLE - RES. 160170, etc.
2 want to redo the way Philadelphia is
3 doing business as it relates --

4 COUNCILWOMAN BROWN: It's
5 called paradigm shift.

6 MR. ABERNATHY: Yes, ma'am.

7 COUNCILWOMAN BROWN: And I know
8 well the work of you, Mr. Epps. What I
9 have experienced in being here is that if
10 you don't have department heads that
11 philosophically are where you are, then
12 we'll be here four years from now having
13 the same conversation and debate. So
14 where is leadership going to be with
15 helping folk get it who don't get it?
16 Because that's the challenge.

17 MR. EPPS: I would say to you
18 that we are the leadership, and I have
19 been in conversations with two of the
20 three presidents of the universities
21 right now to make sure that before they
22 start those projects and even before
23 construction, there's so many dollars
24 spent on the pre-construction phase and
25 in professional services, we also want to

1 3/29/16 - WHOLE - RES. 160170, etc.
2 make sure that that phase of the
3 development has the right levels of
4 diversity and spending also. So it's way
5 before we get to the construction phase.

6 COUNCILWOMAN BROWN: Okay. So
7 let me underscore the importance of the
8 number of members who want to make sure
9 that young people from our School
10 District, that there's a pipeline and a
11 linkage with the school system.
12 Philadelphia OIC, which is in the
13 business of training young people and
14 those who have been underserved and
15 locked out, needs to be in that pipeline.
16 That's a part of this full new picture
17 that we're talking about here.

18 MR. EPPS: I had a conversation
19 with Otis Hackney yesterday about that
20 very same subject. We got to go into the
21 elementary and junior high schools to
22 begin to inform young men and women that
23 there's another pathway to success.

24 Now, you know, I've got two
25 degrees. I'm not talking about four-year

1 3/29/16 - WHOLE - RES. 160170, etc.
2 colleges, but there are other ways that
3 people can have sustainable livelihoods,
4 and we've got to educate them that those
5 opportunities are going to be available
6 as we move forward.

7 COUNCILWOMAN BROWN: Yes.
8 Speak about the local bidding preference.
9 How is that going to work? Because that
10 continues to be a frustration for some of
11 us as well.

12 MR. EPPS: The local bidding
13 preference? I need to call on Angela.
14 You want to come talk about
15 that?

16 I have not learned that one
17 yet.

18 COUNCILWOMAN BROWN: Okay.
19 (Witness approached witness
20 table.)

21 COUNCILWOMAN BROWN: And the
22 context of that is what Councilwoman
23 Blackwell just referenced, coming up on
24 City Hall Courtyard and seeing zip codes
25 of vendors and is not 191. It's

1 3/29/16 - WHOLE - RES. 160170, etc.
2 unacceptable. So speak to that and the
3 status of that as you know it.

4 MS. DOWD-BURTON: So Angela
5 Dowd-Burton, Executive Director, Office
6 of Economic Opportunity.

7 I'm going to speak on behalf of
8 the Local Business Enterprise Program
9 that is run by the City's Procurement
10 Department, where there is a local
11 preference given to companies that are
12 based in the City of Philadelphia, 191.
13 There is a 5 percent preference on their
14 bid price for transactions over a million
15 dollars and a 10 percent preference for
16 businesses submitting bids on
17 transactions that are less than a million
18 dollars.

19 COUNCILWOMAN BROWN: The bell
20 has rung. I need to know how well are we
21 doing with that new piece.

22 MS. DOWD-BURTON: So I don't
23 have the data. I'll be happy to work
24 with the Procurement Department and
25 provide that to you.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN BROWN: So I would
3 ask that you make that a part of your
4 budget testimony when your department
5 comes to speak before City Council.

6 MS. DOWD-BURTON: Okay.

7 COUNCILWOMAN BROWN: Thank you,
8 Mr. President.

9 COUNCIL PRESIDENT CLARKE:
10 Thank you, Councilwoman.

11 The Chair recognizes
12 Councilwoman Bass.

13 COUNCILWOMAN BASS: Thank you,
14 Mr. President.

15 COUNCIL PRESIDENT CLARKE:
16 You're welcome.

17 COUNCILWOMAN BASS: I just
18 wanted to follow up on the other comments
19 that have been made regarding
20 participation on these jobs, particularly
21 when we're talking about spending about
22 \$600 million on new recreation centers,
23 playgrounds and the like and seeing that
24 building boom coming to all
25 neighborhoods. Obviously it's incumbent

1 3/29/16 - WHOLE - RES. 160170, etc.
2 upon all of us, particularly as District
3 Councilmembers, to make sure that when we
4 see building -- when I see building
5 happening in the 8th District, that there
6 is a workforce that is inclusive, that is
7 local, and that really does in a number
8 of different ways just make sense, and we
9 haven't seen that so far to date. So I
10 think -- and I'm going to remove the
11 Commerce Secretary, because I know he's
12 newer here.

13 MR. EPPS: So thank you.

14 COUNCILWOMAN BASS: But I know
15 that, Michael, you and I have had this
16 conversation and certainly Brian and I
17 have had this conversation in the past
18 about minority participation on these
19 public jobs. And I guess the way to sum
20 it up beyond just frustrating is that if
21 the City of Philadelphia wanted to do it,
22 we could have done it by now. There's no
23 doubt in my mind. We are the fifth
24 largest city in the nation. If we wanted
25 to do it, if we were committed to doing

1 3/29/16 - WHOLE - RES. 160170, etc.
2 it, it would have been done, period, end
3 of story.

4 And so I just think that it's
5 time that we get on a fast track to make
6 sure that it happens. What's happened in
7 the past, everybody -- even though
8 there's a slight change in the mix here,
9 some people were here in the past, some
10 people are new, but moving forward, we
11 need to make sure that it happens. And
12 if it doesn't happen, once again, it
13 speaks to the priorities of this
14 Administration. And I can certainly tell
15 you that I know that in the Northwest,
16 well, at least in my part of the
17 Northwest, there's not going to continue
18 to be, in my opinion, a real disregard
19 and disrespect of the people who are
20 local who can participate economically in
21 what happens in their community who are
22 shut out completely.

23 And so we're going to be
24 looking to you all for these sorts of
25 answers and want to hear more about it.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 So I don't know if you have
3 anything you wanted to add on to that.

4 MR. EPPS: Yes, yes, and yes.

5 MR. DiBERARDINIS: We agree.

6 COUNCILWOMAN BASS: All right.
7 All right.

8 If we could have Mr. Dubow. I
9 had a question -- or actually Jane. I
10 wanted to switch really quickly to the
11 sugary drink tax. And I know that, Mr.
12 Dubow, you mentioned that you had not
13 done a neighborhood by neighborhood sort
14 of analysis, but you did know that it is
15 more heavily consumed in poorer areas.
16 So there is some analysis that's been
17 done in terms of who actually would be
18 the main folks who would be paying this
19 tax, would you say?

20 MR. DUBOW: Yeah. I think
21 there's some knowledge of the main
22 consumers of sugary drinks.

23 COUNCILWOMAN BASS: Correct.
24 So who would that be? What neighborhoods
25 would it be?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: I mean, from
3 everything we've seen, it's in poor
4 neighborhoods, which is kind of where the
5 advertising is targeted too.

6 COUNCILWOMAN BASS: So
7 basically in a lot of our neighborhoods,
8 a lot of our neighborhoods that are
9 vulnerable, that have populations whose
10 children would likely be able to benefit
11 from early childhood education, but what
12 it sounds like we're saying is that,
13 okay, well, we are going to make sure
14 that we get the resources that our young
15 people desperately need, but also what
16 we're saying is that this is the
17 particular population that is primarily
18 going to pay for it and that it's not
19 going to be evenly distributed throughout
20 the City of Philadelphia. It's really
21 going to be a tax that's going to be, for
22 the most part, concentrated in particular
23 neighborhoods, would you say?

24 MR. DUBOW: So I'm going to go
25 back to the conversation before where

1 3/29/16 - WHOLE - RES. 160170, etc.
2 it's different from a sales tax in that
3 it's on the distributor, and what we've
4 seen in other places is that they weren't
5 passing all of the increase on in terms
6 of prices.

7 COUNCILWOMAN BASS: Okay. So
8 how much of the tax was passed on?

9 MR. DUBOW: About half roughly
10 in the --

11 COUNCILWOMAN BASS: So if we go
12 with 3 percent, then 1 and a half percent
13 will be passed on.

14 MR. DUBOW: If it follows what
15 happened in Berkeley, that's about right.

16 COUNCILWOMAN BASS: So there
17 still would be a significant increase?

18 MR. DUBOW: And that also --
19 part of our assumption too is that
20 there's a dramatic reduction in
21 consumption and partly that's people
22 choosing other products too. So it's not
23 necessarily that the cost of purchase
24 will go up. People may move to other
25 products too.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN BASS: Okay. All
3 right. But generally you believe that
4 the distributor is going to consume or
5 absorb a majority or at least half of the
6 tax?

7 MR. DUBOW: I'd say I think
8 that's a possibility.

9 COUNCILWOMAN BASS: It's a
10 possibility?

11 MR. DUBOW: Right. We're
12 looking at what happened in other places.

13 COUNCILWOMAN BASS: Okay. One
14 other question for you. As we're using
15 these funds to pay for again high-quality
16 pre-K, which we all want, no question
17 about that, very important, and my
18 question is about the Keystone STARS.
19 Obviously the certification programs that
20 ensure high-quality Keystone STARS
21 childcare costs more to implement. And
22 so how do you see that as a factor in
23 providing this high-quality childcare?
24 How do you see that working into the mix
25 here?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: So part of what we
3 have in the budget is support for
4 providers to move up in the STARS system
5 so that more providers would be 3 and 4
6 star. Does that answer -- is that what
7 you're asking?

8 COUNCILWOMAN BASS: Well, I see
9 Otis Hackney here, so I didn't know if he
10 had more to add to the equation.

11 MR. HACKNEY: Good morning.
12 Otis Hackney, Chief Education Officer.

13 Can you repeat your question,
14 so that way, I can just make sure I fully
15 understand.

16 COUNCILWOMAN BASS: Generally I
17 just wanted to know if we know that the
18 Keystone STARS is the higher quality
19 early childcare educational system that
20 we're looking for, that we're looking to
21 implement, we want to make sure not just
22 that every child has access to childcare,
23 but that it's not a baby-sitting service.
24 So when I drop my child off, even though
25 right now it may say Cindy's Learning

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Academy, there's no sort of standard
3 beyond the Keystone STARS. So we want to
4 make sure that as many of these programs
5 as possible fit into that category and
6 that they are high quality. And so we
7 want to know how does that work with your
8 planning and implementation of early
9 childhood education in Philadelphia?

10 MR. HACKNEY: So first thing,
11 in terms of expansion of these, we are
12 looking for those Keystone STAR providers
13 that are at the 3 and 4 level, but
14 focusing or starting or prioritizing, I
15 should say, in areas of highest need. So
16 that way, we can expand seats for those
17 providers -- within those providers for
18 children in those communities. So, I
19 mean, so it's going to be built in in
20 terms of making sure that we assure that
21 they are quality centers, so that way
22 that parents do feel comfortable, that it
23 is not a day care center or that it is an
24 actual academically rich environment for
25 their child.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN BASS: Okay. Has
3 there been an assessment into staff
4 salaries that are necessary to assure the
5 higher quality that we're looking for?

6 MR. HACKNEY: Yes. We are
7 doing that assessment, and we're still in
8 that process in terms of looking at what
9 that salary range should be.

10 COUNCILWOMAN BASS: Okay. And
11 so -- I know I ran out of time, so I'll
12 come back. I'll come back. Thank you.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilwoman.

15 Five Year Plan, you know, we
16 probably should be focused on the Five
17 Year Plan, but it's the first bite at the
18 apple, so you will be given ample
19 opportunity to answer a lot of very
20 detailed questions. So this is kind of
21 preparatory course for your department
22 testimony. So please be ready.

23 MR. HACKNEY: Looking forward
24 to it.

25 COUNCIL PRESIDENT CLARKE:

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Thank you.

3 Thank you, Councilwoman.

4 The Chair recognizes Councilman
5 Henon.

6 COUNCILMAN HENON: Thank you,
7 Council President.

8 And before my time starts, I
9 want to take a point of personal
10 privilege to wish my colleague, our
11 colleague, a happy 40th birthday,
12 Councilman Greenlee. Happy birthday.

13 (Applause.)

14 COUNCILMAN HENON: I figured
15 we'd break it up a little bit here.

16 And I just want to echo the
17 same statement that Council President
18 just said. I think we'll have ample
19 amount of time through the remaining two
20 months of this budget process to really
21 get down to the details, which -- and I'm
22 going to start off just on a broader
23 sense as opposed to getting down to the
24 weeds on some very specific questions,
25 but I'm going to start off with the sugar

1 3/29/16 - WHOLE - RES. 160170, etc.
2 beverage. My question, there's been
3 comments about what is different. Is it
4 going to be a pass-on? Is it going to be
5 targeted towards the end user, and is it
6 different than U&O? So why is sugar --
7 how is sugar different than, let's just
8 say, the liquor by the drink and U&O?

9 MS. ADAMS: Hi. I'm Anna
10 Adams. I'm the Budget Director.

11 So there's a few key
12 differences, and the Revenue Department
13 can come and answer more of this if you
14 need more info, but the liquor tax is by
15 the drink and, as the Finance Director
16 mentioned, the sugary drink tax is on the
17 distributor. So that's one key
18 difference. It's a point-of-sale tax,
19 liquor tax, so it's a very different tax.
20 And I think the other big part is, we
21 mentioned about what's being passed on to
22 the consumer. Obviously with the liquor
23 tax, everything is passed straight on to
24 the consumer because of the type of tax
25 it is. The liquor tax is also much more

1 3/29/16 - WHOLE - RES. 160170, etc.
2 challenging to collect than this tax, we
3 believe, because it's more difficult to
4 audit. People use the liquor tax -- bars
5 and restaurants use it in recipes. There
6 are happy hour specials. It's much more
7 complicated to figure out the amount of
8 tax. And because of the volume of bars
9 and restaurants in the City, there are
10 about over 1,800 bars and restaurants in
11 the City who pay the liquor tax, whereas
12 much fewer distributors. So that's where
13 we think it's actually going to be an
14 easier tax to collect.

15 COUNCILMAN HENON: And one of
16 the comments today was enforcement. So
17 would it be easier to enforce?

18 MS. ADAMS: We believe so, yes.

19 COUNCILMAN HENON: And I
20 understand as the studies that -- the
21 marketing targeted on the industries
22 geared towards certain constituencies,
23 certain neighborhoods. I just find it
24 why are we treating this any different
25 than we treat predatory lending? And we

1 3/29/16 - WHOLE - RES. 160170, etc.
2 just had a hearing on the reverse
3 mortgages. It is a marketing strategy
4 for distributors, and a distributor has a
5 right to pass on or to incur the costs
6 themselves; is that correct? So if they
7 shared costs, would there be -- is there
8 the ability to have a legal like
9 memorandum of understanding or something
10 like that with the City that they would
11 incur X amount of cost and not pass it on
12 legally or would that be legislated?

13 MS. ADAMS: The distributor
14 will still be paying the tax, but whether
15 they'll pass it on in increase in prices
16 is where we just don't have the control
17 over what they charge retailers. I'm not
18 sure we would have the ability -- I'm no
19 lawyer. I'm not sure we would have the
20 ability to do that.

21 COUNCILMAN HENON: Okay. We'll
22 have plenty of time over the next two
23 months to get into that.

24 The conversation is a great
25 conversation when we talk about creating

1 3/29/16 - WHOLE - RES. 160170, etc.
2 economic opportunities for Philadelphians
3 and Philadelphia businesses. I see in
4 the unemployment projections, and just a
5 couple of quick questions about it. So
6 relatively speaking, the unemployment
7 projections are flat in the Plan, but
8 then there's a gradual growth from 6
9 percent to 7 percent. Why is the
10 unemployment rate going up in the Plan as
11 well as the revenues across the Plan?
12 Can you explain that a little bit?
13 Because I could tell you right now, there
14 are a lot of cranes in the City visibly,
15 but there's also more unemployment than
16 people think. Some of the trades unions
17 have some significant unemployment. I
18 wouldn't say significant, but there is
19 unemployment in spite of the cranes.

20 So when we're talking about
21 creating our own economy through
22 different procurement methods and being
23 able to control some of Philadelphians
24 being able to get to work, I'm hoping
25 that through some of these initiatives,

1 3/29/16 - WHOLE - RES. 160170, etc.
2 the unemployment rate doesn't grow from 6
3 to 7, so we could capture more of our
4 revenue rates here in the City.

5 MS. ADAMS: We use -- to help
6 us with our forecasting for our revenues,
7 we use an outside consulting firm called
8 IHS Global Insight. They study the
9 national and global economy and give us
10 national trends and global trends and
11 also kind of regional trends that they
12 think impact our major taxes. And so
13 they have helped make these projections.
14 So some of -- unfortunately, some of sort
15 of the unemployment rate is outside of
16 our control. There are things that we
17 try and do as a city, but it sort of
18 follows national and global economy.

19 The wage tax is related to the
20 amount of income, not just the
21 unemployment rate. So it's based on how
22 well you are being paid. That's how we
23 do well with the wage tax, as well as the
24 number of people employed. And so all of
25 these factors go in to come out with our

1 3/29/16 - WHOLE - RES. 160170, etc.
2 wage tax rates.

3 COUNCILMAN HENON: Well, you
4 can go back and take a look at the Plan
5 and see the annual average median income.
6 I mean, we're not doing all that great.

7 MS. ADAMS: Right.

8 COUNCILMAN HENON: So we are
9 having an increase in revenues. I just
10 think we have an opportunity to control
11 our own economy, to a sense, and we want
12 to get it right and we want to make sure
13 that it's inclusive, especially when --
14 and I think it should be a significant
15 signal that the Administration wants to
16 get this right, as Council has been
17 stating for the last four, some of us, or
18 16 years, in the last five years that we
19 need enforcement. So having the
20 opportunity to create our own economy and
21 budgeting the proper enforcement, I just
22 want to make sure that we get it right,
23 because people want to make sure that the
24 law and the programs are being enforced
25 across the board, and we're going to be

1 3/29/16 - WHOLE - RES. 160170, etc.
2 voting on the allocation of budget
3 resources to ensure that Philadelphians
4 are getting their fair share.

5 So I just wanted to make that
6 statement, because I know it's a
7 commitment from both this Council,
8 especially this Council, and the
9 Administration.

10 Other job outlook, on Page 23
11 you talk about through the Plan that
12 specifically -- what jobs are we
13 projecting growth in transportation,
14 warehousing, and utilities?

15 MS. ADAMS: So --

16 COUNCILMAN HENON: Is that
17 anything to do with energy?

18 MS. ADAMS: I can see if we can
19 get kind of a narrow breakdown by NAICS
20 code to see if we have this. So we
21 know -- this is kind of broadly based on
22 IHS's projections, and so we can break it
23 down more narrowly for you and tell you
24 the types of jobs that they have, and I
25 can get that to you.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN HENON: We'll have
3 time through this process.

4 I'll yield my time. It's over
5 anyway.

6 COUNCIL PRESIDENT CLARKE:
7 Thank you, Councilman.

8 The Chair recognizes Councilman
9 Green.

10 COUNCILMAN GREEN: Thank you,
11 Council President.

12 On Page 2 of the
13 Administration's testimony in the Five
14 Year Plan, you talk about an increase in
15 the residential assessment based on the
16 land value assessment increase and also a
17 3 percent increase in FY18 on commercial
18 properties. What value number can you
19 give to that?

20 MR. DUBOW: I'm sorry. I
21 didn't understand.

22 COUNCILMAN GREEN: On Page 3
23 you talked about you're going to a land
24 value -- you're doing your increased
25 assessment on the land perspective.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: On the land portion
3 of the --

4 COUNCILMAN GREEN: Land portion
5 of the assessment.

6 MR. DUBOW: Yes.

7 COUNCILMAN GREEN: And then
8 FY18 you're doing all commercial
9 properties.

10 MR. DUBOW: Yes.

11 COUNCILMAN GREEN: You're
12 talking about 3 percent growth in both
13 areas.

14 MR. DUBOW: Right.

15 COUNCILMAN GREEN: What
16 numerical number can you give to that
17 amount?

18 MR. DUBOW: Oh, with the
19 property tax increase?

20 COUNCILMAN GREEN: Right; the
21 increase in value.

22 MR. DUBOW: So the property tax
23 is projected to go from 536 in '17 to 551
24 in '18, and that's really tied to the
25 commercial reassessment.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MS. ADAMS: So do you want just
3 the taxable assessed values, projection
4 of that, or just are you talking about
5 just the dollars?

6 COUNCILMAN GREEN: The assessed
7 value.

8 MS. ADAMS: So we would assume
9 it would grow from -- '16 to '17 it would
10 grow by about \$3 million worth of
11 assessed value. So from --

12 MR. DUBOW: 3 billion.

13 MS. ADAMS: Sorry; 3 billion.
14 71.6 billion for residential
15 values to 74.2 billion.

16 COUNCILMAN GREEN: Okay.

17 MS. ADAMS: And that's from the
18 residential side.

19 COUNCILMAN GREEN: That's on
20 '17.

21 MS. ADAMS: That's going from
22 '16 to '17.

23 COUNCILMAN GREEN: Then what
24 about on the commercial side?

25 MS. ADAMS: So when we get to

1 3/29/16 - WHOLE - RES. 160170, etc.
2 the commercial changes from FY17 to FY18,
3 it would go from 18.3 billion to 19.4
4 billion.

5 COUNCILMAN GREEN: And then --
6 MS. ADAMS: Taxable market --
7 that's the taxable market.

8 COUNCILMAN GREEN: And then
9 what are your projections for FY19 once
10 we go to the full assessment?

11 MS. ADAMS: So when we get to
12 the full reassessment, we assume there's
13 an annual 3 percent increase on both
14 sides. So by the time we get to FY20 and
15 '21, the commercial is approximately 20.8
16 billion and the residential is 81
17 billion. And so it sort of grows -- we
18 show that growth in our --

19 COUNCILMAN GREEN: So I guess
20 my question is that -- Rob, the questions
21 were asked earlier by Councilman Greenlee
22 and Councilwoman Gym about not getting
23 the CAMA quick enough, and we just went
24 through this whole process talking about
25 Earned Income Tax Credit and not leaving

1 3/29/16 - WHOLE - RES. 160170, etc.
2 money on the table, but we're leaving
3 money on the table by not increasing our
4 ability to get dollars. And I don't get
5 the perspective that -- I mean, you
6 talked about is it a technical issue, is
7 it a resource issue, but what's the
8 bottom line? Why can't we do a full
9 assessment now as opposed to later?

10 MR. DUBOW: So, I mean, we
11 want -- we need to wait until the CAMA is
12 in place to do a full assessment, because
13 the CAMA system is what will help us get
14 it accurate. We are moving forward as
15 quickly as we can with that. That's why
16 we went out kind of to the marketplace,
17 asked vendors to give us their best
18 times, which is what they did. So that's
19 kind of why we are where we are.

20 COUNCILMAN GREEN: So you're
21 saying that's the best that we can do
22 based on the market?

23 MR. DUBOW: On the timing, yes.

24 COUNCILMAN GREEN: Say again.

25 MR. DUBOW: Yes. For the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 timing of the CAMA system, that's right.

3 COUNCILMAN GREEN: So in other
4 jurisdictions, they have been able to do
5 a similar process in a quicker time
6 period?

7 MR. DUBOW: They have not, no.

8 COUNCILMAN GREEN: I mean,
9 having been in this room for a period of
10 time, it just seems like we're always
11 just delaying and delaying and delaying,
12 and when something is a priority, we can
13 get it done, and when we're leaving money
14 on the table and having to use other
15 types of resources to provide things like
16 universal pre-K, like more money for
17 pensions, like community schools, and
18 we're not implementing all the things
19 that we can do to get these things done.

20 MR. DUBOW: This is a priority
21 and we are moving it as quickly as we
22 can.

23 COUNCILMAN GREEN: Okay. I'll
24 revisit that during the budget testimony.
25 Let's go to procurement. Council

1 3/29/16 - WHOLE - RES. 160170, etc.
2 President, a number of Councilmembers
3 have talked about procurement. From my
4 experience, the City of Philadelphia has
5 never had a Maynard moment. When I say
6 "Maynard," I'm talking about Maynard
7 Jackson. We are going to be the owner of
8 rebuids, and so if the owner wants to
9 get something done, it will have
10 inclusion. If the University of
11 Pennsylvania, if a private entity wants
12 to get something done in reference to
13 inclusion, it will get done. Now,
14 granted, we have certain legal
15 restrictions that restrict our ability to
16 do certain things because of caselaw, but
17 you talked about doing procurement
18 through PIDC. So are some of the same
19 legal restrictions like Croson going to
20 impact us to doing procurement for
21 rebuids with PIDC?

22 MR. ABERNATHY: Thank you,
23 Councilman. We believe that we are
24 likely to set up an outside organization
25 to run rebuids, and we believe that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 while these certain procurement
3 requirements that do attach because it's
4 City money, we think the procurement
5 process and requirements will be less
6 restrictive than going through the
7 regular City process.

8 For example, sealed bids. We
9 believe we will have stronger negotiating
10 power, and we think we can make inclusion
11 a stronger priority.

12 COUNCILMAN GREEN: So based on
13 that information, you should be able to
14 have better participation ranges because
15 we're now using a more effective entity
16 in doing procurement?

17 MR. ABERNATHY: That's the
18 goal.

19 COUNCILMAN GREEN: So when you
20 come back to us in reference to rebuild,
21 when you ask us to vote, we assume that
22 the participation ranges for rebuild will
23 be better than what the City currently
24 has done through its Procurement Office.

25 MR. ABERNATHY: Yes, sir.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 That's the expectation.

3 COUNCILMAN GREEN: Okay. I
4 want to also ask a question in reference
5 to the Pension Fund. Based on the
6 testimony, we're going to be paying about
7 \$641 million this year for pension
8 expenses?

9 MR. DUBOW: Correct.

10 COUNCILMAN GREEN: Which is
11 about 15 percent.

12 Is that the MMO?

13 MR. DUBOW: That's a
14 combination of the General Fund portion
15 of the MMO and the payment on the pension
16 obligation.

17 COUNCILMAN GREEN: What's the
18 ARC amount?

19 MR. DUBOW: So the MMO is an
20 ARC. An ARC is an annual required
21 contribution. You're asking what the
22 Pension Fund funding policy amount would
23 be?

24 COUNCILMAN GREEN: Correct.

25 MR. DUBOW: Yeah. So that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 would be, I think, about \$250 million
3 higher, so substantially higher.

4 COUNCILMAN GREEN: Right. So
5 we should be doing more like 851.

6 MR. DUBOW: Well, I wouldn't
7 say "should" is the right term. We're
8 paying what the state requires us to pay
9 and what our actuary determines we should
10 pay under the state requirement.

11 COUNCILMAN GREEN: But we're
12 not getting to a better level of funding
13 by just doing the MMO.

14 MR. DUBOW: So the MMO gets us
15 to full funding at 2037, about 2037. So
16 it's a series of payments that the
17 actuary determines gets us to fully fund
18 the Pension Fund. The difference between
19 the MMO and the funding policy is the
20 funding policy gets us there faster.

21 COUNCILMAN GREEN: Okay. Let
22 me ask one last question. Outside of the
23 additional money that may come from the
24 sales tax or the \$26 million that may
25 come from the sugar tax, what strategies

1 3/29/16 - WHOLE - RES. 160170, etc.
2 is the Administration taking to bring our
3 Pension Fund back to a fully funded level
4 in a quicker period?

5 MR. DUBOW: So a couple of
6 things. One is through the collective
7 bargaining process, we will want to work
8 through that to bring about changes.
9 There was a proposal from the Controller
10 that the actuary is looking at. So we'll
11 want to see what that produces too.

12 COUNCILMAN GREEN: And you're
13 referring to the pension buyout?

14 MR. DUBOW: Yeah. And there
15 are kind of a couple different ways you
16 can do that. One is to actually have the
17 buyout move people more towards Plan '87,
18 so that you buy them out into a lower
19 plan rather than buying out their whole
20 pension. So the actuary is looking at
21 that, and we'll see what that produces.

22 COUNCILMAN GREEN: And just to
23 follow up quickly, when you said
24 collective bargaining, my understanding
25 you have an RFP right now for a new labor

1 3/29/16 - WHOLE - RES. 160170, etc.
2 counsel?

3 MR. DUBOW: That's correct.

4 COUNCILMAN GREEN: So you're
5 probably taking a different strategy in
6 reference to collective bargaining than
7 the previous Administration?

8 MR. DUBOW: I would say that
9 every Administration has different
10 strategies towards collective bargaining.

11 COUNCIL PRESIDENT CLARKE:
12 Thank you, Councilman.

13 The Chair recognizes Councilman
14 Domb.

15 COUNCILMAN DOMB: Thank you,
16 Council President.

17 And thank you, Finance, I
18 guess, Rob, Jane, and Anna, thank you.
19 And I also want to comment that I've been
20 meeting with you guys. You've been very
21 supportive, informative, and helpful to
22 me, and I appreciate that support.

23 MR. DUBOW: We appreciate your
24 interest, and you've been very helpful to
25 us too.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN DOMB: So that's all
3 been good.

4 So I just have four things, and
5 I know I have about 105 seconds for each
6 one in seven minutes. So I'm going to be
7 quick, and some of these don't require
8 comment, but I just want to put a laser
9 focus, not just for your benefit, for my
10 colleagues' benefit. And I know that
11 Councilman Greenlee and Councilwoman Gym
12 and Councilman Green all commented about
13 this, but OPA. And we have to look at
14 OPA in a different light. We have to
15 look at it as an entity that has \$134
16 billion of real estate, of which 103
17 billion is taxed and 31 billion is not
18 taxed. And we need to apply -- if you
19 need more money from us, we need to know
20 that, because we should be applying more
21 money to the management of those assets
22 to make sure we have the proper numbers,
23 whether it's land values, whether it's
24 land values on abated properties or
25 commercial values or residential values.

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Whatever it is, we need to address that
3 as a body and make sure you have the
4 resources. It's very, very important
5 that we tax property correctly.

6 MR. DUBOW: Appreciate that.

7 COUNCILMAN DOMB: That's number
8 one.

9 Number two is our tax
10 delinquencies. When I was running for
11 office, that's what I talked about, tax
12 delinquencies a lot, and I have this
13 sheet from, I guess, Revenue. It's
14 pretty cleaned up from what I thought it
15 originally was, but it's about still \$750
16 million from tax delinquencies spread
17 over 20 different taxes. I think real
18 estate is still the biggest, and when you
19 count the real estate taxes, there are
20 about 353 million and water and sewer is
21 about 150 million, and that's the bulk of
22 it, 500 million. There's other taxes on
23 there too. And I know they were working
24 together to try to increase our tax
25 collections on the real estate and on the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 water and sewer, but I also would like to
3 see if possible in this process that we
4 have a plan to attack all the other
5 delinquencies, whether it's the wage
6 taxes of 43 million delinquent, counting
7 interest and penalty, whatever it is.
8 Can we possibly get a plan of how we're
9 going to go about getting those monies
10 collected or written off in the next 12
11 months so we have a program?

12 MR. DUBOW: And I think
13 probably the best way to do that is when
14 Revenue comes for their hearing, to walk
15 you through that. We have slightly
16 different numbers from yours, but it's
17 still -- the point is the same.

18 COUNCILMAN DOMB: Well, mine
19 might be from December 2015. Maybe it's
20 old.

21 The tax lien sales, I
22 appreciate you guys did that. You did
23 two sales last year. The interesting
24 information I just want to share is that
25 on pre-sale payments, \$10 million was

1 3/29/16 - WHOLE - RES. 160170, etc.
2 collected. On pre-sale payment agreement
3 balances, agreements made, 3.9, almost 4
4 million. On the actual sale, 3.2
5 million. And I think if we do another
6 one, whatever program we use, it's the
7 last piece we probably have to adjust
8 some of our values on to encourage more
9 sales on that piece.

10 MR. DUBOW: And the goal really
11 isn't to sell the liens. It's to get
12 people to pay.

13 COUNCILMAN DOMB: Absolutely.

14 MR. DUBOW: So if it encourages
15 people to come in before the sale, that's
16 good too.

17 COUNCILMAN DOMB: Great.

18 The third piece -- I think I'm
19 okay with time -- is the sugar tax. I
20 just got the numbers. I just want to
21 make sure I understand the numbers. For
22 a 1 cent tax -- there's a 3 cent
23 proposed, but for 1 cent, we generate
24 over the projected time period of five
25 years 260 million, which is 52 million a

1 3/29/16 - WHOLE - RES. 160170, etc.
2 year. For 2 cents, we project 403
3 million, which is 80 million a year. For
4 the additional penny, it only produces 28
5 million more. The first penny gives us
6 52 million, the second gives us another
7 28 million. Three cents produces 432
8 million, which means that last penny only
9 produces an extra 6 million per year,
10 roughly.

11 MR. DUBOW: One just point to
12 make. The first year is half a year. So
13 your division should be about four and a
14 half rather than five.

15 COUNCILMAN DOMB: That's fine.
16 But what it shows me is that the first
17 cent is really huge in numbers, and that
18 diminishes as we go down.

19 By the way, just for the
20 record, I watched this great movie I want
21 to mention over the weekend called Fed
22 Up. And I didn't know that much about
23 this stuff, but everyone should watch it.
24 It's all about sugar. It's not just
25 about soda, by the way. It's about how

1 3/29/16 - WHOLE - RES. 160170, etc.
2 bad sugar is for our body and what it's
3 doing to our young people, and I am a
4 convert now against sugar, and for me, my
5 weight, that's pretty unusual.

6 (Applause.)

7 COUNCILMAN DOMB: Last piece,
8 and I don't know if you can address this.
9 Helen brought it to my attention too
10 today. We slipped to seventh. The
11 Inquirer wrote an article that we're now
12 seventh in the country for population, I
13 guess, and every time I see a slip --

14 MR. DUBOW: For the metro area.
15 For the City, I think we're still fifth.

16 COUNCILMAN DOMB: But every
17 time I see that, it bothers me that we're
18 slipping, and it talks about slipping to
19 maybe nine or ten with Atlanta and Miami
20 taking us over. Clearly -- and this is
21 just my biased opinion, but I think our
22 future to a large degree is in
23 technology. When you look at New York
24 City, they have 543,000 jobs in tech, and
25 we have 14,000. We need to expand that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 base, because really this is all about
3 making ourselves more efficient and, as
4 the Council President is telling me,
5 growing the base, and that technology is
6 a tremendous job multiplier, five to one,
7 versus any other job that we know.

8 So if you could maybe down the
9 road in the next two months come up with
10 a plan that we can really embrace and
11 encourage more tech companies and
12 encourage that area of our economy.

13 That's it. I didn't hear the
14 bell ring.

15 MR. DUBOW: So I think the
16 Commerce Department will address that
17 during their hearing.

18 COUNCILMAN DOMB: I'm sure
19 Harold will get it covered good. That's
20 good to know. Thank you.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, Councilman.

23 The Chair recognizes Councilman
24 Oh.

25 COUNCILMAN OH: Thank you,

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Council President.

3 Okay. Good morning.

4 (Good morning.)

5 COUNCILMAN OH: So could you
6 talk just a little bit about the wage
7 reduction. Why is there a wage reduction
8 for non-residents? How does that work
9 into the wage reduction?

10 MR. DUBOW: Sure. So the wage
11 tax reductions that we have are in part
12 based on studies we've seen about the
13 impact of the wage tax on job growth in
14 the City, and those analyses say that
15 both the resident and non-resident wage
16 tax have a negative impact on job growth.
17 So that's why we propose reducing them
18 both.

19 COUNCILMAN OH: Okay. So what
20 you're saying is that the studies that
21 you have seen indicate that if you reduce
22 the wage tax for non-residents, it will
23 increase the number of jobs created in
24 the City?

25 MR. DUBOW: Correct.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN OH: Okay. As
3 opposed to if you just take that portion
4 of the wage tax reduction and put it for
5 residents only, deepening the reduction
6 in the wage tax for residents at an
7 earlier stage, that doesn't have a
8 greater increase in job creation within
9 the City as opposed to outside the City?

10 MR. DUBOW: That's not what
11 we've seen in the studies.

12 COUNCILMAN OH: Okay. I
13 haven't seen that myself, but we've had
14 this discussion --

15 MR. DUBOW: We did, yes.

16 COUNCILMAN OH: We have this
17 like yearly.

18 MR. DUBOW: We do, the exact
19 same discussion.

20 COUNCILMAN OH: So here's the
21 other yearly portion of it then --

22 MR. DUBOW: The Commerce
23 Director wants to comment.

24 COUNCILMAN OH: Sure.

25 MR. EPPS: Councilman, prior to

1 3/29/16 - WHOLE - RES. 160170, etc.
2 taking this job, I thought that was
3 theoretical, but I've seen two situations
4 where people have already chosen not to
5 come to Philadelphia because of the wage
6 tax, and it was both for citizens and
7 non-citizens. So because we are so fluid
8 with the five counties -- and I won't
9 even mention New Jersey -- for us to be
10 able to retain and recruit employers, we
11 need to reduce the wage tax, and it is
12 both for citizens -- residents and
13 non-residents. And, again, I've learned
14 in 75 days it's not theoretical. It is
15 real. People make those decisions on a
16 daily basis.

17 COUNCILMAN OH: So if we -- so
18 from your personal experience, what
19 you're saying is by reducing the wage tax
20 for people who choose to live and work
21 outside the City, that will increase the
22 number of jobs created in the City?

23 MR. EPPS: That is correct.

24 MR. DUBOW: That work in the
25 City.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MS. ADAMS: They have to work
3 in the City.

4 MR. EPPS: They have to work in
5 the City.

6 COUNCILMAN OH: So they're
7 living outside the City and they're
8 working --

9 MR. EPPS: And working in
10 Philadelphia.

11 MS. ADAMS: That's for the
12 non-resident taxes, that you're living
13 outside of the City but you work within
14 the City boundaries.

15 COUNCILMAN OH: Okay.

16 MR. EPPS: So for them to be
17 competitive to recruit a workforce, we
18 need to reduce both the people who live
19 in Philadelphia and the people who don't
20 but work here.

21 COUNCILMAN OH: Okay. So --

22 COUNCIL PRESIDENT CLARKE:
23 Excuse me. Councilman, excuse me.

24 So if the wage tax was such an
25 incentive, if you had a significantly

1 3/29/16 - WHOLE - RES. 160170, etc.
2 higher decrease if you lived in the City,
3 wouldn't that create an incentive for the
4 people to move into the City?

5 MR. EPPS: It would reduce the
6 level of the gap that exists today and it
7 may be one of the contributors, but
8 people are leaving -- wage tax is one of
9 the reasons. Of course education is
10 another.

11 COUNCIL PRESIDENT CLARKE: All
12 right. No, but I'm saying you put such
13 emphasis on the reduction in the wage tax
14 both inside and outside. If the person
15 already works here and the Councilman's
16 question sounds like he said why wouldn't
17 we have a more aggressive --

18 MR. EPPS: But they --

19 COUNCIL PRESIDENT CLARKE: Can
20 I ask the question, please, sir.

21 The Councilman's question
22 suggested that if we decrease the
23 resident wage tax, then it would create
24 more of an incentive, right? It would be
25 more helpful. And also if the person

1 3/29/16 - WHOLE - RES. 160170, etc.
2 already works here, why wouldn't they
3 move to the City and take advantage of
4 that decreased wage tax?

5 MR. EPPS: It's still higher in
6 the City than it is in the suburbs. It's
7 still about a half a point higher.

8 COUNCIL PRESIDENT CLARKE: I
9 understand that.

10 MR. EPPS: But the employer
11 will need to be comfortable that they've
12 got the ability to recruit both
13 Philadelphia citizens and those that live
14 in the suburbs, and they want to get that
15 wage tax --

16 COUNCIL PRESIDENT CLARKE: Why
17 do they want to have somebody in the
18 suburbs if the same person --

19 MR. EPPS: Because --

20 COUNCIL PRESIDENT CLARKE: And
21 the same person moves into the City.

22 MR. EPPS: Because they need --

23 COUNCIL PRESIDENT CLARKE:
24 Would they get penalized because they
25 move into the City?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. EPPS: Well, Philadelphia
3 might not always have the residents that
4 will support their employer needs.

5 COUNCIL PRESIDENT CLARKE: But
6 I'm saying if you create an incentive to
7 move into the City, like the ten-year tax
8 abatement, a lot of people are saying,
9 Well, we get this ten-year tax abatement
10 here, so people are moving into the City,
11 take advantage of the ten-year tax
12 abatement. You may not get it outside in
13 the other county, so people are making
14 that decision.

15 So if there's an increased
16 reduction in taxes if you live in the
17 City, wouldn't that incentivize people
18 who actually work here --

19 MR. EPPS: It would.

20 COUNCIL PRESIDENT CLARKE: --
21 to also move here?

22 MR. EPPS: It would reduce the
23 obstacle, yes.

24 COUNCILMAN OH: So in
25 conjunction with that, in 2023 the PICA

1 3/29/16 - WHOLE - RES. 160170, etc.
2 portion of the wage tax ends. That is, I
3 think, a 1.54 percent of that wage tax --

4 MR. DUBOW: 1.5 percent, right.

5 COUNCILMAN OH: 1.5 percent.

6 There's a huge percent decrease in 2023.

7 MR. DUBOW: Correct.

8 COUNCILMAN OH: Okay. And so
9 the overall reduction of the wage tax
10 would be a much bigger incentive,
11 wouldn't it, for then creating jobs and
12 hiring folks?

13 MR. DUBOW: Well, it would be
14 if we could maintain services, but if
15 that 1 and a half percent goes away, we
16 would lose over \$350 million a year from
17 our budget, and at that level, we
18 wouldn't be able to maintain services.
19 So it wouldn't have the kind of economic
20 benefit. We need to kind of maintain
21 that portion of the tax to maintain
22 budget stability.

23 COUNCILMAN OH: So the 1.54 --

24 MR. DUBOW: 1.5.

25 COUNCILMAN OH: 1.5. I'm

1 3/29/16 - WHOLE - RES. 160170, etc.

2 sorry. The 1.5 does not come here.

3 MR. DUBOW: So here's how the
4 1.5 works. Under the PICA Act, that
5 portion of the wage tax, which already
6 existed, was split off, used to pay the
7 debt service on the PICA bonds and then
8 the remainder comes back to the City's
9 General Fund.

10 COUNCILMAN OH: Right.

11 MR. DUBOW: So the amount that
12 goes to the debt service declining over
13 time, it's about 60 million now.
14 Anything above that already comes to our
15 General Fund. So it would be a big cut
16 in revenues to our General Fund if that
17 goes away.

18 COUNCILMAN OH: Right. And it
19 is scheduled to -- it sunsets, it's going
20 away.

21 MR. DUBOW: It is scheduled to
22 go away after 2023, but I would argue
23 that we need to make sure that doesn't
24 happen.

25 COUNCILMAN OH: Okay. So we've

1 3/29/16 - WHOLE - RES. 160170, etc.

2 had this discussion before.

3 MR. DUBOW: Yes.

4 COUNCILMAN OH: So my question
5 is, being that it sunsets, being that it
6 goes away --

7 MR. DUBOW: Unless we take
8 action to make sure it doesn't.

9 COUNCILMAN OH: Which is what I
10 always hear. So my question is, how much
11 of this Five Year Plan, which ends in
12 2021, is based on that 1.5 percent not
13 going away? Do you calculate in your
14 borrowings, your bond issuances and all
15 of these other things that you're doing,
16 do you calculate that that 1.5 percent is
17 now going to be producing \$350 million a
18 year for the General Fund?

19 MR. DUBOW: Yeah. That is
20 assumed in our Five Year Plan. So over
21 our Five Year Plan, that's going to be
22 1.8 billion or so of the revenues that we
23 have in our Five Year Plan are from that
24 PICA tax.

25 COUNCILMAN OH: Right. So I

1 3/29/16 - WHOLE - RES. 160170, etc.
2 have real difficulties comprehending the
3 Five Year Plan because it is based on
4 something that is due to disappear.

5 MR. DUBOW: It doesn't
6 disappear until after the Plan is over.

7 COUNCILMAN OH: Well, I mean,
8 it disappears shortly thereafter.

9 MR. DUBOW: Right, but the
10 revenues still come in, and this Plan
11 should show those revenues coming in
12 because that's what current law shows.
13 There's no discussion of it going away
14 earlier than 2023.

15 COUNCILMAN OH: Right, but my
16 point is that this current budget
17 includes borrowings, bond issuance,
18 interest rates, calculations based on a
19 certain amount of revenues that are going
20 to continue into the future.

21 MR. DUBOW: Right. And, again,
22 that's why we need to make sure that tax
23 continues.

24 COUNCILMAN OH: And how would
25 that be done?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: We need
3 legislation.

4 COUNCILMAN OH: From
5 Harrisburg.

6 MR. DUBOW: Correct.

7 COUNCILMAN OH: Okay. So thank
8 you. We have this discussion
9 periodically.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you, Councilman.

12 The Chair recognizes
13 Councilwoman Parker.

14 COUNCILWOMAN PARKER: Thank
15 you, Mr. President.

16 And good afternoon.
17 (Good afternoon.)

18 COUNCILWOMAN PARKER: Let me go
19 back to the issue of OPA and just want to
20 go back to your Five Year Plan. It
21 reflects a 3.6 percent decrease from the
22 FY16 projected. I see 13.3 million for
23 FY16, 12.8 million for FY17, and then
24 12.5 million for FY18.

25 And now with that being said, I

1 3/29/16 - WHOLE - RES. 160170, etc.
2 need you to just clarify the record for
3 me and tell me how many commercial
4 assessments have to be done and how many
5 residential assessments have to be done?
6 Would that be something that you know
7 just in general? I mean, obviously we'll
8 get in the weeds when we begin the budget
9 process, but do we know how many
10 assessments have to be conducted?

11 MR. DUBOW: Yes. I think there
12 are about 570,000 total properties and
13 about 470,000 of those roughly are
14 residential.

15 COUNCILWOMAN PARKER: Okay.
16 Good. Thank you, Rob. That's what I
17 needed. Four hundred thousand
18 residential and then probably about a
19 hundred thousand commercial.

20 MR. DUBOW: I think that's
21 right. And Mike Piper is nodding his
22 head, so...

23 COUNCILWOMAN PARKER: Okay. So
24 with that in mind -- and, again, the
25 reason why this projected reduction in

1 3/29/16 - WHOLE - RES. 160170, etc.
2 OPA's budget sort of raised my eyebrows,
3 and you'll have to correct me on this
4 one, I was under the belief or
5 understanding that we had actually 38
6 commercial assessors, commercial and
7 industrial assessors in OPA, and 82
8 residential assessors. And I don't know
9 whether or not that is accurate. Is that
10 something you would be able to tell us
11 today? You just shared with us, Rob,
12 that we have 470,000 residential
13 properties to assess and approximately
14 100,000, and the numbers I have reflect
15 that we only have 38 commercial and
16 industrial assessors in OPA and 82
17 residential assessors.

18 MR. DUBOW: Right.

19 COUNCILWOMAN PARKER: And then,
20 Rob, I want you to tell me based on
21 industry standards, is there a certain
22 ratio for assessors to commercial
23 property or assessors to residential
24 properties?

25 MR. DUBOW: So that gets beyond

1 3/29/16 - WHOLE - RES. 160170, etc.
2 my knowledge. I can ask Mike Piper to
3 answer that now or we can do it during
4 his hearing, whichever.

5 COUNCILWOMAN PARKER: It would
6 be interesting, just because it would
7 help lead into my next question.

8 MR. DUBOW: And I should say
9 while he's coming up that we actually
10 assume an increase in the number of
11 positions. The big decreases -- we had
12 support on the consulting side that we
13 had anticipated over the years using that
14 we've never actually used. So I think a
15 million dollars. Instead we have
16 \$500,000 in there to actually hire
17 outside help to help us with commercial
18 appeals, but --

19 COUNCILWOMAN PARKER: So
20 500,000 to help with commercial appeals?

21 MR. DUBOW: Yes.

22 COUNCILWOMAN PARKER: Now,
23 thank you.

24 MR. DUBOW: At the suggestion
25 of Councilman Domb.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN PARKER: We're
3 going in the right direction, and that
4 was my issue, Rob, is that there has been
5 no secret that we have not done a great
6 job in the collection, particularly on
7 the commercial side. And so thank you
8 for sort of reaffirming the City's
9 efforts and making sure that we have more
10 commercial assessors.

11 I just want to say before
12 Mr. Piper answers the question about the
13 ratio of assessors to residential
14 properties to assessors for commercial
15 and industrial properties, that I also
16 hope that we institutionalize some sense
17 of training for those who are already
18 internally working in the department so
19 that they can, through sort of
20 professional development, find a way to
21 gain the skills that they need so that we
22 don't have to always pay for outside
23 services to come and help us get those
24 commercial assessments, right,
25 particularly in the case of appeals.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 And, Mike, you were going to
3 respond.

4 MR. PIPER: Good afternoon,
5 members of City Council and Councilwoman
6 Parker. Thanks for asking questions
7 about what it is that we do. We've seen
8 a lot of interest over the past few
9 months, particularly with one of the
10 newer members of Council, and what it is
11 that we do concerning commercial
12 assessments, and I do want to thank
13 Councilman Domb for that. We appreciate
14 the expertise you bring into it. And
15 some of the same questions that we've had
16 conversations with the Councilman are
17 what you're asking now.

18 So concerning a ratio,
19 typically the ratio of parcels to
20 assessors is based on overall parcels,
21 not just commercial or just residential.
22 It's based on the size of the
23 jurisdiction. The types of parcels, yes,
24 are important, but we look at how many
25 assessors we need to do all assessments,

1 3/29/16 - WHOLE - RES. 160170, etc.
2 including support responsibilities. So
3 the numbers that we gave included
4 residential assessors, residential
5 supervisors, clerical staff who work in
6 residential divisions, and the same thing
7 for commercial. So you mentioned
8 training for --

9 COUNCILWOMAN PARKER: I'm
10 sorry, Mr. Piper. Go back and help me
11 here. Rob was very explicit in sort of
12 his analysis of the numbers, 570,000
13 properties approximately total citywide,
14 470,000 residential and 100,000
15 commercial. I noted that we have 38
16 commercial and industrial assessors in
17 OPA and 82 residential. So with that
18 being said -- again, because I'm trying
19 to understand it, just like other lay
20 people understand it, we have 38
21 commercial and industrial assessors whose
22 primary task would be to assess the
23 100,000 commercial properties?

24 MR. PIPER: Correct.

25 COUNCILWOMAN PARKER: Okay.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Then that would also mean that we have 82
3 residential assessors whose primary
4 responsibility would be to assess the
5 470,000 residential properties?

6 MR. PIPER: Essentially that's
7 correct. I'll just correct that to say,
8 again, including support staff. The more
9 parcels you're referring to, the more
10 support staff you have that are
11 responsible for things that have nothing
12 directly to do with assessment - clerical
13 responsibilities, IT responsibilities,
14 responsibility for contact with other
15 City agencies and other external
16 agencies. But they're counted in those
17 numbers.

18 COUNCILWOMAN PARKER: Okay.
19 Well, listen, thank you for your
20 response. I just want to note for the
21 record as we move forward through this
22 process, it's something I'll be paying
23 very close attention to and particularly
24 with the Administration's foresight to
25 budget to ensure that we could bring in

1 3/29/16 - WHOLE - RES. 160170, etc.
2 some more technical support. That's
3 extremely important, but I also want to
4 make sure that we keep the training of
5 our institutional employees in mind
6 throughout that process.

7 My next question is with the
8 issue of -- with respect to diversity and
9 inclusion. So I don't think,
10 Mr. Piper --

11 MR. PIPER: Thank you,
12 Councilwoman.

13 COUNCILWOMAN PARKER: Thank
14 you.

15 Mr. President, if we may, I
16 have a final question regarding diversity
17 and inclusion.

18 COUNCIL PRESIDENT CLARKE:
19 Councilwoman, absolutely.

20 COUNCILWOMAN PARKER: Thank
21 you, Mr. President.

22 (Witness approached witness
23 table.)

24 COUNCILWOMAN PARKER: Thank
25 you, Mr. Atkinson, for coming forward.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 I'm not going to beat a dead horse here.

3 I thought Councilwoman Blondell Reynolds

4 Brown did an outstanding job connecting

5 the importance of diversity and inclusion

6 to the pipeline.

7 If we find a way to hire more

8 people of color, to ensure that we are

9 incentivizing local hiring, but we do

10 absolutely nothing to increase the

11 pipeline, be it career technical

12 education and connecting that to what

13 we're doing, I think we would be missing

14 a very huge, huge opportunity.

15 In addition to that, it was

16 mentioned earlier by Mr. Abernathy that

17 we are going to hear some very specific

18 firm numbers and that the enforcement,

19 the enforcement of those who would not be

20 in compliance would be extremely

21 important and enforceable. And with that

22 being said, I'm thinking about the rubric

23 regarding those companies that don't pay

24 prevailing wage. I think everybody is

25 really clear. If you don't pay

1 3/29/16 - WHOLE - RES. 160170, etc.
2 prevailing wage, the job will stop if you
3 are not paying prevailing wage. When we
4 design our goals and objectives, I hope
5 that the enforcement mechanism that we
6 establish is as clear as it is for
7 companies that are not paying prevailing
8 wage. And I just wanted to know sort of
9 what was your thinking from an
10 enforcement perspective regarding that
11 matter.

12 MR. ATKINSON: Thank you,
13 Councilwoman Parker. I'm Nolan Atkinson,
14 and I'm happy to be here, and I agree
15 with your statements that these programs
16 that the Council has discussed throughout
17 this morning with regard to rebuild and
18 with regard to how we're going to make
19 this different than other programs are
20 very key to the Administration, in that
21 there will be enforcement mechanisms
22 built into these programs to make sure
23 that what was promised is done.

24 COUNCILWOMAN PARKER: Thank
25 you.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 And thank you, Mr. President.

3 Thank you.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilwoman.

6 The Chair recognizes

7 Councilwoman Quinones-Sanchez.

8 COUNCILWOMAN SANCHEZ: Thank

9 you.

10 Good afternoon. I want to ask
11 about some of the decisions we make or
12 some would say some of the choices we
13 make regarding our revenue stream.

14 Of the projected wage
15 reductions, how much of those are tied in
16 to casino revenues and how much of it is
17 a choice by the Administration and the
18 value of --

19 MR. DUBOW: You mean going
20 forward in the Five Year Plan?

21 COUNCILWOMAN SANCHEZ: Yes.

22 MR. DUBOW: It's all a choice
23 by the Administration.

24 COUNCILWOMAN SANCHEZ: So
25 essentially the Administration has chosen

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that they will reduce \$214 million over
3 the Five Year Plan?

4 MR. DUBOW: Yes. And going
5 back to the earlier conversation, we
6 think that's important in terms of job
7 growth.

8 COUNCILWOMAN SANCHEZ: I think
9 pre-K is important. I think community
10 schools is important.

11 MR. DUBOW: We agree.

12 COUNCILWOMAN SANCHEZ: Okay.
13 In terms of the BIRT reductions, most of
14 these are legislated or is there anything
15 in here that's by choice?

16 MR. DUBOW: I think it's all
17 legislated.

18 MS. ADAMS: It's all
19 legislated.

20 COUNCILWOMAN SANCHEZ: All of
21 those are --

22 MS. ADAMS: Yeah. All 270.6
23 million is legislated.

24 COUNCILWOMAN SANCHEZ: So I
25 think for the record, our colleagues, as

1 3/29/16 - WHOLE - RES. 160170, etc.
2 we talk about the whole issue of business
3 tax reform, we are essentially through
4 this Plan committing to \$485 million in
5 business tax reductions.

6 MR. DUBOW: In wage and
7 business tax reductions, yes.

8 COUNCILWOMAN SANCHEZ: That's
9 pretty generous. Some would say it's pro
10 business, right?

11 MR. DUBOW: Pro job growth.

12 COUNCILWOMAN SANCHEZ: Let's
13 hope. Okay.

14 One of the things that was
15 highlighted in the testimony was that
16 there was a \$60 million unexpected
17 shortfall in BIRT. Is that because of
18 our projection or because more people are
19 taking advantage of it?

20 MR. DUBOW: So that is from '15
21 to '17, it's \$60 million less than we
22 anticipated in the projections we made
23 last year, and it's because more people
24 were taking credits than we anticipated.
25 That's before actually the big kind of

1 3/29/16 - WHOLE - RES. 160170, etc.
2 changes hit, so it's not really related,
3 we don't think, to the changes in the tax
4 structure. It's more people are taking
5 credit.

6 COUNCILWOMAN SANCHEZ: Just the
7 collections piece. Is that reflected now
8 in our projections moving forward?

9 MS. ADAMS: I'm sorry?

10 COUNCILWOMAN SANCHEZ: Did we
11 adjust our projections?

12 MS. ADAMS: That becomes the
13 base, yeah, for our growth from the
14 lower -- it reduced the amount we assume
15 we'll collect this year, and then that
16 becomes a new base from which you grow
17 everything else.

18 COUNCILWOMAN SANCHEZ: In terms
19 of -- I just want to reemphasize some of
20 the OPA discussion around the three-year
21 delay, and I've mentioned this to all of
22 you in the past. We're going to be in a
23 three-year potential sticker shock for
24 residents around receiving it. Do we
25 have a sense year by year of what we're

1 3/29/16 - WHOLE - RES. 160170, etc.
2 foregoing by doing the three-year delay?

3 MR. DUBOW: So we actually
4 don't think that you'll have that big a
5 sticker shock because we've been doing
6 things with those assessments in the
7 interim. So one year we looked at kind
8 of all the assessments to see what was
9 outside the standard industry ranges and
10 then changed assessments where people
11 were outside those ranges, and this year
12 we're doing the land reassessment. So
13 we're updating that. And to the extent
14 that people are making improvements to
15 their houses, that gets captured too.

16 COUNCILWOMAN SANCHEZ: That's
17 automatic.

18 MR. DUBOW: Yeah. All that
19 happens. So we don't think that there
20 will be a big sticker shock on
21 residential properties.

22 COUNCILWOMAN SANCHEZ: How
23 about in the areas that are quickly
24 gentrifying? Are we concerned about that
25 kind of delay?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: So I think kind of
3 in that first year, that would have been
4 caught by looking at things outside their
5 range. And so there may be like one year
6 where we're not capturing that, but not
7 kind of a long term. It's not like it
8 was before.

9 COUNCILWOMAN SANCHEZ: Yeah. I
10 really believe -- and, again, we're
11 elected officials. Doing a three-year
12 delay puts us right before an election
13 cycle on approving a CAMA system that's
14 not going to be perfect, because we don't
15 legislate for the perfect here, and
16 potentially could be very troubling if we
17 don't start making adjustments sooner.

18 MR. DUBOW: It would be much
19 better -- I agree, nothing is perfect.
20 It will be much more accurate than
21 anything we've had before, and part of
22 the reason that we're trying to keep up
23 with things in the interim is so that
24 there isn't a big sticker shock in any
25 year.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN SANCHEZ: Okay.

3 So let's talk a little bit about -- in
4 the liquor tax compliance, according to
5 your numbers, we have a compliance rate
6 of 96.7 percent and notwithstanding the
7 \$9 million in delinquency. What is the
8 revenue that we're foregoing and not
9 increasing our collection rate?

10 MR. DUBOW: So I think the
11 total is about 60 million a year.

12 COUNCILWOMAN SANCHEZ: No.
13 That's what we're collecting.

14 MR. DUBOW: Right.

15 COUNCILWOMAN SANCHEZ: What are
16 we not collecting?

17 MR. DUBOW: So if we look at
18 kind of what we looked at the last three
19 years and what's left outstanding, it's
20 that 9.6 million, whatever the number.
21 That's the number that we haven't
22 received.

23 COUNCILWOMAN SANCHEZ: So we
24 have not done an analysis of the 3
25 percent of folks who are not paying, what

1 3/29/16 - WHOLE - RES. 160170, etc.

2 potential revenue that is?

3 MR. DUBOW: No. The way that
4 we did the analysis, it's the roughly \$10
5 million that we're --

6 COUNCILWOMAN SANCHEZ: So we
7 have \$10 million, going back to the term,
8 what money we're leaving on the table,
9 \$10 million in --

10 MR. DUBOW: And that, as you
11 know, that's for the School District.

12 COUNCILWOMAN SANCHEZ: No, no.
13 I understand that. That's for education.

14 So as we go to the -- I was
15 looking at the sugar beverage thing. I
16 noticed that in your analysis to us you
17 guys said that you did not look at the
18 powder drinks, but you would consider it.
19 Is anybody doing an analysis of what that
20 would be?

21 MR. DUBOW: We have not started
22 that analysis, but, I mean, we're happy
23 to.

24 COUNCILWOMAN SANCHEZ: Yeah.
25 We would hope that we would include that.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 We all know that we're dealing with a
3 regressive tax, but good tax policy is
4 the wider you spread it, the lower the
5 rate. So we want to figure that out for
6 those of us who would entertain something
7 for the priorities.

8 We talked about the impact, the
9 negative impact, that it would have on
10 some neighborhoods. How long do you
11 think it would take for you to get us an
12 analysis of what that means neighborhood
13 to neighborhood?

14 MR. DUBOW: Not sure. We can
15 get -- let's figure that out and let you
16 know, but I don't want to give you an
17 answer and then be off. So we'll figure
18 it out.

19 COUNCILWOMAN SANCHEZ: You'll
20 have an idea about when we can get that
21 analysis.

22 I know that the Administration
23 has been meeting with obviously everyone
24 talking about this with the industry
25 folks. Have you guys met with small

1 3/29/16 - WHOLE - RES. 160170, etc.
2 businesses and talked about some of this
3 stuff?

4 MS. SLUSSER: Yeah. We have
5 been meeting with small businesses, with
6 all of the chambers, various business
7 networks. So we've been bringing groups
8 of small business owners together. In
9 addition, the Commerce Department has
10 been talking with the business owners
11 that they normally deal with that the
12 commercial folks work with to talk to
13 them about the implications of the tax.

14 COUNCILWOMAN SANCHEZ: So have
15 they been honest to you about the fact
16 that they're going to put this down on
17 consumers?

18 MS. SLUSSER: It's been a
19 variety of responses depending on the
20 various businesses that are there.

21 COUNCILWOMAN SANCHEZ: I've
22 been doing an unscientific review of the
23 bodegas, and I suggest that all of us, as
24 we ponder with this discussion, we look
25 at it. There are not a whole lot of diet

1 3/29/16 - WHOLE - RES. 160170, etc.
2 options in the bodegas, if you notice
3 most of them on the shelving. In fact,
4 I'll start taking pictures. And other
5 than water, there are no non-sugary
6 options at the store as it relates to
7 bodegas and particularly folks who live
8 in a food desert, and where there are
9 options, the cost is twice as much. So
10 if I look at a juice, I'm going from a
11 can of very nasty soda at 75 cents,
12 because it's the cheap brand, we're not
13 even talking about the big guys, to \$1.89
14 for a juice. So we talk about the
15 disproportionate impact. Even as we ask
16 people to drink healthier, it's going to
17 have a sticker shock for them in that,
18 and as we do -- as we're looking at this
19 stuff. So I'd be interested as you're
20 talking to the industry folks what are
21 the options at the stores. I was very
22 surprised at the limited options at the
23 stores.

24 So for my colleagues, go to the
25 bodega, go to see what the options are

1 3/29/16 - WHOLE - RES. 160170, etc.

2 and you'll see that it is very limited.

3 And then I want to go to the
4 capital stuff, but I know my time is up.
5 One of the things -- and I know you don't
6 have the plan yet, and I don't want to
7 misquote her, but Councilwoman Blackwell
8 often says, I'm not voting against
9 myself. And I have a real concern about
10 us saying that we're committed to fixing
11 a system and then creating a different
12 system that is not accountable to this
13 Board, which I consider Council the Board
14 of Directors of the City government. So
15 I just want to put that out as a
16 cautionary note, and we'll have that
17 discussion on the capital side.

18 Thank you.

19 COUNCIL PRESIDENT CLARKE:

20 Thank you, Councilwoman.

21 The Chair recognizes Councilman
22 Taubenberger and then Councilwoman
23 Blackwell, and then we're going to take a
24 break, if it's okay with the members.

25 COUNCILMAN TAUBENBERGER: Thank

1 3/29/16 - WHOLE - RES. 160170, etc.
2 you, Mr. President.

3 Question for Rob Dubow. If the
4 soda tax doesn't bring in the projected
5 revenue -- this is all projected
6 revenues, and I'm not totally convinced
7 it's going to happen. This is also a
8 statement. I'm not convinced that the
9 businessman, the distributor, doesn't
10 pass this along. It's the cost of doing
11 business, and it's built into a profit
12 margin that his investors will demand.

13 But getting back to the
14 question at hand, if the soda tax doesn't
15 bring in the projected revenue, will you
16 have another source of revenue or will
17 you withhold any increases that are
18 needed year to year to run the pre-K
19 program or the community schools or will
20 you cut from other programs?

21 MR. DUBOW: So I think we have
22 to actually see as the revenue came in
23 what it looked like. I mean, all of
24 these initiatives are being phased in.

25 COUNCILMAN TAUBENBERGER: Sure.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: So I think we have
3 to kind of see what happens.

4 COUNCILMAN TAUBENBERGER: I
5 understand that, but let's say for the
6 sake of argument it doesn't. Do you have
7 a Plan B of sorts?

8 MR. DUBOW: No. I think the
9 Plan B would be to look at where the
10 revenue actually is, see what it could
11 support, and then figure out where we
12 would go from there.

13 COUNCILMAN TAUBENBERGER: Okay.
14 Council President, that's all.
15 Thank you.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you, Councilman.

18 The Chair recognizes
19 Councilwoman Blackwell.

20 COUNCILWOMAN BLACKWELL: Thank
21 you, Mr. President.

22 I too want to just mention a
23 few things or ask questions about pre-K,
24 and Councilman Taubenberger just talked
25 about was there another alternative, and

1 3/29/16 - WHOLE - RES. 160170, etc.
2 we've been hearing that there is none
3 that we're aware of at this point. But
4 we want to ask questions. I'll just
5 throw a few out there, and you can let us
6 know later what your answers are. But we
7 want to know how it's going to be equal
8 and fair; that is, how are the centers
9 getting funding going to be chosen? What
10 neighborhoods will they come from? Who
11 is going to make these decisions? Which
12 children will be picked? And for the 25
13 community schools, we want to know as
14 well if there has already been decisions
15 made with regard to that, if there are
16 people who have asked for them. About
17 the five schools that are to be converted
18 this year, have they been chosen? Are
19 they being discussed? And what will it
20 look like? Many of us have some in our
21 areas. I certainly have Sayre School.
22 It's an exciting proposition, but we need
23 to know details about these community
24 schools.

25 And I'm really concerned that

1 3/29/16 - WHOLE - RES. 160170, etc.
2 about -- I'm going back now to the
3 community schools, but to pre-K to really
4 say it is very, very important that
5 District Councilpeople know what's
6 happening in their areas. How do we know
7 that people who -- I'm on the Board of
8 pre-K. I'm Chair of the Education
9 Committee, and we try to stay on top of
10 this. I have someone at every meeting,
11 and still there are issues, all the
12 issues -- I go to the meetings in my area
13 even for that, but the issues still
14 exist. There's a big push to make this
15 happen, but Council can't afford -- even
16 before the Governor with the budget from
17 K to 12, and as everyone knows, we've
18 been worried about K to 12, and we know
19 we need pre-K, but who and how and where.
20 And those are very, very important issues
21 to make sure that everything is straight.
22 We don't need people within the system
23 who get to pick their friends or who have
24 their own companies and they get to
25 choose the children. And the children

1 3/29/16 - WHOLE - RES. 160170, etc.
2 can be from public, they can be from
3 private, they can be from anything. And
4 that is absolutely too open to expect us
5 to fund and ask the public for money or
6 for us to transfer money. We've got to
7 have details about this pre-K program if
8 we're expected to vote for it.

9 Thank you, Mr. President.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilwoman.

12 Mr. Hackney.

13 MR. HACKNEY: Yes. Once again,
14 Otis Hackney, Chief Education Officer.

15 Thank you for those questions.
16 We are preparing right now to make sure
17 that on the 5th that we can address all
18 of these issues, because you just gave us
19 a number of questions that we're already
20 exploring to make sure that we have the
21 appropriate answers for you, so that way,
22 people can feel comfortable about this
23 bold and ambitious initiative, especially
24 around pre-K.

25 So I don't know. I mean, you

1 3/29/16 - WHOLE - RES. 160170, etc.
2 asked about eight questions. I don't
3 know if you want me to go through each
4 one or that would be something that we
5 would wait until our hearing.

6 COUNCILWOMAN BLACKWELL: We're
7 happy to wait until you have answers.
8 It's too late in the game for us to ask
9 you to guess at it. We want specific
10 answers before we are asked to vote on
11 this important issue.

12 MR. HACKNEY: Yes. And we will
13 have those answers for you when we
14 present next week.

15 COUNCILWOMAN BLACKWELL: Thank
16 you.

17 Thank you, Mr. President.

18 COUNCIL PRESIDENT CLARKE:
19 Thank you, Councilwoman.

20 If it's okay with the members,
21 we want to take a break until like 1:30
22 when we will reconvene. Thank you.

23 (Short recess.)

24 COUNCILMAN GREENLEE: Thank
25 you. We're going to continue our

1 3/29/16 - WHOLE - RES. 160170, etc.

2 hearing.

3 Councilwoman Gym, do you have
4 questions?

5 COUNCILWOMAN GYM: Yes. Thank
6 you very much.

7 So I wanted to ask a couple of
8 questions. I did want to go back and ask
9 Mr. Dubow whether he felt like a
10 flat-funded School District expectation
11 will continue next year and the year
12 after.

13 MR. DUBOW: You mean for FY17?

14 COUNCILWOMAN GYM: Yes.

15 MR. DUBOW: Yes. For FY17 --

16 COUNCILWOMAN GYM: No. I meant
17 will I see a Five Year Plan next year
18 that is likely to see it being
19 flat-funded for the next five years?

20 MR. DUBOW: I think that's
21 something that we're actually going to
22 talk about during the course of the year
23 and figure out where we go.

24 COUNCILWOMAN GYM: I just did
25 want to make a note that the School

1 3/29/16 - WHOLE - RES. 160170, etc.
2 District of Philadelphia plans to start
3 closing three public schools a year
4 starting in FY18, which means they'll
5 start making decisions for next year.

6 MR. DUBOW: My understanding
7 about that is that they're projecting
8 that because they're basing it on the
9 number of kids they think will be going
10 to charter schools, that that's the
11 primary driver behind that, that that's
12 not financially driven, it's driven by
13 where they think the kids are going to
14 go.

15 COUNCILWOMAN GYM: But the
16 argument is, with all due respect, is
17 that the reason why families are leaving
18 our public schools to go to charters is
19 because of deficient services and the
20 issue of safety and climate in our
21 schools that has a lot to do with the
22 lack of support and funding for the
23 District, and that's if we're not
24 seeing --

25 MR. DUBOW: And really support

1 3/29/16 - WHOLE - RES. 160170, etc.
2 from the state for the District. We have
3 done a lot to support the District.

4 COUNCILWOMAN GYM: Agreed.

5 MR. DUBOW: An additional \$400
6 million a year over where it was five
7 years ago.

8 COUNCILWOMAN GYM: And I guess
9 my question is is that no matter what
10 happens around this, is there a scenario
11 where you would see the District being
12 flat-funded from the City even with some
13 additional investments from the state
14 over the next five years? Is that either
15 realistic or responsible?

16 MR. DUBOW: I think we'd have
17 to see what happens with the state.

18 COUNCILWOMAN GYM: And is that
19 realistic, that we wouldn't see a funding
20 change?

21 MR. DUBOW: I guess, again, it
22 depends on kind of what we see from the
23 state.

24 COUNCILWOMAN GYM: Has there
25 been a five-year period in which we

1 3/29/16 - WHOLE - RES. 160170, etc.
2 haven't raised revenues for the School
3 District in a significant way?

4 MR. DUBOW: I think there has.
5 We did some comparisons of kind of the
6 last 24 years, and there were stretches
7 about that length where there weren't
8 substantial additional investments.

9 COUNCILWOMAN GYM: Over what
10 time period?

11 MR. DUBOW: We looked over the
12 last 24 years, and I think during that
13 stretch, there were some stretches where
14 we had years consecutive, multiple years
15 without --

16 COUNCILWOMAN GYM: But not
17 since the takeover?

18 MR. DUBOW: Not since the
19 takeover? I don't think since the
20 takeover it's been five years.

21 COUNCILWOMAN GYM: So not
22 likely to be realistic that we would see
23 five years flat-funded?

24 MR. DUBOW: Well, if you had
25 asked me five years ago whether it was

1 3/29/16 - WHOLE - RES. 160170, etc.
2 realistic that the state would do what it
3 did, I would have said that was
4 unrealistic.

5 COUNCILWOMAN GYM: My next
6 question I guess is about immigration and
7 diversity, and I think this is one area
8 where the Mayor has been such a great
9 leader on the issue of diversity and also
10 my colleague Councilwoman
11 Quinones-Sanchez as well. But City
12 growth in part has happened or in part
13 has happened due to the presence and
14 growth of immigrants in our region. And
15 so what has been the City's plan and how
16 is it like reflected in the Five Year
17 Budget Plan about expansion in terms of
18 language access services to the broader
19 immigrant community?

20 MS. SLUSSER: I can talk a
21 little bit about this. I'm just going to
22 see -- oh, good. Brian is right there to
23 come in and talk a little bit about the
24 plans that we're putting together with
25 the Office of Immigrant Affairs right now

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that's currently working on language
3 access plans and how we're going to be
4 implementing that for every department.

5 MR. ABERNATHY: Good afternoon,
6 Councilwoman. The Office of Immigrant
7 Affairs is currently engaged in expanding
8 our language access program. As part of
9 their work, they have developed a metric
10 and a template for all departments to
11 expand language access going forward.
12 We're optimistic that we would be able to
13 meet the June 30th deadline, recognizing
14 that we may miss on a handful of
15 departments, but it is definitely
16 something that we are committed to and
17 that we're resourcing better to make sure
18 that we are able to provide language
19 access for all of our City services
20 across the City.

21 MR. EPPS: Councilwoman Gym,
22 Harold Epps, Director of Commerce.

23 Many of our new immigrants
24 moved to neighborhoods and opened up
25 small businesses, and as a result of

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that, we recognize that and we have and
3 will continue to hire unique languages
4 for those neighborhoods, Spanish, Korean,
5 Vietnamese and French, to name a few,
6 that will be in Commerce that will
7 facilitate their support to small
8 business.

9 COUNCILWOMAN GYM: And how
10 about in terms of other City hiring? I
11 mean, the City has promised to grow the
12 registry for OEO by 50 percent, and can
13 you point to line items in the budget
14 that demonstrate how that's actually
15 going to happen in terms of outreach?

16 MR. EPPS: We are pretty well
17 staffed on the OEO side, and we think
18 through technology we can get a lot of
19 that outreach done. We do not have
20 additional hires in this budget to do
21 that. We've also done some analysis, and
22 to reach that target, it will take us
23 outside of Philadelphia and so, quite
24 frankly, we are questioning whether that
25 is really a rate of outreach that really

1 3/29/16 - WHOLE - RES. 160170, etc.
2 is consistent with the goals of providing
3 additional opportunity for
4 Philadelphians. We don't think that
5 outreach going into the deep counties or
6 into New Jersey is beneficial to us. We
7 just might not do that.

8 COUNCILWOMAN GYM: All right.
9 Thank you.

10 COUNCILMAN GREENLEE: Thank
11 you, Councilwoman.

12 Councilman Domb.

13 COUNCILMAN DOMB: My question
14 is regarding the pensions. So just in
15 general, stating the facts, which are
16 obvious, our Pension Fund is about 6
17 billion, I think, roughly, 5.9 to 6
18 billion, underfunded and we're close to
19 the second worst city in the country, and
20 clearly that's a big problem for the City
21 and one that we need to tackle now versus
22 push down the path. And I recognize that
23 a lot of the issues occurred from, I
24 think, 1967 to 1987 under the first Plan,
25 which caused probably 90 percent of our

1 3/29/16 - WHOLE - RES. 160170, etc.
2 problem, but it leaves us with having to
3 tackle that problem. And in this current
4 budget, I think it's 26 million is going
5 towards the pension of the new tax and
6 641 million, as Councilman Green pointed
7 out, of the current budget is going
8 towards it. But what else should we be
9 doing as a city to tackle this issue in
10 the way of should we be adding more money
11 in, other potentially future
12 opportunities down the road that we can
13 add more money? What programs or what
14 policies can we enact to really tackle
15 this problem and get us the 75 to 80
16 percent level?

17 MR. DUBOW: Right. I mean,
18 part of it is, as you pointed out, of the
19 roughly \$5.9 billion in unfunded
20 liability, 5.1 billion of that goes to a
21 plan that hasn't been in place since
22 1990. So a lot of it is kind of a legacy
23 issue that will take a while to work off.
24 I think it means that we have to take
25 every opportunity we can either through

1 3/29/16 - WHOLE - RES. 160170, etc.
2 collective bargaining or through looking
3 at additional resources going into the
4 new Plan whenever that's possible.

5 So, for example, Jane talked a
6 little bit in her testimony about the
7 sales tax money and how by the end of the
8 Plan period, that will be over \$50
9 million more going into the Plan, and
10 what we've done in cases like that is
11 we've made sure that that's on top of our
12 MMO. So, in other words, we're not using
13 that to replace City funding.

14 So I think we just have to look
15 for every opportunity to make a
16 difference, and when someone comes up
17 with an idea like the Controller came up
18 with, we have to examine it and see
19 whether it works.

20 COUNCILMAN DOMB: Are there any
21 other items that we should be doing to
22 tackle this issue?

23 MR. DUBOW: It's hard to say no
24 because we should be doing everything
25 that we can, and we're doing the things

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that we can think of. That doesn't mean
3 there aren't things that members of
4 Council would think of that we hadn't
5 thought of that would be really good
6 ideas and that we should pursue.

7 COUNCILMAN DOMB: And does the
8 Mayor have a task force he's working on
9 with the pension? Is that going on? I
10 heard a rumor about that.

11 MR. DUBOW: Yes, he does, with
12 members representing unions, representing
13 the Controller, and representing Council.

14 COUNCILMAN DOMB: Can I ask one
15 more question?

16 COUNCILMAN GREENLEE: You can.

17 COUNCILMAN DOMB: The PICA
18 issue -- and not to put you on the spot,
19 but PICA in 2023 expires, and if I heard
20 earlier this morning, you said you need
21 legislation to continue that program?

22 MR. DUBOW: State legislation,
23 correct.

24 COUNCILMAN DOMB: Is that
25 something that we should work on now?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: Yes.

3 COUNCILMAN DOMB: And is that
4 something that if PICA expires could be
5 applied to a pension issue?

6 MR. DUBOW: So they're -- not
7 the PICA tax itself, because that is
8 already spoken for.

9 COUNCILMAN DOMB: But something
10 along those lines?

11 MR. DUBOW: Yes.

12 COUNCILMAN DOMB: Okay. Thank
13 you.

14 COUNCILMAN GREENLEE: Thank
15 you, Councilman.

16 I know the gentleman that
17 usually sits here, one of his issues he
18 asks a lot about, the issue of municipal
19 advertising for street furniture,
20 municipal buildings. I didn't see any
21 mention. Where does that stand? Is
22 there any plan? And hopefully you're
23 going to tell me yes, because if not, he
24 may come running in the room right now.

25 MR. ABERNATHY: Thank you,

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Councilman. Yes, there is a plan.

3 COUNCILMAN GREENLEE: Yes, sir.

4 MR. ABERNATHY: So specifically
5 on municipal buildings, we --

6 COUNCILMAN GREENLEE: Pardon
7 me? I'm sorry.

8 MR. ABERNATHY: On municipal
9 buildings, there was a procurement
10 process under the Nutter Administration.
11 A vendor was selected. I can get you the
12 details of that contract. I don't have
13 them today.

14 COUNCILMAN GREENLEE: Okay.
15 Please.

16 MR. ABERNATHY: But
17 unfortunately the outdoor advertising is
18 regulated by the state and so we have had
19 to ask the Secretary of Transportation
20 for a waiver to allow that advertising to
21 move forward, and that is in process now.

22 COUNCILMAN GREENLEE: You're
23 saying it is in the process?

24 MR. ABERNATHY: It is in the
25 process, yes.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN GREENLEE: Do you
3 know when that was done, when the request
4 was made?

5 MR. ABERNATHY: The request was
6 made actually probably within the last 30
7 days.

8 COUNCILMAN GREENLEE: Okay.

9 MR. ABERNATHY: But it is
10 moving forward.

11 COUNCILMAN GREENLEE: Okay. I
12 guess his follow-up question would be, we
13 knew this was going to be something -- I
14 mean, this is something that's been
15 brought up for a long time. Why was it
16 just done as recently as 30 days ago; do
17 you know?

18 MR. ABERNATHY: The changes
19 were as a result of the Keep America
20 Beautiful Act. I'm going to stumble over
21 this a little bit and, again, I can get
22 details back.

23 COUNCILMAN GREENLEE: Okay.

24 MR. ABERNATHY: So the state
25 took back control over billboards.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN GREENLEE: Just
3 recently?

4 MR. ABERNATHY: Just recently.

5 COUNCILMAN GREENLEE: Okay.
6 Right. Right.

7 MR. ABERNATHY: So that's why
8 the request was made later. Obviously
9 the billboard company, the advertising
10 company, wanted to wait for the new
11 Administration to take forth -- or to
12 come forward, and it did take us a little
13 bit of time to catch up on kind of the
14 initiative itself.

15 COUNCILMAN GREENLEE: Is it
16 fair to say -- because there seemed to be
17 a lot of delay with the last
18 Administration. I'll just leave it at
19 that. Would it be an accurate statement
20 to say this Administration wants to move
21 forward on the program?

22 MR. ABERNATHY: Yes, the Kenney
23 Administration wants to move forward.

24 COUNCILMAN GREENLEE: Okay.
25 Good enough. If you could get the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Council President whatever detail you
3 could.

4 MR. ABERNATHY: Yes, sir.

5 COUNCILMAN GREENLEE: And I
6 predict that he will bring it up again.

7 MR. ABERNATHY: No problem.

8 COUNCILMAN GREENLEE: Thank
9 you.

10 And just one other question. I
11 don't know who this will go to. In 2014,
12 Council passed legislation providing for
13 a low-income wage tax credit to residents
14 and non-residents. It was passed in
15 conjunction with the Earned Income Tax
16 Credit legislation. I didn't see any
17 mention of that tax credit in the Plan.
18 Do you know where that --

19 MR. DUBOW: I mean, it's in
20 place. So it exists. And so, yeah, we
21 didn't specifically highlight it in the
22 Plan. I think we put a lot of focus on
23 the Earned Income Tax Credit, trying to
24 get people to sign up for that.

25 COUNCILMAN GREENLEE: So it's

1 3/29/16 - WHOLE - RES. 160170, etc.
2 spread in there somewhere is basically
3 what you're saying?

4 MR. DUBOW: Yeah.

5 COUNCILMAN GREENLEE: Okay.

6 Thank you.

7 Councilwoman Sanchez.

8 COUNCILWOMAN SANCHEZ: Thank
9 you, Mr. Chair.

10 In preparation for us to begin
11 to talk around the capital stuff, I
12 wanted to ask the Administration if they
13 could prepare for us kind of a fact sheet
14 around what they foresee to be the
15 administrative imperatives around the
16 procurement problems that we've been
17 talking about for all these years and why
18 they are choosing in the rebuild to go to
19 an outside source. I'd like to see -- in
20 preparation for that discussion, I know
21 we're going to have it. So if you guys
22 could share what you see are the legal
23 impediments.

24 MR. DUBOW: Okay. Yes.

25 MS. SLUSSER: Yes. We'll have

1 3/29/16 - WHOLE - RES. 160170, etc.
2 them prepared.

3 COUNCILWOMAN SANCHEZ: So we
4 can have a more kind of robust
5 conversation about that.

6 In terms of the pension stuff,
7 just for the record, because I think it's
8 important, and I really appreciate the
9 Administration being very forthright
10 about the loss of \$200 million in
11 revenue. For the record, moving forward,
12 because it's such an important issue
13 that's going to keep popping up and
14 particularly as our numbers grow, I know
15 we reduce our projection numbers on the
16 Pension Fund, but in terms of our
17 strategy for investments, is there
18 anything additional to the conversation
19 we've had before that's going to change
20 in our investment strategy?

21 MR. DUBOW: So one of the
22 things that the Board has put a heavy
23 emphasis on in the last several months is
24 making sure that we reduce costs as much
25 as possible. I mean, it's always been an

1 3/29/16 - WHOLE - RES. 160170, etc.
2 emphasis, but we put extra emphasis on
3 it, and one of the conclusions we've
4 reached is that hedge funds in particular
5 as a class either weren't performing or
6 were performing at a really expensive
7 cost. So we've actually gotten out of
8 most of our hedge funds and are trying to
9 renegotiate these with the ones that
10 we're keeping. So I think you'll see our
11 costs coming down substantially.

12 COUNCILWOMAN SANCHEZ: And
13 because of our rating situation, we've
14 not made a choice to pursue any bond deal
15 to put money into our Pension Fund. The
16 Administration has made a choice that
17 that's not a route we're willing to take
18 at this point?

19 MR. DUBOW: We haven't really
20 discussed that. I mean, I think part of
21 the proposal that the Controller put
22 forth might include some type of
23 borrowing, but we have not had any real
24 discussions about that.

25 COUNCILWOMAN SANCHEZ: Okay.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 So no decision has been made one way or
3 the other. It's just no one has
4 really --

5 MR. DUBOW: We haven't really
6 talked about that. I really doubt,
7 though, that we would do a pension
8 obligation bond to just put the proceeds
9 into the fund.

10 COUNCILWOMAN SANCHEZ: Okay.
11 And we have no other major prospect -- I
12 know last time there was a PGW
13 discussion. You don't foresee anything
14 in the next year that could potentially
15 lead to --

16 MR. DUBOW: You mean major
17 asset sale?

18 COUNCILWOMAN SANCHEZ: Yes.

19 MR. DUBOW: No.

20 COUNCILWOMAN SANCHEZ: So
21 essentially other than the \$26 million
22 you're proposing here, we're not going to
23 change our strategy around the money for
24 the Pension Fund?

25 MR. DUBOW: Well, we've talked

1 3/29/16 - WHOLE - RES. 160170, etc.
2 about a few things, one being going
3 through collective bargaining, the other
4 examining the Controller's proposal, and
5 both of those could have substantial
6 impacts.

7 COUNCILWOMAN SANCHEZ: So one
8 of the questions I had asked before and I
9 hope that before the budget ends we can
10 get a quantitative number on it is, in
11 our privatizing of some of our work, the
12 CUAs and others, one of the reasons you
13 have the disparity is you got more people
14 taking from the Pension Fund than
15 contributing in. Is anyone going to do
16 an impact so that as we look at any other
17 services being privatized, we could
18 measure the impact on our Pension Fund?

19 MR. DUBOW: Yes. We're doing
20 that analysis.

21 COUNCILWOMAN SANCHEZ: Are we
22 using any analysis, doing any analysis on
23 the CUA piece? Because we essentially
24 put out a hundred million dollars in the
25 private market.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: Right. We're
3 looking at the impact of contracted
4 employees versus City employees on the
5 Pension Fund.

6 COUNCILWOMAN SANCHEZ: Okay.
7 And you expect to have that data analysis
8 any time soon for us to kind of look at?

9 MR. DUBOW: Yes.

10 COUNCILWOMAN SANCHEZ: So we're
11 going to analyze everything that we've
12 kind of privatized now?

13 MR. DUBOW: I don't know -- no,
14 I don't think we're going to look at
15 every position we've privatized. I think
16 we're going to look at what the impact of
17 privatizing is, and then I think we'll be
18 able to use that analysis to kind of make
19 it larger -- to draw larger conclusions.

20 COUNCILWOMAN SANCHEZ: And as
21 we move forward?

22 MR. DUBOW: Yeah. It will
23 apply to any -- it should be applicable
24 to any situation.

25 COUNCILWOMAN SANCHEZ: Okay.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Thank you, Mr. Chair.

3 COUNCILMAN GREENLEE: Okay.

4 Thank you, Councilwoman.

5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: Thank you.

7 Welcome back.

8 MR. DUBOW: Thank you.

9 COUNCILWOMAN BROWN: Follow-up
10 from this morning. Councilman Domb did a
11 brilliant job in articulating the big
12 picture macro of our taxes and what they
13 are and all the nuances about it. What
14 I'd like to know is, what percentage of
15 municipal taxes are we currently
16 collecting?

17 MR. DUBOW: So it varies by
18 tax. I mean, the one that people focus
19 on most is the property tax, and that's
20 around 93 percent.

21 COUNCILWOMAN BROWN: Is around?

22 MR. DUBOW: 93 percent is
23 collected within the year that it's due,
24 and then we continue collecting against
25 it as years go on. So that percent -- if

1 3/29/16 - WHOLE - RES. 160170, etc.
2 you looked at the percent of taxes due
3 two years ago, for example, that were
4 collected, you might see it closer to 97
5 percent.

6 COUNCILWOMAN BROWN: Okay. So
7 of the 20 different taxes, which tax are
8 we struggling to collect at the 90
9 percent level?

10 MR. DUBOW: Can I ask the
11 Revenue Commissioner to come up.

12 COUNCILWOMAN BROWN: Like which
13 tax is presenting the biggest hurdle?

14 MR. DUBOW: Okay.
15 (Witness approached witness
16 table.)

17 COMMISSIONER BRESLIN: Frank
18 Breslin, Revenue Commissioner.

19 COUNCILWOMAN BROWN: Good
20 afternoon.

21 COMMISSIONER BRESLIN: Hi. I
22 think one of the biggest challenges is
23 with the business taxes, because we end
24 up with receivables where the business is
25 no longer active.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN BROWN: No longer?

3 COMMISSIONER BRESLIN: No

4 longer active. So we have a business
5 that ran up liabilities and it may have
6 been a corporate entity, an entity like
7 that, and then they close up shop and
8 there's no assets left. And so there's a
9 receivable on the books, but there's no
10 real ability to collect that. Then what
11 we really have to look at is if there's
12 any ability to go after the responsible
13 parties, which in some cases there's not,
14 and if that's the case, then it becomes
15 something that we have to write off.

16 COUNCILWOMAN BROWN: I see.

17 COMMISSIONER BRESLIN: That's
18 really the biggest challenge, because
19 there's no one to go after for that
20 receivable.

21 COUNCILWOMAN BROWN: Okay. I
22 believe this morning Councilwoman Sanchez
23 spoke about the BIRT credits. How much
24 monies in BIRT credits have businesses
25 taken in the last fiscal year?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: The number we were
3 talking about was actually that 60
4 million is a three-year number. When we
5 said that we are seeing a shortfall in
6 business tax of about 60 million because
7 of credits taken against the BIRT, that
8 60 million was over three years.

9 COUNCILWOMAN BROWN: Okay. All
10 right.

11 Someone at the table talked
12 about how we are in many ways -- can we
13 say that the foundation money is there,
14 period, as it relates to the vision of
15 parks and rec and universal pre-K and the
16 like? Is the foundation money in place,
17 period, or is it contingent on the City
18 delivering X amount from the proposal?

19 MR. DiBERARDINIS:
20 Councilwoman, Mike DiBerardinis, Managing
21 Director.

22 Although there's no formulaic
23 equation that the potential funders
24 have -- we've worked out with them, but I
25 think it's safe to say that their

1 3/29/16 - WHOLE - RES. 160170, etc.
2 investment would be in somewhat a
3 response to what the City's investment
4 is. So hypothetically if this becomes a
5 much, much, much smaller program, then
6 their proposed or contemplated
7 investments would shrink as well.

8 COUNCILWOMAN BROWN: So that --

9 MR. DiBERARDINIS: But I don't
10 have an exact -- but that's clearly our
11 understanding.

12 COUNCILWOMAN BROWN: So is that
13 in writing or is that based on
14 discussion, or what?

15 MR. DiBERARDINIS: Well, that's
16 based on discussion. Nothing is in
17 writing. There's been a series of
18 high-level conversations with leadership
19 of a handful of foundations who are
20 interested.

21 COUNCILWOMAN BROWN: Okay.

22 COUNCILWOMAN SANCHEZ: Point of
23 information.

24 COUNCILMAN GREENLEE:
25 Councilwoman Sanchez.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILWOMAN SANCHEZ: From
3 your expectation, there'll be a
4 dollar-for-dollar match from
5 philanthropy?

6 MR. DiBERARDINIS: No. Right
7 now, given the proposed size of the
8 potential bond, the regional and local
9 foundations have indicated that their
10 investment could be as high as \$150
11 million based on what is currently being
12 proposed.

13 COUNCILWOMAN SANCHEZ: Based on
14 the 348? The 348 or the 300?

15 MR. DiBERARDINIS: Well, right
16 now it's three-five roughly given the
17 bond and the City's existing capital
18 dollars. So that would get us roughly to
19 around 350 million.

20 COUNCILWOMAN SANCHEZ: So
21 that's almost a dollar-to-dollar match.

22 MR. DiBERARDINIS: It's 50
23 cents to the buck more or less.

24 COUNCILWOMAN SANCHEZ: Okay.
25 I'm sorry. I don't want to take up any

1 3/29/16 - WHOLE - RES. 160170, etc.

2 of your time, but --

3 COUNCILWOMAN BROWN: That's all
4 right. Seize the moment.

5 COUNCILWOMAN SANCHEZ: How much
6 of this are they willing to commit to to
7 the Board of Directors of the City of
8 Philadelphia that they're asking us to
9 borrow for?

10 MR. DiBERARDINIS: I'm sorry?

11 COUNCILWOMAN SANCHEZ: How
12 committed are they? One thing is
13 high-level discussions. Are we going to
14 get to a point that before the end of
15 this budget cycle, there's some hard
16 numbers on the table?

17 MR. DiBERARDINIS: Yes.
18 There's a very serious commitment.
19 There's processes they have to go
20 through. But the conversations with the
21 leadership of these various foundations
22 have been at the highest level and have
23 been -- I say there's a deep commitment
24 to the initiative.

25 COUNCILWOMAN SANCHEZ: Okay.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 I'm sorry.

3 COUNCILMAN GREENLEE: Thank
4 you.

5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: Yes.

7 Thank you.

8 Not now, but whomever the
9 appropriate department head is when they
10 come to speak by department, I would like
11 detailed or subsequent evidence about how
12 OT is going to be managed, overtime is
13 going to be managed across the system
14 since that's expected to yield cost
15 savings in a dramatic way.

16 MR. DiBERARDINIS: Yes, and
17 we'll be prepared. Thank you.

18 COUNCILWOMAN BROWN: Okay,
19 then. Thank you very much.

20 Thank you, Mr. Chairman.

21 COUNCILMAN GREENLEE: Thank
22 you, Councilwoman.

23 Councilwoman Gym.

24 COUNCILWOMAN GYM: A couple of
25 quick questions. Can you talk about how

1 3/29/16 - WHOLE - RES. 160170, etc.
2 the prison budget growth over the next
3 five years relates to the
4 Administration's commitment to reducing
5 the overall prison population?

6 MS. ADAMS: Prisons?

7 COUNCILWOMAN GYM: Yes, the
8 growth, which is 5 percent, it looks
9 like.

10 MR. ABERNATHY: Can you start.

11 MS. ADAMS: I'm sorry. Let me
12 get my detail.

13 So we have -- the budget
14 assumes \$258 million to the Prison
15 System, which is actually an increase
16 over the prior -- the current target and
17 the adopted budget for about 5 million.
18 This assumes that we continue within the
19 current census, I believe. Obviously any
20 attempt we have to work within keeping
21 reducing that census -- we've been making
22 progress on that -- saves money. A lot
23 of our cost drivers are things like
24 healthcare for inmates, food, big costs.
25 So any time that we have any ability to

1 3/29/16 - WHOLE - RES. 160170, etc.
2 reduce the census, it saves us money in
3 the long term, but it's a very census --
4 every time the census increases, the
5 costs go up in the Prisons.

6 We do assume a reduction in
7 overtime in the Prison System through
8 management of overtime, and we do fully
9 expect them to be able to achieve that as
10 long as the census doesn't grow
11 dramatically. If it grows, it becomes
12 very difficult for the Prison System to
13 manage that.

14 MR. ABERNATHY: Correct. And
15 just to follow up on what Ms. Adams said,
16 the largest driver of overtime is the
17 census, and the census -- at its current
18 rate, the largest expense that our
19 current census has is based on overtime.
20 Even by reducing the census, you're still
21 going to see a number of these costs be
22 maintained, hence the 5 percent increase.

23 COUNCILWOMAN GYM: I guess I'm
24 questioning, because the goal is to
25 reduce the jail population by almost a

1 3/29/16 - WHOLE - RES. 160170, etc.
2 third.

3 MR. ABERNATHY: Yes.

4 COUNCILWOMAN GYM: Or over a
5 third. And if that's the goal, then how
6 does that get reflected in the Five Year
7 Budget?

8 MS. ADAMS: If that happens,
9 costs will go down, but it's not -- and
10 we would love to see costs go down in the
11 Prison System. I think what we have to
12 be aware of is that the census
13 fluctuates, and so we have to make sure
14 that we have the staffing and the
15 contractual needs to be able to manage
16 the inmates properly. If there are
17 savings, we will take those savings and
18 we will be able to adjust accordingly.

19 COUNCILWOMAN GYM: So the FY15
20 articulated goals are not matched up with
21 the numbers in the budget.

22 MS. ADAMS: The goals are there
23 and we actually assume reduction in
24 overtime, and we will be able to monitor
25 this as it goes along, and hopefully with

1 3/29/16 - WHOLE - RES. 160170, etc.
2 the grant funding that we hopefully will
3 get, there will be other things that we
4 can use to help drive down the inmate
5 census. We've been investing in
6 things --

7 COUNCILWOMAN GYM: The 34
8 percent reduction in the population,
9 though, is not really factored into the
10 budget.

11 MR. ABERNATHY: To be fair, the
12 34 percent reduction is dependent on a
13 MacArthur grant, which we haven't
14 received yet. So I think there is some
15 question about whether we'll be able to
16 achieve that census decrease without that
17 grant in hand.

18 And additionally, while it's
19 not a dollar-for-dollar reduction based
20 on census and so, again, many of the
21 expenses that the Prisons see, whether
22 that's utilities, whether that is
23 healthcare, whether that is staffing,
24 many of those expenses will be
25 maintained. Overtime will be the biggest

1 3/29/16 - WHOLE - RES. 160170, etc.

2 decrease.

3 COUNCILWOMAN GYM: So I thought
4 that the City would have an articulated
5 goal for reduction of the jail population
6 overall, recognizing kind of historic
7 injustices around that, exclusive of a
8 grant, though. I understand the
9 importance of the grant.

10 MR. ABERNATHY: Right. And I
11 do believe that we will be able to
12 maintain many of those reductions without
13 the grant, but I don't believe that -- we
14 still have work to do on establishing
15 that goal, and we certainly can talk
16 about that in larger detail, both in the
17 Prison's budget as well as the Managing
18 Director's budget.

19 COUNCILWOMAN GYM: Okay. And
20 then a quick question. What is the
21 current contribution of the Parking
22 Authority to the City? It's about 41
23 million; is that right? And how has that
24 kind of evolved?

25 And so my colleague here who

1 3/29/16 - WHOLE - RES. 160170, etc.
2 actually is going to know the numbers, so
3 I won't ask you to look through it, but
4 could you clarify a little bit about how
5 that number is sort of achieved? Is that
6 independent -- is that just provided for
7 on behalf of the PPA and has there ever
8 been thought about how the City takes a
9 look at independently PPA's numbers or
10 just to make sure that these numbers are
11 consistent with the rise in ticket prices
12 and other types of things that have been
13 going on with PPA? As you know,
14 obviously the School District of
15 Philadelphia's revenues have been
16 declining and it is kind of important to
17 understand that this is a good
18 revenue-generating agency and I'm just
19 wondering if you look at it
20 independently.

21 MR. DUBOW: So we do look at
22 it, but I think, as you know, we used to
23 have oversight of their budget. We used
24 to be able to approve their budget, and
25 there was a change at the state level

1 3/29/16 - WHOLE - RES. 160170, etc.
2 that took that authorization away, which
3 obviously changes our leverage with the
4 Parking Authority.

5 COUNCILWOMAN GYM: And you
6 don't run any independent numbers?

7 MR. DUBOW: We look at their
8 numbers, but we don't have any authority
9 over their budget.

10 MS. ADAMS: So we have assumed
11 39.5 million in the General Fund budget
12 coming from the Parking Authority's
13 violations and fines, the on-street
14 parking, and that's up a little bit from
15 the current year estimate of 38.8.

16 COUNCILWOMAN GYM: And SDP has
17 kind of fallen by a third over that and
18 the City has grown.

19 MS. ADAMS: It's varied.
20 Actually if you look at the School
21 District's Parking Authority, it's
22 actually gone up and down a little bit.
23 So you can see it's changed over time.

24 COUNCILWOMAN GYM: The last
25 three years, though, has dropped.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MS. ADAMS: I haven't seen the
3 recent numbers.

4 COUNCILWOMAN GYM: By a third.
5 So I'm just wondering if you look at it
6 independently.

7 MR. DUBOW: We do, but, again,
8 there's not --

9 COUNCILWOMAN GYM: And maybe we
10 can follow up with that of what you find.
11 Thank you.

12 MR. DUBOW: Okay.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilwoman.

15 Before I recognize Councilman
16 Green, just, Rob, a quick follow-up on
17 that issue I raised with the low-income
18 wage tax credit --

19 MR. DUBOW: Yes.

20 COUNCILMAN GREENLEE: -- the
21 bill. I think if you look at it, there's
22 some things in there, and I'm not sure if
23 it's being done or not. There's supposed
24 to be a feasibility report given back to
25 Council periodically, and I think there's

1 3/29/16 - WHOLE - RES. 160170, etc.
2 supposed to be downloadable forms on the
3 website and a form sent to employees to
4 include with their W-2's. I wonder if
5 you could look at that. I understand
6 it's Bill 140140. If you could look at
7 that and let the Council President's
8 office know what is being attended to and
9 if there's still things that need to be
10 done, I'd appreciate it.

11 MR. DUBOW: We will, yes.

12 COUNCILMAN GREENLEE: All
13 right. Thank you very much.

14 Councilman Green.

15 COUNCILMAN GREEN: Thank you,
16 Councilman Greenlee.

17 In looking at the Five Year
18 Plan, I see for FY18 the fund balance
19 will go down to about 38 million and then
20 FY19 about 48 million. Is there any
21 concern in reference to what impact that
22 will have on our credit rating,
23 considering that the former City
24 Treasurer and the Administration,
25 previous Administration, spent a lot of

1 3/29/16 - WHOLE - RES. 160170, etc.
2 work on trying to improve our credit
3 rating, which ultimately helps us to
4 borrow dollars at a lower amount, and
5 considering we've got a significant
6 amount of potential debt obligations
7 going out, what impact do you think that
8 may have going forward?

9 MR. DUBOW: Yeah. We are
10 concerned about that. We're concerned
11 that the fund balances get that low that
12 it will put pressure on our ratings. A
13 change in rating from -- we're an A
14 category. If we went down to BBB over
15 the life of a hundred million dollar
16 borrowing, that could be a \$4 million
17 additional cost. So, I mean, there's
18 cost. It's something that we are
19 concerned about, and I think it's one of
20 the things that Jane actually mentioned
21 in her testimony, the balances are lower
22 than we'd like them to be.

23 COUNCILMAN GREEN: And a
24 follow-up to that, also my concern is in
25 reference to -- I think Councilwoman Gym

1 3/29/16 - WHOLE - RES. 160170, etc.
2 had raised the issue regarding the School
3 District, which once they get into FY19,
4 FY20, they have some significant fund
5 challenges. So they may have a need to
6 come to the City asking for additional
7 dollars and how we'll be able to balance
8 the need for possible funding for the
9 School District when we have such a low
10 fund balance.

11 MR. DUBOW: Yeah. And we'd
12 probably kind of be back to one of the
13 questions that we had over the last five
14 years, where do you look to find
15 additional resources if you have to for
16 the District.

17 COUNCILMAN GREEN: Right.
18 Which goes back to my earlier question in
19 reference to doing a better job with
20 assessments and not leaving dollars on
21 the table. But I'll leave that point to
22 a later part of the budget hearing
23 process and want to go to -- I know there
24 were some questions and some commentary
25 earlier regarding better tax collections.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Are we looking at trying to do a better
3 job on U&O collections as well?

4 MR. DUBOW: Yeah. We are
5 looking at better collections kind of
6 across the board, but, yeah. And we
7 have -- U&O was one of the areas that has
8 improved over the last couple years.

9 COUNCILMAN GREEN: And in
10 addition to just doing a better job of
11 collections, I know Ms. Rhynhart and I
12 had talked previously about just making
13 it easier for businesses to be able to
14 pay taxes in the City of Philadelphia and
15 just streamlining that process. Where is
16 that -- are there any initiatives in that
17 regard that's going to be part of the
18 budget process and Five Year Plan?

19 MR. DUBOW: Yeah. I mean, part
20 of the emphasis, if you look in the kind
21 of Revenue tabs on the Five Year Plan, is
22 improving customer service. So making it
23 easier for people to pay. If you go into
24 the concourse now, you see there are
25 kiosks and terminals that people know how

1 3/29/16 - WHOLE - RES. 160170, etc.
2 long they have to wait. So we're doing a
3 lot of things in general to make payment
4 easier and to make the whole process
5 easier for people.

6 COUNCILMAN GREEN: But are
7 there any resources dedicated to that
8 process?

9 MR. DUBOW: Yeah. I mean,
10 actually you can go there and see some of
11 the results from the investment, like the
12 kiosks.

13 COUNCILMAN GREEN: When I say
14 "resource," I'm talking about either
15 dollars being allocated for either
16 someone to come in or put in departments
17 to really focus on how we make things
18 more efficient for a business to operate
19 in the City of Philadelphia.

20 MR. DUBOW: Yeah. I mean, if
21 you look in Revenue, you'll see there are
22 investments in doing that, and they're
23 laid out in the Plan.

24 COUNCILMAN GREEN: Okay.

25 COUNCILMAN GREENLEE: Thank

1 3/29/16 - WHOLE - RES. 160170, etc.

2 you, Councilman.

3 Councilman Domb.

4 COUNCILMAN DOMB: Thank you.

5 Two questions on the soda tax.

6 I know that's your favorite one to talk
7 about. One is just a general question
8 just so I can understand, I guess, and my
9 colleagues can. For a small consumer,
10 let's say a corner store, for a mid-sized
11 store, and a large supermarket, do we
12 have any data that says the percentage of
13 soda sales, sugary soda sales, to the
14 gross, as to what the percentage is, or
15 can we get that data so we know the
16 impact on these supermarket people?

17 MR. DUBOW: Yeah. We don't,
18 and I don't think that would be easy for
19 us to get. We can see, but I think that
20 would be difficult to get.

21 COUNCILMAN DOMB: Okay. And
22 the other question is, I just want to
23 make sure I understand it correctly. If
24 you're looking at the chart we received
25 for 1 cent, 2 cents, and 3 cents, is it

1 3/29/16 - WHOLE - RES. 160170, etc.

2 accurate to say that for -- you had
3 mentioned this morning if it's a 1 cent
4 tax on sugary soda sales, what would be
5 the full year revenue received from 1
6 cent?

7 MR. DUBOW: I think it's in the
8 50's, but --

9 COUNCILMAN DOMB: Like 52
10 million maybe?

11 MR. DUBOW: Yeah. It's in the
12 50's.

13 COUNCILMAN DOMB: And then when
14 we go to 2 cents, we add an extra 28
15 million.

16 MR. DUBOW: It's in the 80's
17 then.

18 COUNCILMAN DOMB: That's
19 because we're thinking that people are
20 going to drink less soda, I guess, right?

21 MR. DUBOW: Yeah. Right.
22 That's right.

23 COUNCILMAN DOMB: And then when
24 we go to 3 cents, we only add another 6
25 million?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: We get into the mid
3 90's, so 7-ish.

4 COUNCILMAN DOMB: So really the
5 extra penny from 2 to 3 gives us very
6 little money.

7 MR. DUBOW: Gives us, I'm
8 sorry, what?

9 COUNCILMAN DOMB: Gives us very
10 little revenue going from 2 to 3.

11 MR. DUBOW: Seven million a
12 year.

13 COUNCILMAN DOMB: But the 1
14 cent gives us 52.

15 MR. DUBOW: Right.

16 COUNCILMAN DOMB: The other
17 question -- I don't know if we can do
18 this or not -- has to do with pensions.
19 I know the last year --

20 MR. DUBOW: I always like when
21 you say, I don't know whether we can do
22 this or not. That's when the interesting
23 ideas come out.

24 COUNCILMAN DOMB: I know that
25 we've -- look, the whole market has

1 3/29/16 - WHOLE - RES. 160170, etc.
2 struggled with investments in the past 12
3 months, not just Philadelphia, the whole
4 world, but I know that we also have a lot
5 of money that we owe where we pay out 5
6 percent or 5 and a half percent or 6
7 percent in bonds, for example. Is it
8 possible to have the pension money invest
9 in our own bonds and we pay that interest
10 to the pension?

11 MR. DUBOW: So the 1 cent is
12 actually 56 million, just to clarify.

13 So we have actually a fair
14 number of fixed income investments. In
15 general, they return more than our bonds
16 would.

17 COUNCILMAN DOMB: Okay. Okay.
18 Thank you. Thanks very much. Thank you.

19 COUNCILMAN GREENLEE: Thank
20 you, Councilman.

21 Councilwoman Sanchez.

22 COUNCILWOMAN SANCHEZ: Thank
23 you.

24 For the purposes of choices
25 again, if we -- in our previous

1 3/29/16 - WHOLE - RES. 160170, etc.
2 discussions when we were talking about
3 school funding, we talked about
4 establishing a City rate for U&O. What
5 rate would that require us to generate
6 the same amount of money that you're
7 proposing with sugar?

8 MR. DUBOW: Let us get back to
9 you on that.

10 COUNCILWOMAN SANCHEZ: If we
11 can have that analysis. We spoke about
12 that.

13 MR. DUBOW: Yeah. We should
14 talk, because then there's the whole kind
15 of exclusion thing, where you'd want that
16 to be. You want that to be the same as
17 it is, no change in that?

18 COUNCILWOMAN SANCHEZ: Right.

19 MR. DUBOW: Okay.

20 COUNCILWOMAN SANCHEZ: I think
21 it would be good to do that analysis if
22 we did use and occupancy, because it has
23 been getting better and it is a reliable
24 funding source; has it not been?

25 MR. DUBOW: It would have to be

1 3/29/16 - WHOLE - RES. 160170, etc.
2 a fairly substantial increase, but we'll
3 get you the exact --

4 COUNCILWOMAN SANCHEZ: To get
5 the number, what would --

6 MR. DUBOW: Because I think the
7 U&O generates about 140-ish, I think, but
8 I'm not sure. So it would have to be a
9 really large percentage increase.

10 COUNCILWOMAN SANCHEZ: Okay.
11 And then is there any way as part of this
12 discussion that we could have -- and I
13 know the Chamber hasn't taken a position
14 on this. One of my concerns that I've
15 expressed in the past is, particularly
16 the restaurant businesses and so forth,
17 we really have been trying to get all of
18 these industries to do sick leave, to do
19 a living wage, and what an impact of this
20 on those particular industries where we
21 have 140,000 employees, the impact of
22 sugar -- of this sugar piece on them
23 would be, and their willingness to do the
24 other things we've been asking them to
25 do.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: I understand the
3 question. I'm not sure how we get at it.

4 COUNCILWOMAN SANCHEZ: Right.
5 So I'm interested in seeing if we could
6 have somebody kind of look at that
7 assessment, particularly the restaurant
8 industry that we've acknowledged we've
9 wanted to push the sick leave and living
10 wage piece of it, because it's part of
11 the conversation we've been having --

12 MR. DUBOW: We'll talk and see
13 if there's anything we can do.

14 COUNCILWOMAN SANCHEZ: Thank
15 you.

16 Thank you, Mr. Chair.

17 COUNCILMAN GREENLEE:
18 Councilman Green.

19 COUNCILMAN GREEN: Thank you,
20 Councilman Greenlee.

21 This is a follow-up to the
22 colloquy with Councilman Domb. So the
23 difference between 2 cents and 3 cents,
24 it seems --

25 MR. DUBOW: For a year?

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCILMAN GREEN: Right.

3 MR. DUBOW: Yeah. It's about
4 88 to 95.

5 COUNCILMAN GREEN: So is it --
6 and my analysis may be off, but when you
7 look at the elasticity as well as the
8 drop-off, is it possible that we actually
9 will be bringing in more at 2 cents as
10 opposed to 3 cents?

11 MR. DUBOW: No. I mean, we're
12 showing more at 3 than at 2. Are you
13 saying if the elasticity was different,
14 with a different elasticity?

15 COUNCILMAN GREEN: Well, I'm
16 just saying in reference to all the
17 factors, elasticity and drop-off, that we
18 actually may bring in more revenue at 2
19 cents as opposed to 3 cents.

20 MR. DUBOW: No. That's not
21 what our projections show based on the
22 elasticity that we're using.

23 COUNCILMAN GREEN: Okay.

24 COUNCILMAN GREENLEE: See, I
25 told you he'd be back.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Thank you. I understand that they were
4 trying to expedite the process before I
5 got back.

6 No. A couple of quick ones. I
7 understand that Councilman Greenlee
8 referenced the advertisement, municipal
9 marketing, the whole nine yards, and I'm
10 not sure if he asked a specific question
11 about street furniture.

12 MS. SLUSSER: I think that we
13 were answering in answer to municipal
14 advertising on buildings, but I'm going
15 to have Brian come up to answer that,
16 because he was more closely involved with
17 that. But I know that what we've looked
18 at so far has been buildings, but --

19 COUNCIL PRESIDENT CLARKE: Let
20 me tell you the reason I ask that
21 question.

22 MS. SLUSSER: He'll answer in a
23 second.

24 COUNCIL PRESIDENT CLARKE:
25 During the contractual process where we

1 3/29/16 - WHOLE - RES. 160170, etc.
2 entered into an agreement, I think it was
3 a 20-year agreement with Titan, I believe
4 it was, to do street furniture, and one
5 of the things in the conversation during
6 the Mayor's, I guess it was, the Chamber
7 of Commerce speech, he referenced
8 commercial corridors as a priority, and
9 what I was trying to get the last
10 Administration to entertain but
11 Ms. Cutler wasn't trying to hear it, is
12 that could we look into the possibility
13 of creating revenue which will happen as
14 a result of municipal marketing with the
15 bus shelters -- and it could be
16 significant over time -- that we would
17 allow some of that revenue to actually
18 stay on that particular commercial
19 corridor to help enhance special service
20 districts?

21 One of the challenges of
22 special service districts, that in the
23 case where Mr. Levy has a special service
24 district in Center City, you know, the
25 ability to pay an additional tax for

1 3/29/16 - WHOLE - RES. 160170, etc.
2 services is somewhat enhanced. But up on
3 Frankford Avenue or Cecil B. Moore or
4 52nd Street, it's not as much. So the
5 premise was that if we created revenue as
6 a result of marketing through bus
7 shelters and other street furniture, that
8 some of that revenue would actually stay
9 on that commercial corridor that then
10 would allow us to put that in special
11 services, having people clean the streets
12 and do all the other things that they do
13 on special services, and unfortunately
14 you couldn't get any reasonable response.
15 So my question is now to the new
16 Administration, having a fresh face as it
17 relates to approaches to figuring out a
18 way to support initiatives without, as I
19 say, sticking your hand in the taxpayers'
20 pocket; i.e., taxes, would that be
21 something that the Administration would
22 entertain as we move ahead? Because
23 while the revenue was dedicated, it
24 wasn't -- it was dedicated to the General
25 Fund. So it wasn't dedicated to a

1 3/29/16 - WHOLE - RES. 160170, etc.
2 specific end use. So we had the
3 flexibility of deciding that we could
4 actually spend that money on neighborhood
5 commercial corridors, and it could be
6 like rebates for storefronts. I mean,
7 there's a lot of things. We want to keep
8 that money in those commercial corridors.

9 MR. ABERNATHY: I think that's
10 something we can absolutely look at,
11 Councilman. We haven't looked at it yet,
12 but we can certainly look at that.

13 COUNCIL PRESIDENT CLARKE: Is
14 that coming from the Managing Director?

15 MS. SLUSSER: Yeah. We would
16 definitely be interested in looking --

17 COUNCIL PRESIDENT CLARKE: I'm
18 trying to get the understanding of
19 Harold, because, Brian, what's your
20 position? Deputy?

21 MR. ABERNATHY: First Deputy
22 Managing Director that's working for --

23 COUNCIL PRESIDENT CLARKE: I'd
24 like to hear that from the Managing
25 Director.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 Is he the Managing Director or
3 are you the Managing Director?

4 MR. DiBERARDINIS: No, but I'm
5 saying yes.

6 COUNCIL PRESIDENT CLARKE: You
7 got to come up here, please.

8 MR. DiBERARDINIS: Yeah. I
9 thought I understood. Yes. Yes.

10 COUNCIL PRESIDENT CLARKE:
11 Okay. I just want to -- you're the
12 Managing Director, sir.

13 MR. DiBERARDINIS: I appreciate
14 it. Yeah. And, yes, we could -- we
15 would consider parsing out the revenue to
16 try to support the local commercial
17 districts, absolutely.

18 COUNCIL PRESIDENT CLARKE: So
19 we will consider?

20 MR. DiBERARDINIS: Well, I'm
21 not sure -- again, here's where I might
22 have to back up.

23 COUNCIL PRESIDENT CLARKE: See,
24 this is why I wanted you up here.

25 MR. DiBERARDINIS: But I'm not

1 3/29/16 - WHOLE - RES. 160170, etc.
2 intimate with the terms of the deal. So
3 in the future, yes, but if we have some
4 current deals with some shelters in the
5 City. So I don't know if we could --
6 what the terms and conditions of that
7 particular contract are. If I understood
8 them, I'd be willing to, you know, say
9 that regarding that contract. In the
10 future, yes. In the ones that we
11 currently have, I'd have to understand
12 the details of the contract.

13 COUNCIL PRESIDENT CLARKE:

14 Okay. That's fair.

15 MR. DiBERARDINIS: All right.

16 COUNCIL PRESIDENT CLARKE: But
17 my understanding -- and if I'm wrong, I'm
18 wrong -- is that the terms and conditions
19 were the revenue stream from the provider
20 to the City, that money went to the
21 General Fund.

22 MR. DiBERARDINIS: That's
23 correct.

24 COUNCIL PRESIDENT CLARKE: It
25 wasn't a dedicated source end game. So

1 3/29/16 - WHOLE - RES. 160170, etc.
2 the question would be as opposed to
3 simply going into the abyss; i.e., the
4 General Fund, that revenue could -- some
5 of that revenue can be dedicated to a
6 particular program in a commercial
7 corridor. So that's basically --

8 MR. DiBERARDINIS: That's
9 right. I think we're in --

10 COUNCIL PRESIDENT CLARKE: And
11 I'm assuming if that's the case, you
12 would be supportive?

13 MR. DiBERARDINIS: Yes.

14 COUNCIL PRESIDENT CLARKE: All
15 right. Thank you. I'm good. Thank you.
16 Councilman Domb.

17 COUNCILMAN DOMB: One other
18 question.

19 I don't know if this has been
20 considered. I think we talked about it
21 earlier today. I think Councilman Oh
22 talked about it. On the wage taxes, if
23 we were to lower the wage taxes for
24 residents that live in Philadelphia but
25 not change the rate for the

1 3/29/16 - WHOLE - RES. 160170, etc.

2 non-residents, what would that economic
3 impact be?

4 MR. DUBOW: So from the studies
5 that we've looked at -- we did talk about
6 some of it -- there is a benefit to both
7 lowering the resident and the
8 non-resident side of the wage tax.

9 COUNCILMAN DOMB: But the
10 non-resident side is going from 3.48 to
11 3.32, which is small.

12 MR. DUBOW: I mean, the
13 reductions on both sides are relatively
14 small each year. Over time they wind up
15 being a big reduction, and they send the
16 signal to the business community that
17 we're serious about wage tax reduction
18 and it's something we're going to keep
19 doing.

20 COUNCILMAN DOMB: What would
21 the numbers be if we kept it at 3.48 and
22 didn't go down 3.32? Because here's what
23 I see in the market. Forget the budget
24 for a minute. I see companies having a
25 hard time in the suburbs hiring young

1 3/29/16 - WHOLE - RES. 160170, etc.
2 people, because they don't live there,
3 and they want to start opening offices in
4 Philadelphia and to attract young talent.
5 And so I don't know that we need to lower
6 that outside -- people who live outside
7 the City coming into the City as much as
8 we had to in the past. I think the
9 problem is more for businesses in the
10 suburbs hiring young people to work in
11 their companies and commuting outside.
12 So I think they're coming in town and I
13 think -- maybe we could just look at it.
14 I don't know if it's not a big number, no
15 big deal, but I don't know what the
16 numbers mean.

17 MR. DUBOW: Yeah, we can look
18 at the numbers.

19 COUNCILMAN DOMB: Thanks.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you. Thank you, Councilman.

22 Councilman Oh.

23 COUNCILMAN OH: Yeah. I just
24 wanted to -- thank you. I just wanted to
25 give a response to my colleague

1 3/29/16 - WHOLE - RES. 160170, etc.
2 Councilman Allan Domb.

3 So at least there are many
4 different types of information to look
5 at, and certainly from what I've looked
6 at as a City Councilman, not a regional
7 employer, is that the benefits to the
8 City are dramatically better when you
9 lower the wage tax for City residents.
10 And the other aspect of that is you're
11 not taking into consideration so much
12 your highest end earners who live in
13 Malvern and travel to Philadelphia. What
14 you're primarily looking at is people in
15 the middle class and the need for them in
16 Philadelphia to have as much of the
17 income that they earn to be able to
18 maintain their efforts here in the City.
19 And so companies, for example, typically
20 like Nabisco or Cardone Industries, both
21 of which are closing in Philadelphia, are
22 critical because they provide good wages
23 to people without a college degree. That
24 is our biggest burden in the City to deal
25 with employment for folks in our

1 3/29/16 - WHOLE - RES. 160170, etc.
2 neighborhoods.

3 A lot of -- kind of some of
4 these concepts or policies, I think, are
5 generally high wage earners, that if
6 they're going to live in Malvern, they're
7 going to live in Malvern. The employers
8 may have an incentive or reason why they
9 want to lessen the amounts that they got
10 to make up for them traveling to
11 Philadelphia, but from a city
12 perspective, we're looking at lower-end
13 jobs, middle-income jobs, factory
14 workers, Cardone Industries, those type
15 of things. So those wage reductions are
16 geared towards the demographic that we
17 need to increase employment for.

18 That's my take on it, but, you
19 know, I guess we have to look at this.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you.

22 Councilwoman Quinones-Sanchez.

23 COUNCILWOMAN SANCHEZ: I just
24 wanted to add to that. I think it's a
25 discussion worth having. I know the

1 3/29/16 - WHOLE - RES. 160170, etc.
2 traditional paradigm of we're going to
3 lower both for them has been something
4 that's been consistent. It's a debate
5 we've had with the Chamber. We're
6 responsible for Philadelphians and we're
7 the region, and many times when we're
8 establishing these tax policies, we're
9 thinking for the region as opposed to
10 leading the region. And I think this is
11 one of those timely discussions that we
12 have to look at if we're going to invest
13 that amount of money into those types of
14 reductions.

15 So I agree with Councilman Oh.
16 I think we keep doing the same thing
17 because it's what we've done and no one
18 ever wants to look at is there another
19 way we could do this, is there a better
20 way. Just like as we tabled the tax
21 credit for low-income folks, when we know
22 that that was something that we were
23 committed to, but the number became
24 higher. We kicked the bucket down the
25 road. And I really -- if we're going to

1 3/29/16 - WHOLE - RES. 160170, etc.
2 do these types of reductions, I really
3 want to look at that credit that we
4 talked about for low-wage workers as
5 opposed to the folks who live outside,
6 who live in Malvern and can afford to do
7 other things. So I think this is a very
8 timely discussion and one that we should
9 not minimize.

10 Thank you.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilwoman. I agree, and
13 I'll finish on this note, and we'll
14 get -- I just had one question I wanted
15 to ask you, Mr. Dubow. There are a lot
16 of questions, speaking personally, that I
17 have on the sugary drink tax, and I'm
18 looking at the calendar. Would it be
19 best to ask those questions, because I
20 think we've kind of exhausted the
21 conversation today, during the Finance
22 Department's testimony? Because I'm
23 looking down the line. We don't get to
24 the pre-K and the recreation until
25 sometime later.

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: It may make more
3 sense to do it on the Revenue day.

4 COUNCIL PRESIDENT CLARKE:
5 That's at the end.

6 MR. DUBOW: You want to do it
7 earlier than that?

8 COUNCIL PRESIDENT CLARKE:
9 Yeah. I mean, you know, because I'm
10 inclined to think that you're going to
11 say, We got to get back to you. So what
12 I don't want to do is have us waiting for
13 you to get back to us at the end and then
14 it's time to vote and, you know, we have
15 limitations in terms of --

16 MR. DUBOW: Yeah. I mean, do
17 you want to send us questions and we get
18 them back to you by a certain --

19 COUNCIL PRESIDENT CLARKE: No.

20 MR. DUBOW: No? I'm just
21 worried that next week, our hearing is
22 next week, and I'm just worried that by
23 next week we're not going to have full
24 answers either.

25 COUNCIL PRESIDENT CLARKE:

1 3/29/16 - WHOLE - RES. 160170, etc.
2 That's fine, but you'll get responses
3 quicker.

4 MR. DUBOW: Okay. Fine.

5 COUNCIL PRESIDENT CLARKE: I
6 mean, there's a reason why we always push
7 Revenue to the end, because that's crunch
8 time and it makes people have to make a
9 decision. I mean, that's just -- I
10 didn't structure it that way. It was
11 that way when I got here.

12 MR. DUBOW: Okay. As long as
13 it's okay --

14 COUNCIL PRESIDENT CLARKE:
15 Something like this that touches so many
16 various proposals throughout the budget,
17 you probably want to have a better grasp
18 of the likelihood that this will happen
19 early on in the process, so we can --

20 MR. DUBOW: Right. I mean,
21 that's fine, so long as you're
22 comfortable with our saying "we don't
23 know that yet," because there will be a
24 lot of that next week.

25 COUNCIL PRESIDENT CLARKE: So

1 3/29/16 - WHOLE - RES. 160170, etc.

2 we'll do that next year.

3 MR. DUBOW: Next week.

4 COUNCIL PRESIDENT CLARKE: Next
5 week. And also --

6 MR. DUBOW: Hopefully not next
7 year.

8 COUNCIL PRESIDENT CLARKE:

9 Yeah. That's true. I'm sorry. I'm not
10 even going to call that a Freudian slip,
11 because somebody will suggest that Clarke
12 made his mind up.

13 And then with respect to a
14 follow-up on the Councilwoman's and the
15 Councilman's conversation about taxes.
16 In your Five Year Plan, there is some
17 reference to the, quote/unquote, Tax
18 Coalition or whatever these people call
19 themselves.

20 MR. DUBOW: Yeah, the
21 Coalition -- or whatever, yeah.

22 COUNCIL PRESIDENT CLARKE: And
23 it kind of -- it doesn't say that you all
24 support it in the document, but it kind
25 of gives examples of that. Would that be

1 3/29/16 - WHOLE - RES. 160170, etc.

2 better discussed in the Finance or would
3 you want to wait? Because I know we're
4 now starting to talk among --

5 MR. DUBOW: Yeah. And, I mean,
6 I think what we can say on that right now
7 is that the idea of a bifurcated rate we
8 support. The question is in the details.

9 COUNCIL PRESIDENT CLARKE: We
10 do too.

11 MR. DUBOW: Yeah.

12 COUNCIL PRESIDENT CLARKE: All
13 right. Because I referenced that because
14 when we looked at -- as we had to do an
15 analysis on their proposal, we realized
16 how much, quote/unquote, business tax we
17 have reduced over the last 20 years. It
18 is like, wow. I mean, a serious amount
19 of money. And we're talking in the
20 billions that we've reduced over a period
21 of time versus real estate, which is
22 actually going up. So we will have that
23 conversation. So we'll continue the
24 process that we established the other
25 day.

Committee Of The Whole
March 29, 2016

Page 217

1 3/29/16 - WHOLE - RES. 160170, etc.

2 MR. DUBOW: Okay.

3 COUNCIL PRESIDENT CLARKE: All
4 right. Thank you.

5 There are no additional
6 questions. The Committee will stand in
7 recess until Wednesday, March 30th at
8 10:00 a.m.

9 Thank you all very much.

10 (Committee of the Whole
11 adjourned at 2:50 p.m.)

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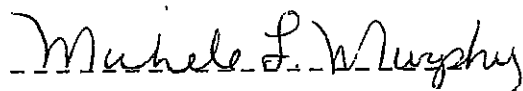
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contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.



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Committee Of The Whole
March 29, 2016

Page 1

A	189:7	activities	201:25	adopting 3:4	212:12	138:22	123:18,20
a.m 1:7 217:8	190:13	10:21 14:6	217:5	adults 12:17	Agreed 151:4	139:12,21	124:25
abated	209:17	actual 44:7	additionally	advantage	agreement	155:21	Applause
102:24	absenteeism	80:24 105:4	13:3 24:6	114:3	3:18 58:20	169:20,22	82:13 107:6
abatement	13:10	actuary 99:9	182:18	115:11	65:17 105:2	169:22	apple 81:18
115:8,9,12	absolute	99:17	address 35:9	133:19	201:2,3	170:7,18	applicable
Abernathy	53:16	100:10,20	42:16 46:24	advertisem...	agreements	196:11,21	170:23
49:11,13,17	absolutely	ad 38:4	51:25 103:2	200:8	50:9 105:3	199:6	applied 160:5
55:16,22	65:12	Adams 5:7	107:8	advertising	ahead 202:22	216:15	apply 102:18
56:5,11,17	105:13	83:9,10	108:16	19:14 76:5	AL 1:17	analyze 23:12	170:23
56:24 57:12	128:19	84:18 85:13	147:17	160:19	Allan 1:11	170:11	218:21
65:11 66:8	129:10	87:5 88:7	adjourned	161:17,20	209:2	and/or	applying
67:19 68:6	147:4	89:15,18	217:11	163:9	allocated	218:23	102:20
96:22 97:17	203:10	92:2,8,13	adjust 105:7	200:14	191:15	Angela 70:13	apportionm...
97:25	204:17	92:17,21,25	134:11	Affairs	allocation	71:4	7:23
129:16	absorb 78:5	93:6,11	181:18	153:25	89:2	Angels 15:7	Appraisal
154:5	abuse 25:17	112:2,11	adjustments	154:7	allow 6:18	angry 35:2	8:24
160:25	abyss 206:3	132:18,22	136:17	affect 19:6	14:24 52:11	Anna 5:7	appreciate
161:4,8,16	academic	134:9,12	Administra...	afford 146:15	161:20	83:9 101:18	62:7 64:20
161:24	12:12 15:10	179:6,11	4:10 11:12	212:6	201:17	annual 88:5	101:22,23
162:5,9,18	academically	180:15	16:19 17:2	affordable	202:10	93:13 98:20	103:6
162:24	80:24	181:8,22	18:12 36:3	13:3	alternative	annualized	104:22
163:4,7,22	Academy	185:10,19	38:7 41:18	aftermath	144:25	38:4	125:13
164:4,7	80:2	186:2	50:25 51:3	55:2 57:11	ambitious	annually 7:11	166:8
179:10	access 14:18	add 15:25	54:20 56:2	afternoon	42:15 59:22	9:2,5 11:25	187:10
180:14	79:22	16:17 19:17	56:16 57:21	120:16,17	147:23	answer 5:10	204:13
181:3	153:18	24:6 46:7	74:14 88:15	125:4	America	17:3 56:19	apprentices
182:11	154:3,8,11	49:11 75:3	89:9 100:2	131:10	162:19	79:6 81:19	65:20,21
183:10	154:19	79:10	101:7,9	154:5	amount 82:19	83:13 123:3	approach
203:9,21	accountable	157:13	130:20	172:20	84:7 85:11	139:17	4:15 15:4
ability 9:25	142:12	193:14,24	131:17,23	agencies 10:4	87:20 91:17	200:13,15	39:4 41:19
85:8,18,20	accurate 8:14	210:24	131:25	127:15,16	98:18,22	200:22	41:21 58:16
94:4 96:15	24:19 94:14	adding 10:17	139:22	agency	117:11	answering	approached
114:12	122:9	157:10	161:10	184:18	119:19	200:13	4:16 46:25
173:10,12	136:20	addition	163:11,18	agenda 57:25	134:14	answers	70:19
179:25	163:19	45:18 48:20	163:20,23	57:25	174:18	43:11 64:20	128:22
201:25	193:2	129:15	165:12	aggressive	188:4,6	74:25	172:15
able 5:10	accurately	140:9	166:9	50:2,10,11	196:6	124:12	approaches
8:25 23:16	38:24 218:5	190:10	167:16	113:17	211:13	145:6	202:17
62:25 76:10	achieve 13:8	additional	187:24,25	aggressively	216:18	147:21	appropriate
86:23,24	180:9	6:2 8:17	201:10	44:16 45:22	amounts	148:7,10,13	147:21
95:4 97:13	182:16	9:17 10:8	202:16,21	ago 8:10	210:9	213:24	178:9
111:10	achieved	14:13 16:17	Administra...	52:25 151:7	ample 81:18	anti-sugary	approval 3:7
116:18	184:5	49:22 64:13	36:7 90:13	152:25	82:18	21:19	approve
122:10	achievement	67:6 99:23	127:24	162:16	analyses	anticipated	184:24
154:12,18	15:10	106:4 151:5	179:4	172:3	109:14	123:13	approved
170:18	acknowledg...	151:13	administrat...	agree 18:10	analysis 19:5	133:22,24	3:19
180:9	198:8	152:8	51:24	54:10 60:7	19:10 55:23	anybody 59:5	approving
181:15,18	Act 117:4	155:20	165:15	65:12 75:5	56:7 75:14	138:19	136:13
181:24	162:20	156:3 158:3	adopt 2:22	130:14	75:16	anyway 90:5	approximat...
182:15	action 118:8	166:18	3:2	132:11	126:12	Apparently	93:15
183:11	active 172:25	188:17	adopted	136:19	137:24	24:15	122:13
184:24	173:4	189:6,15	179:17	211:15	138:4,16,19	appeals	126:13

Committee Of The Whole
March 29, 2016

Page 2

ARC 98:18	91:5 93:10	107:19	45:9 52:22	71:12 87:21	bell 71:19	bids 52:20	133:17
98:20,20	94:9,12	attach 97:3	55:25 63:7	89:21 90:15	108:14	71:16 97:8	173:23,24
arduous 2:5	127:12	attack 104:4	63:10 64:4	94:22 97:12	beneficial	bifurcated	174:7
area 60:22	198:7	attempt	64:22 76:25	98:5 109:12	156:6	216:7	birthday
107:14	assessments	179:20	81:12,12	118:12	benefit 28:14	big 23:11,15	82:11,12
108:12	8:13 35:4	attendance	88:4 97:20	119:3,18	76:10 102:9	33:19 35:12	bit 28:17
146:12	36:8 121:4	14:7	100:3 117:8	122:20	102:10	36:6 42:20	32:19 39:25
153:7	121:5,10	attended	120:19,20	125:20,22	116:20	83:20	42:25 49:12
areas 33:6	124:24	187:8	126:10	175:13,16	207:6	117:15	82:15 86:12
34:22 75:15	125:12,25	attention	132:5 138:7	176:11,13	benefits 13:4	123:11	109:6 137:3
80:15 91:13	135:6,8,10	58:6,11	143:13	180:19	209:7	133:25	153:21,23
135:23	189:20	107:9	146:2 149:8	182:19	Berkeley	135:4,20	158:6
145:21	assessors	127:23	162:22,25	199:21	19:21 20:11	136:24	162:21
146:6 190:7	122:6,7,8	attract 208:4	171:7	baseline	20:15,23	141:13	163:13
argue 38:9,17	122:16,17	auction 52:17	186:24	10:10	23:13 24:8	146:14	184:4
117:22	122:22,23	audience 5:9	189:12,18	basically	77:15	156:20	185:14,22
argument	124:10,13	audit 84:4	196:8	58:24 76:7	best 31:3	171:11	bite 81:17
144:6	124:14	Austin 15:8	199:25	165:2 206:7	94:17,21	179:24	Blackwell
150:16	125:20,25	authority	200:5	basing 150:8	104:13	207:15	1:11 60:14
article 107:11	126:4,16,21	3:16,16,22	204:22	basis 10:14	212:19	208:14,15	60:18 61:16
articulated	127:3	183:22	213:11,13	38:4 40:19	best-case	bigger 67:9	62:24 63:6
181:20	asset 168:17	185:4,8,21	213:18	41:23	64:8	116:10	63:11 66:18
183:4	assets 16:10	Authority's	backlog 46:7	111:16	better 12:19	biggest 16:2	67:2,4
articulating	102:21	185:12	50:24	Bass 1:10	26:24 40:4	103:18	70:23 142:7
171:11	173:8	authorization	bad 107:2	72:12,13,17	43:13 50:6	172:13,22	142:23
asked 31:2	assisting	185:2	balance 6:13	73:14 75:6	58:6 65:14	173:18	144:19,20
34:2 93:21	10:16	authorized	6:18 17:9	75:23 76:6	66:19 97:14	182:25	148:6,15
94:17	associated	3:18	38:10 41:7	77:7,11,16	97:23 99:12	209:24	Blondell 1:16
145:16	26:12	automatic	187:18	78:2,9,13	136:19	bill 2:21,25	129:3
148:2,10	assume 92:8	135:17	189:7,10	79:8,16	154:17	3:3,20	board 50:7
152:25	93:12 97:21	available	balances 6:11	81:2,10	189:19,25	186:21	88:25
169:8	123:10	9:18 70:5	11:11 105:3	BBB 188:14	190:2,5,10	187:6	142:13,13
200:10	134:14	Avenue 202:3	188:11,21	beat 129:2	196:23	billboard	146:7
asking 19:7	180:6	average 88:5	Baltimore	beating 21:18	209:8	163:9	166:22
40:16 79:7	181:23	Aviation	15:8	Beautiful	211:19	billboards	177:7 190:6
98:21 125:6	assumed	17:13	bankrupt	162:20	214:17	162:25	BOBBY 1:13
125:17	118:20	award 50:23	41:4,6	beginning	216:2	billings 10:13	bodega
177:8 189:6	185:10	aware 56:6	barber 46:15	47:21	beverage	billion 17:9	141:25
197:24	assumes 8:16	145:3	bargaining	begun 47:20	24:12 83:2	38:21 60:21	bodegas
asks 160:18	179:14,18	181:12	100:7,24	behalf 4:25	138:15	92:12,13,14	140:23
aspect 209:10	assuming		101:6,10	36:6 71:7	beyond 8:23	92:15 93:3	141:2,7
aspects 53:8	206:11	B	158:2 169:3	184:7	30:7 55:15	93:4,16,17	body 45:7
aspirational	assumption	B 46:11 144:7	barriers 15:9	belief 122:4	67:14,25	102:16,17	103:3 107:2
59:22 64:24	77:19	144:9 202:3	bars 84:4,8	believe 11:16	73:20 80:3	102:17	bold 147:23
66:21	assumptions	baby-sitting	84:10	22:21,22	122:25	118:22	bond 26:18
assess 122:13	25:10	79:23	base 7:8,10	78:3 84:3	biased 107:21	156:17,18	66:4,9
126:22	assure 58:5	back 21:19	7:24 27:9	84:18 96:23	bid 50:22	157:19,20	118:14
127:4	80:20 81:4	27:3,6,17	108:2,5	96:25 97:9	51:17 52:11	billions	119:17
assessed 92:3	Atkinson	27:20,20,21	134:13,16	136:10	52:13 53:12	216:20	167:14
92:6,11	57:22	29:14 30:8	based 22:13	173:22	55:13 71:14	bills 1:19 2:16	168:8 176:8
assessment	128:25	30:13 33:9	27:15 28:10	179:19	bidders 52:22	2:20 4:3	176:17
81:3,7	130:12,13	34:23 35:22	38:10 39:13	183:11,13	bidding 52:17	BIRT 8:7	bonds 117:7
90:15,16,25	Atlanta	37:19 42:13	39:23 52:8	201:3	70:8,12	132:13	195:7,9,15
		44:4,17					

Committee Of The Whole
March 29, 2016

Page 3

books 173:9	24:14 57:22	82:20 83:10	133:5,7,10	142:4,17	105:23	108:23	characteris...
boom 72:24	100:2,8	89:2 95:24	140:6,8,10	165:11	106:17	120:12	47:12
booming	125:14	116:17,22	143:11	176:17	192:25	131:6	charge 85:17
62:15,16	127:25	119:16	155:8	capture 64:2	193:3,6	142:21	chart 192:24
boost 10:20	143:4,15	121:8 122:2	172:23,24	87:3	194:14	144:18	charter 38:18
boots-on-th...	164:6	127:25	173:4 174:6	captured	195:11	146:8 165:9	150:10
43:19	199:18	146:16	191:18	135:15	center 46:8	171:2	charters
borrow 27:14	bringing	153:17	207:16	capturing	80:23	198:16	150:18
27:22 28:8	140:7 199:9	155:13,20	216:16	136:6	201:24	Chairman	cheap 141:12
177:9 188:4	broad 22:13	157:4,7	businesses	Cardone	centers 13:25	178:20	CHERELLE
borrowing	67:13	169:9	8:4 71:16	209:20	18:13 45:23	challenge	1:15
9:14 13:19	broad-based	177:15	86:3 140:2	210:14	47:13 49:4	11:20 16:2	Chief 4:24
26:24 45:18	11:19 18:21	179:2,13,17	140:5,20	care 50:22	72:22 80:21	16:13 68:16	42:9 51:24
167:23	19:3 22:9	181:7,21	154:25	54:8 80:23	145:8	173:18	79:12
188:16	broaden	182:10	173:24	career 129:11	cents 11:24	challenges	147:14
borrowings	82:22	183:17,18	190:13	careers 12:12	21:10 23:10	6:8 11:7	child 79:22
15:13	153:18	184:23,24	197:16	44:10	23:18 24:24	18:24	79:24 80:25
118:14	broadly	185:9,11	208:9	carefully	24:25 25:4	172:22	childcare
119:17	10:18 89:21	189:22	businessman	10:25	25:6 106:2	189:5	13:6 78:21
bothers	broken 64:3	190:18	143:9	case 28:7,16	106:7	201:21	78:23 79:19
107:17	brought 43:4	207:23	buy 100:18	124:25	141:11	challenging	79:22
bottom 94:8	57:20 65:20	214:16	buying	173:14	176:23	18:22 84:2	childhood
boundaries	107:9	budgetary	100:19	201:23	192:25,25	Chamber	76:11 80:9
112:14	162:15	11:10	buyout	206:11	193:14,24	52:24	children 5:13
brand 141:12	Brown 1:16	budgeting	100:13,17	caselaw 96:16	198:23,23	197:13	11:15 12:13
break 54:6,12	63:18,19,24	88:21	C	cases 15:3	199:9,10,19	201:6 211:5	14:3 47:15
55:14 82:15	64:19 66:6	build 51:12	calculate	158:10	199:19	chambers	76:10 80:18
89:22	67:2 68:4,7	67:21	118:13,16	173:13	certain 34:10	52:23 53:3	145:12
142:24	69:6 70:7	building	calculations	casino 131:16	84:22,23	140:6	146:25,25
148:21	70:18,21	10:22 72:24	119:18	casting 59:5	96:14,16	championed	choice 24:11
breakdown	71:19 72:2	73:4,4	calendar	catch 163:13	97:2 119:19	15:15	46:16
89:19	72:7 129:4	buildings	212:18	category 80:5	122:21	chance 48:16	131:17,22
breaking	171:5,6,9	15:17 46:9	call 33:5	188:14	213:18	change 6:7	132:15
60:6	171:21	160:20	70:13	caught 136:4	certainly 62:2	24:12 74:8	167:14,16
Breslin	172:6,12,19	161:5,9	215:10,18	cause 15:15	73:16 74:14	151:20	choices 5:16
172:17,18	173:2,16,21	200:14,18	called 2:6	caused	145:21	166:19	131:12
172:21	174:9 175:8	built 67:7	68:5 87:7	156:25	183:15	168:23	195:24
173:3,17	175:12,21	80:19	106:21	causing 8:5	203:12	184:25	choose
Brian 49:13	177:3 178:5	130:22	CAMA 8:24	cautionary	209:5	188:13	111:20
49:16 55:25	178:6,18	143:11	30:6 32:5	142:16	CERTIFIC...	196:17	146:25
55:25 56:9	BRT 31:11	bulk 103:21	36:18 93:23	Cecil 202:3	218:2	206:25	choosing
57:15 73:16	buck 176:23	bunch 56:23	94:11,13	CEDA 44:4,6	certification	changed	77:22
153:22	bucket	56:25	95:2 136:13	census 179:19	78:19	33:10,12	165:18
200:15	211:24	burden	Campaign	179:21	218:20	61:11	chorus 63:25
203:19	budget 2:6	209:24	15:14 25:23	180:2,3,4	CERTIFY	135:10	chose 19:19
brief 17:8	3:2,4 5:3,7	bus 201:15	26:11 29:6	180:10,17	218:3	185:23	chosen 37:14
64:20	5:16,17,21	202:6	capacity	180:17,19	certifying	changes 3:12	111:4
briefings	6:9,25 8:16	business 2:11	56:10	180:20	218:24	33:17,19	131:25
24:23	17:8 27:9	7:19 10:19	capital 2:22	181:12	Chair 29:21	34:9 41:13	145:9,18
brilliant	42:15 43:9	22:8 52:25	3:2 4:4,6,7	182:5,16,20	32:14 42:5	93:2 100:8	cigarette
171:11	46:6 53:15	53:4 62:17	13:23 46:6	cent 20:24	63:17 72:11	134:2,3	44:16
bring 9:8	63:22 64:15	68:3 69:13	51:8,22	105:22,22	82:4 90:8	162:18	Cincinnati
	72:4 79:3	71:8 133:2	52:4 53:8		101:13	185:3	15:7

Committee Of The Whole
March 29, 2016

Page 4

CINDY 1:10	155:10,11	57:6,14	127:12	103:25	214:22	Commission	57:24 163:9
Cindy's 79:25	156:19,20	58:9,15,21	Clerk 2:21	134:7	coming 52:22	12:25	163:10
cities 15:5	157:9	60:12,16	4:3,13	189:25	70:23 72:24	Commissio...	compared
19:21	158:13	62:22 63:4	climate	190:3,5,11	119:11	172:11,17	16:12
citizens 16:21	170:4	63:9,13,16	150:20	collective	123:9	172:18,21	comparisons
47:14 111:6	174:17	72:9,15	close 40:12	100:6,24	128:25	173:3,17	152:5
111:12	177:7 183:4	81:13,25	127:23	101:6,10	167:11	commit 177:6	compelling
114:13	183:22	90:6 101:11	156:18	158:2 169:3	185:12	commitment	43:15
city 1:2,6 3:8	184:8	108:21	173:7	college 12:16	203:14	89:7 177:18	competition
3:10,21	185:18	112:22	closely 62:7	13:6 209:23	208:7,12	177:23	52:18
4:19 6:5,19	187:23	113:11,19	200:16	colleges 70:2	comment	179:4	competitive
8:12,15	189:6	114:8,16,20	closer 172:4	colloquy	101:19	commitments	112:17
9:10,13	190:14	114:23	closing 150:3	198:22	102:8	41:15	complete 8:25
10:4,23	191:19	115:5,20	209:21	color 129:8	110:23	committed	12:13,16
11:4,17	196:4	120:10	coalition	combination	commentary	8:12 60:4,5	completely
12:6,18	201:24	128:18	21:20	17:14 34:8	189:24	60:6 66:20	58:19 74:22
13:18,21	205:5,20	131:4	215:18,21	98:14	commented	73:25	completing
15:17,19,25	208:7,7	142:19	code 89:20	combined	102:12	142:10	33:13
16:6 19:11	209:6,8,9	144:16	codes 70:24	13:12,23	comments	154:16	completion
35:4,5	209:18,24	147:10	cohort 13:3	come 40:23	72:18 83:3	177:12	26:3
37:14,24	210:11	148:18	colleague	46:23 55:14	84:16	211:23	compliance
38:12 39:2	city's 5:8 6:2	200:2,19,24	32:19 82:10	57:15,25	Commerce	Committee	129:20
39:7 40:17	6:9,17,25	203:13,17	82:11	58:18 59:3	48:25 52:23	1:3 2:16 4:2	137:4,5
41:22 42:20	9:7,21	203:23	153:10	59:8 63:7	52:24 57:17	146:9 217:6	complicated
44:3 46:11	13:22 16:3	204:6,10,18	183:25	70:14 81:12	73:11	217:10	66:15 84:7
46:19 48:10	38:12 71:9	204:23	208:25	81:12 83:13	108:16	committing	complying
49:2 58:7	117:8 124:8	205:13,16	colleagues	87:25 97:20	110:22	13:11 133:4	64:18
62:15 66:24	153:15	205:24	25:16 29:14	99:23,25	140:9	communicate	comprehen...
70:24 71:12	175:3	206:10,14	29:17 42:13	105:15	154:22	32:8	119:2
72:5 73:21	176:17	208:20	46:14	108:9 111:5	155:6 201:7	communities	Computer-...
73:24 76:20	citywide	210:20	132:25	117:2	commercial	80:18	8:23
84:9,11	126:13	212:11	141:24	119:10	8:20,21	community	concentrated
85:10 86:14	clarify 121:2	213:4,8,19	192:9	124:23	35:15,18	13:20 14:14	19:12 76:22
87:4,17	184:4	213:25	colleagues'	145:10	36:16 90:17	14:14,21,23	concentrati...
96:4 97:4,7	195:12	214:5,14,25	102:10	153:23	91:8,25	15:4 74:21	15:2
97:23	Clarke 1:10	215:4,8,11	collect 84:2	160:24	92:24 93:2	95:17 132:9	concepts
107:15,24	2:2 3:23	215:22	84:14	163:12	93:15	143:19	210:4
109:14,24	4:14,21	216:9,12	134:15	172:11	102:25	145:13,23	concern
110:9,9	17:5,16,20	217:3	172:8	178:10	121:3,19	146:3	142:9
111:21,22	17:24 18:6	class 167:5	173:10	189:6	122:6,6,15	153:19	187:21
111:25	20:3,22	209:15	collected 8:6	191:16	122:22	207:16	188:24
112:3,5,7	21:2,6,17	clean 202:11	10:9 104:10	194:23	123:17,20	commuting	concerned
112:13,14	22:20 23:9	cleaned	105:2	200:15	124:7,10,14	208:11	135:24
113:2,4	24:3,13	103:14	171:23	204:7	124:24	companies	145:25
114:3,6,21	25:11,14	clear 5:15	172:4	comes 54:15	125:11,21	52:13 71:11	188:10,10
114:25	27:2,12,23	20:6 129:25	collecting	55:4 72:5	126:7,15,16	108:11	188:19
115:7,10,17	28:6,24	130:6	137:13,16	104:14	126:21,23	129:23	concerning
125:5	29:4,12	clearly 28:14	171:16,24	117:8,14	140:12	130:7	125:11,18
127:15	32:12 42:3	28:22	collection	158:16	201:8,18	146:24	concerns 8:5
142:14	53:18,22	107:20	10:20 124:6	comfortable	202:9 203:5	207:24	33:23 34:16
151:12	54:11 55:20	156:20	137:9	80:22	203:8	208:11	197:14
153:11	55:24 56:8	175:10	collections	114:11	204:16	209:19	conclusions
154:19,20	56:13,21	clerical 126:5	8:8 10:6,8	147:22	206:6	company	167:3

Committee Of The Whole
March 29, 2016

Page 5

170:19 concourse 190:24 conditions 205:6,18 conducted 121:10 conjunction 115:25 164:15 connecting 129:4,12 consecutive 152:14 consider 4:2 39:5 43:10 138:18 142:13 204:15,19 consideration 209:11 considered 206:20 considering 51:9 187:23 188:5 consistent 156:2 184:11 211:4 constantly 43:7 constituenci... 84:22 constitute 4:4 construction 35:5 68:23 69:5 consulting 87:7 123:12 consume 78:4 consumed 75:15 consumer 19:23,25 20:6,9 83:22,24 192:9 consumers 75:22 140:17 consumption 24:9,12,17	77:21 contact 127:14 contained 218:5 contains 5:22 contemplated 175:6 context 70:22 contingent 174:17 continually 12:18 37:22 continue 31:17 74:17 119:20 148:25 149:11 155:3 159:21 171:24 179:18 216:23 continues 70:10 119:23 continuing 31:14 contract 17:25 39:14 161:12 205:7,9,12 contracted 170:3 contractors 49:7,21 contracts 49:24 54:5 65:23 contractual 181:15 200:25 contributing 169:15 contribution 6:23 7:2 16:4,16 44:13 98:21 183:21 contributions 6:2 contributors 113:7	control 85:16 86:23 87:16 88:10 162:25 218:23 Controller 100:9 158:17 159:13 167:21 Controller's 169:4 controlling 10:25 conversation 54:16,25 55:2 56:3,6 57:8 59:11 65:25 68:13 69:18 73:16 73:17 76:25 85:24,25 132:5 166:5 166:18 198:11 201:5 212:21 215:15 216:23 conversations 40:21 47:20 47:21 56:15 68:19 125:16 175:18 177:20 convert 107:4 converted 145:17 convinced 143:6,8 cool 29:18 Cooperation 3:16,18 coordinator 14:20 corner 192:10 corporate 173:6 correct 17:15 46:2,3 75:23 85:6	98:9,24 101:3 109:25 111:23 116:7 120:6 122:3 126:24 127:7,7 159:23 180:14 205:23 218:8 corrected 18:8 correctly 103:5 192:23 corridor 201:19 202:9 206:7 corridors 201:8 203:5 203:8 cost 13:19 20:14 22:4 25:4,5,22 38:20 51:13 77:23 85:11 141:9 143:10 167:7 178:14 179:23 188:17,18 cost-effective 12:19 cost-saving 12:22 costing 7:13 7:23 costs 5:24 6:22 13:6 15:12,19 22:13 27:16 27:17 78:21 85:5,7 166:24 167:11 179:24 180:5,21 181:9,10 Council 1:2 1:10 2:2 3:8	3:19,23 4:14,19,20 4:21 15:15 17:5,16,20 17:24 18:6 20:3,22 21:2,6,17 22:20 23:9 24:3,13 25:11,14 27:2,12,23 28:6,24 29:4,12 32:12 42:3 42:17 43:7 44:5 48:19 53:18,22 54:11 55:20 55:24 56:8 56:13,21 57:6,14 58:9,15,21 60:12,16 62:22 63:4 63:9,13,16 65:13 72:5 72:9,15 81:13,25 82:7,17 88:16 89:7 89:8 90:6 90:11 95:25 101:11,16 108:4,21 109:2 112:22 113:11,19 114:8,16,20 114:23 115:5,20 120:10 125:5,10 128:18 130:16 131:4 142:13,19 144:14,16 146:15 147:10 148:18 159:4,13 164:2,12 186:25	187:7 200:2 200:19,24 203:13,17 203:23 204:6,10,18 204:23 205:13,16 205:24 206:10,14 208:20 210:20 212:11 213:4,8,19 213:25 214:5,14,25 215:4,8,22 216:9,12 217:3 Councilman 1:11,12,12 1:13,14,14 1:15,17 29:21,23 30:4,17 31:7,23 32:9,13,19 42:5,7,12 44:24 45:6 45:13 46:4 47:5,8 48:14,18 49:15,18 50:16 53:17 53:19,20,24 55:17 56:5 56:18 57:12 82:4,6,12 82:14 84:15 84:19 85:21 88:3,8 89:16 90:2 90:7,8,10 90:22 91:4 91:7,11,15 91:20 92:6 92:16,19,23 93:5,8,19 93:21 94:20 94:24 95:3 95:8,23 96:23 97:12 97:19 98:3 98:10,17,24	99:4,11,21 100:12,22 101:4,12,13 101:15 102:2,11,12 103:7 104:18 105:13,17 106:15 107:7,16 108:18,22 108:23,25 109:5,19 110:2,12,16 110:20,24 110:25 111:17 112:6,15,21 112:23 115:24 116:5,8,23 116:25 117:10,18 117:25 118:4,9,25 119:7,15,24 120:4,7,11 123:25 125:13,16 142:21,25 143:25 144:4,13,17 144:24 148:24 156:10,12 156:13 157:6 158:20 159:7,14,16 159:17,24 160:3,9,12 160:14,15 161:2,3,6 161:14,22 162:2,8,11 162:23 163:2,5,15 163:24 164:5,8,25 165:5 171:3 171:10 175:24 178:3,21	186:13,15 186:20 187:12,14 187:15,16 188:23 189:17 190:9 191:6 191:13,24 191:25 192:2,3,4 192:21 193:9,13,18 193:23 194:4,9,13 194:16,24 195:17,19 195:20 198:17,18 198:19,20 198:22 199:2,5,15 199:23,24 200:7 203:11 206:16,17 206:21 207:9,20 208:19,21 208:22,23 209:2,6 211:15 Councilma... 113:15,21 215:15 Councilme... 73:3 96:2 Councilpeo... 146:5 Councilper... 54:13 Councilwo... 1:10,11,13 1:15,16,16 32:15,16 33:3,22 34:4,15 35:8,23 36:11,15,22 37:6,12 39:13 40:7 40:11 41:2 41:16 42:2 42:4 60:14
--	---	---	--	---	--	---	---

Committee Of The Whole
March 29, 2016

Page 6

60:17,18	151:4,8,18	counting	186:18	170:7	184:16	174:18	82:21
62:24 63:6	151:24	104:6	187:22	192:12,15	decrease 24:9	demand	145:23
63:10,11,17	152:9,16,21	country	188:2	date 35:18	24:17 25:6	143:12	147:7
63:19,24	153:5,10	107:12	211:21	73:9	25:8 113:2	demographic	161:12
64:19 65:12	154:6,21	156:19	212:3	DAVID 1:15	113:22	210:16	162:22
66:6,18,25	155:9 156:8	county	creditors	day 12:8	116:6	demonstrate	205:12
67:3 68:4,7	156:11	115:13	16:21	22:23 44:5	120:21	155:14	216:8
69:6 70:7	165:7,8	couple 2:9	credits 8:3,7	46:18 59:6	182:16	department	determinati...
70:18,21,22	166:3	18:18 23:5	133:24	62:11,12	183:2	10:12,24	55:5
71:19 72:2	167:12,25	29:15 42:13	173:23,24	66:19 80:23	decreased	32:2 43:8,8	determine
72:7,10,12	168:10,18	54:4 86:5	174:7	213:3	114:4	43:24 44:11	14:21
72:13,17	168:20	100:5,15	crime 43:21	216:25	decreases	53:9 68:10	determines
73:14 75:6	169:7,21	149:7	crippling	days 2:9	123:11	71:10,24	99:9,17
75:23 76:6	170:6,10,20	178:24	5:20	40:15	dedicate	72:4 81:21	developed
77:7,11,16	170:25	190:8 200:6	critical 11:18	111:14	27:15,17	83:12	154:9
78:2,9,13	171:4,5,6,9	course 81:21	16:8,15	162:7,16	dedicated	108:16	development
79:8,16	171:21	113:9	209:22	dead 129:2	14:20 191:7	124:18	69:3 124:20
81:2,10,14	172:6,12,19	149:22	Croson 96:19	deadline	202:23,24	140:9 154:4	devil 18:16
82:3 93:22	173:2,16,21	COURT	crunch 214:7	154:13	202:25	178:9,10	DiBERAR...
102:11	173:22	48:22	CUA 169:23	deal 43:18	205:25	Departmen...	47:3,7 51:5
120:13,14	174:9,20	Courtyard	CUAs 169:12	61:2 140:11	206:5	64:14	54:10 59:14
120:18	175:8,12,21	70:24	current 6:20	167:14	deep 156:5	212:22	63:15 75:5
121:15,23	175:22,25	cover 5:24	7:15,17	205:2	177:23	departments	174:19,20
122:19	176:2,13,20	15:12 25:22	56:10	208:15	deepening	11:4 44:3	175:9,15
123:5,19,22	176:24	covered	119:12,16	209:24	110:5	52:12 54:4	176:6,15,22
124:2 125:5	177:3,5,11	108:19	157:3,7	dealing 139:2	deficient	154:10,15	177:10,17
126:9,25	177:25	covering 3:10	179:16,19	deals 205:4	150:19	191:16	178:16
127:18	178:5,6,18	cranes 86:14	180:17,19	debate 68:13	definitely	depend 7:5	204:4,8,13
128:12,13	178:22,23	86:19	183:21	211:4	154:15	dependent	204:20,25
128:19,20	178:24	create 6:8	185:15	debt 7:2 9:13	203:16	182:12	205:15,22
128:24	179:7	14:14 43:12	205:4	13:18 15:13	degree 22:9	depending	206:8,13
129:3	180:23	43:25 44:2	currently	26:12 117:7	23:18	8:2 20:15	diet 140:25
130:13,24	181:4,19	46:12 55:11	12:6 40:8	117:12	107:22	140:19	difference
131:5,7,8	182:7 183:3	88:20 113:3	97:23 154:2	188:6	209:23	depends	23:11,15,17
131:21,24	183:19	113:23	154:7	December	degrees 69:25	151:22	23:20,24
132:8,12,20	185:5,16,24	115:6	171:15	104:19	delay 134:21	Deputy 49:13	83:18 99:18
132:24	186:4,9,14	created 55:19	176:11	decide 28:9	135:2,25	203:20,21	158:16
133:8,12	188:25	109:23	205:11	57:10	136:12	DEREK 1:12	198:23
134:6,10,18	195:21,22	111:22	CURTIS 1:14	deciding	163:17	desert 141:8	differences
135:16,22	196:10,18	202:5	customer	203:3	delaying	deserve 14:10	83:12
136:9 137:2	196:20	creating	190:22	decision	95:11,11,11	design 130:4	different 18:2
137:12,15	197:4,10	47:23 50:11	cut 117:15	21:13,23	delinquencies	desperately	23:7 24:20
137:23	198:4,14	55:18 85:25	143:20	61:17	103:10,12	76:15	25:9,12
138:6,12,24	210:22,23	86:21	Cutler 201:11	115:14	103:16	Despite 6:4	34:14 50:20
139:19	212:12	116:11	cycle 136:13	168:2 214:9	104:5	11:5	55:13 73:8
140:14,21	Councilwo...	142:11	177:15	decisions	delinquency	detail 18:17	77:2 83:3,6
142:7,20,22	215:14	201:13	cynical 42:17	111:15	137:7	164:2	83:7,19
144:19,20	counsel 101:2	creation	D	131:11	delinquent	179:12	84:24 86:22
147:11	count 103:19	110:8	D 1:16	145:11,14	10:6 104:6	183:16	100:15
148:6,15,19	counted	credit 18:15	daily 111:16	150:5	delinquents	detailed	101:5,9
149:3,5,14	127:16	93:25 134:5	DARRELL	decline 7:14	10:19	81:20	102:14
149:16,24	counties	164:13,16	1:10	declining	deliver 11:18	178:11	103:17
150:15	111:8 156:5	164:17,23	data 71:23	117:12	delivering	details 57:5	104:16

Committee Of The Whole
March 29, 2016

Page 7

130:19	110:14,19	149:10	191:2,22	72:6	30:12,20	137:10,14	215:3,6,20
142:11	118:2	150:2,23	207:19	downloada...	31:16 32:4	137:17	216:5,11
172:7	119:13	151:2,3,11	211:16	187:2	32:23 33:5	138:3,10,21	217:2
199:13,14	120:8	152:3	dollar 188:15	downturn	33:25 34:7	139:14	ducking
209:4	134:20	184:14	dollar-for-d...	9:24	35:7,10	143:3,21	59:24
differentials	140:24	189:3,9,16	176:4	dramatic	36:9,13,17	144:2,8	due 9:18
35:2	142:17	201:24	182:19	21:9 39:7	36:25 37:9	149:9,13,15	10:10 119:4
difficult 84:3	165:20	District's	dollar-to-do...	77:20	39:10,16	149:20	150:16
180:12	168:13	38:14	176:21	178:15	40:10,20	150:6,25	153:13
192:20	175:14,16	185:21	dollars 68:23	dramatically	41:5,24	151:5,16,21	171:23
difficulties	197:12	districts	71:15,18	12:23	44:19 45:2	152:4,11,18	172:2
119:2	210:25	201:20,22	92:5 94:4	180:11	45:11 46:3	152:24	dynamic 23:6
diminish	212:8	204:17	123:15	209:8	46:22 63:23	157:17	dynamics
51:20	discussions	diversity	169:24	draw 170:19	64:12 75:8	158:23	21:12
diminishes	37:11 41:25	49:22 58:3	176:18	drink 19:6	75:12,20	159:11,22	
106:18	167:24	69:4 128:8	188:4 189:7	21:19 27:4	76:2,24	160:2,6,11	E
direct 49:5	177:13	128:16	189:20	42:23 75:11	77:9,14,18	164:19	e-procure...
218:23	196:2	129:5 153:7	191:15	83:8,15,16	78:7,11	165:4,24	52:9
direction	211:11	153:9	Domb 1:11	141:16	79:2 90:20	166:21	earlier 30:10
124:3	disparity	division	101:14,15	193:20	91:2,6,10	167:19	93:21 110:7
directly 14:17	169:13	106:13	102:2 103:7	212:17	91:14,18,22	168:5,16,19	119:14
127:12	disproporti...	divisions	104:18	drinks 5:23	92:12 94:10	168:25	129:16
Director 5:7	141:15	126:6	105:13,17	11:17,24	94:23,25	169:19	132:5
5:8 46:23	disregard	document	106:15	12:4 13:17	95:7,20	170:2,9,13	159:20
48:25 49:14	74:18	17:17 24:18	107:7,16	15:11,24	98:9,13,19	170:22	189:18,25
57:17 71:5	disrespect	65:6 215:24	108:18	16:12 19:19	98:25 99:6	171:8,17,22	206:21
83:10,15	74:19	documents	123:25	45:16 75:22	99:14 100:5	172:10,14	213:7
110:23	distributed	24:16	125:13	138:18	100:14	174:2	early 12:15
154:22	76:19	doing 27:7	156:12,13	drive 50:14	101:3,8,23	184:21	44:8 76:11
174:21	distribution	35:16 40:18	158:20	51:16,18	103:6	185:7 186:7	79:19 80:8
203:14,22	21:14	43:24,25	159:7,14,17	182:4	104:12	186:12,19	214:19
203:25	distributor	48:6 52:16	159:24	driven 150:12	105:10,14	187:11	earn 209:17
204:2,3,12	19:24 20:15	60:4 62:17	160:3,9,12	150:12	106:11	188:9	Earned 93:25
Director's	22:18 64:7	68:3 71:21	171:10	driver 150:11	107:14	189:11	164:15,23
183:18	64:11 77:3	73:25 81:7	192:3,4,21	180:16	108:15	190:4,19	earners
Directors	78:4 83:17	88:6 90:24	193:9,13,18	drivers	109:10,25	191:9,20	209:12
142:14	85:4,13	91:8 96:17	193:23	179:23	110:10,15	192:17	210:5
177:7	143:9	96:20 97:16	194:4,9,13	drop 79:24	110:18,22	193:7,11,16	easier 18:5
disadvanta...	distributors	99:5,13	194:16,24	drop-off	111:24	193:21	84:14,17
47:25	11:23 19:20	107:3	195:17	199:8,17	116:4,7,13	194:2,7,11	190:13,23
disappear	64:17 84:12	118:15	198:22	dropped	116:24	194:15,20	191:4,5
119:4,6	85:4	129:13	206:16,17	185:25	117:3,11,21	195:11	easily 14:18
disappears	district 7:2	135:2,5,12	207:9,20	Dubow 5:6	118:3,7,19	196:8,13,19	easy 192:18
119:8	9:11,12,14	136:11	208:19	17:11,19,23	119:5,9,21	196:25	eat 23:17,19
disconnect	12:23 13:2	138:19	209:2	18:4 19:7	120:2,6	197:6 198:2	23:23
31:10	37:13,23	140:22	donations	20:10,24	121:11,20	198:12,25	echo 82:16
discussed	38:8,22,23	143:10	13:24	21:4,11	122:18,25	199:3,11,20	economic
54:19	39:4,9,11	157:9	doubling	22:15 23:4	123:8,21,24	207:4,12	9:24 71:6
130:16	40:22 41:20	158:21,24	10:13	23:22 24:22	131:19,22	208:17	86:2 116:19
145:19	44:21 67:4	158:25	doubt 73:23	25:13 26:16	132:4,11,16	212:15	207:2
167:20	69:10 73:2	169:19,22	168:6	27:5,19	133:6,11,20	213:2,6,16	economically
216:2	73:5 138:11	189:19	Dowd-Burt...	28:2,20	135:3,18	213:20	74:20
discussion	146:5	190:10	71:4,5,22	29:3,8	136:2,18	214:4,12,20	economy
							86:21 87:9

Committee Of The Whole
March 29, 2016

Page 8

87:18 88:11	167:2,2	201:19	26:25 27:13	examples	expense	factored	final 128:16
88:20	190:20	enhanced	27:18	215:25	180:18	182:9	finally 15:24
108:12	employed	202:2	ESCOs 26:5	excited 42:18	expenses 5:18	factors 87:25	Finance 5:7
educate 70:4	12:17 87:24	enhanceme...	especially	exciting	98:8 182:21	199:17	83:15
education	employees	11:6	88:13 89:8	145:22	182:24	factory	101:17
11:8 12:24	128:5 170:4	enjoy 14:4,11	147:23	exclusion	expensive	210:13	212:21
76:11 79:12	170:4 187:3	ensure 6:21	essentially	196:15	26:19 167:6	facts 156:15	216:2
80:9 113:9	197:21	58:6 64:10	26:21 127:6	exclusions	experience	factual 22:10	finances
129:12	employer	78:20 89:3	131:25	7:22	96:4 111:18	fair 8:13 89:4	44:22
138:13	114:10	127:25	133:3	exclusive	experienced	145:8	financial 3:9
146:8	115:4 209:7	129:8	168:21	183:7	68:9	163:16	5:5 6:20
147:14	employers	ensuring 8:12	169:23	excuse 58:22	expertise	182:11	38:14
educational	111:10	64:3	establish	58:22	34:10	195:13	financially
79:19	210:7	entered 201:2	55:13 130:6	112:23,23	125:14	205:14	150:12
educators	employment	Enterprise	established	Executive	experts 6:12	fairly 197:2	financing
14:24	209:25	71:8	216:24	71:5	expires	faith 50:17,19	26:21
effective	210:17	entertain	establishes	exhausted	159:19	fall 64:6,10	find 48:3
97:15	enable 13:18	28:19 139:6	48:2	212:20	160:4	fallen 185:17	84:23
efficiencies	15:25 64:16	201:10	establishing	exist 65:4	explain 30:18	families 5:14	124:20
10:4	enables 13:8	202:22	45:14	146:14	86:12	11:16,21	129:7
efficiency	enact 157:14	entire 12:12	183:14	existed 117:6	explicit	12:6 13:4	186:10
51:12,15	encourage	19:22 23:23	196:4 211:8	existing 11:10	126:11	14:4 150:17	189:14
efficient	105:8	57:4	estate 8:13	176:17	exploring	far 73:9	fine 56:19
15:18 108:3	108:11,12	entity 55:12	9:21 45:10	exists 113:6	147:20	200:18	62:6 106:15
191:18	encourages	96:11 97:15	102:16	164:20	expressed	fast 74:5	214:2,4,21
effort 51:7	105:14	102:15	103:18,19	expand 80:16	197:15	faster 33:24	finer 185:13
efforts 62:8	ended 40:15	173:6,6	103:25	107:25	extent 26:22	99:20	finish 61:3
124:9	ends 6:10	entry 44:8	216:21	154:11	135:13	fastest 34:3	212:13
209:18	116:2	environment	estimate	expanding	external	favorite	finished
eight 148:2	118:11	80:24	185:15	154:7	127:15	192:6	36:14
eight-hour	169:9	Epps 48:13	evenly 76:19	expansion	extra 106:9	feasibility	firm 87:7
43:14	enduring	48:16,19,24	everybody	12:4,20	167:2	186:24	129:18
either 46:19	47:17	48:25 57:16	30:2 74:7	38:19,24	193:14	Fed 106:21	first 4:11 5:3
151:14	energy 15:14	57:16 58:13	129:24	80:11	194:5	federal 13:13	9:6,13 12:8
157:25	15:18 25:23	58:19 66:25	evidence	153:17	extracurric...	feel 35:24	24:6,8
167:5	26:8,11	67:20 68:8	178:11	expect 147:4	14:5	62:10 80:22	25:17,18
191:14,15	29:6 89:17	68:17 69:18	218:4	170:7 180:9	extremely	147:22	27:7 39:23
213:24	enforce 84:17	70:12 73:13	evident 38:11	expectation	128:3	feet 67:6	48:16 57:7
elasticity 25:2	enforceable	75:4 110:25	evolved	98:2 149:10	129:20	felt 149:9	57:9 80:10
199:7,13,14	129:21	111:23	183:24	176:3	eyebrows	fewer 84:12	81:17 106:5
199:17,22	enforced	112:4,9,16	exact 110:18	expectations	122:2	field 30:25	106:12,16
elect 61:8	88:24	113:5,18	175:10	65:18		fifth 73:23	136:3
elected	enforcement	114:5,10,19	197:3	expected 10:9	F	107:15	156:24
136:11	50:11 64:15	114:22	examine	11:25 147:8	face 202:16	figure 41:22	203:21
election	65:24 66:2	115:2,19,22	158:18	178:14	facilitate	45:4 51:11	fiscal 2:23 3:2
136:12	66:10 67:23	154:21,22	examined	expects 10:20	155:7	84:7 139:5	3:4,10,13
elementary	84:16 88:19	155:16	11:12	expedite	facilities 48:8	139:15,17	4:5,7,8 6:9
69:21	88:21	equal 145:7	examining	200:4	fact 18:3 21:8	144:11	8:6 16:2
embrace	129:18,19	equation	169:4	expenditure	54:18 55:10	149:23	18:25
108:10	130:5,10,21	79:10	example 97:8	17:15	140:15	figured 82:14	173:25
emphasis	engaged	174:23	158:5 172:3	expenditures	141:3	figuring	fiscally 38:16
113:13	154:7	error 17:10	195:7	6:8 16:6,8	165:13	50:12	fit 33:8 80:5
166:23	enhance	ESCO 26:20	209:19	38:20	factor 7:22	202:17	five 3:9 4:10
					78:22		

Committee Of The Whole
March 29, 2016

Page 9

5:5,16,18	flexible 37:2	foresight	Frank 172:17	166:16	6:25 8:14	66:15	106:18
5:21,25 7:9	fluctuates	127:24	Frankford	167:15	9:9 10:22	generous	117:22
7:13 9:16	7:24 181:13	Forget	202:3	168:9,24	16:7 17:10	133:9	120:18,20
10:3 13:11	fluid 111:7	207:23	frankly 21:18	169:14,18	17:12 93:2	gentleman	126:10
14:12 31:12	focus 5:12	form 187:3	21:20	170:5	120:23	160:16	138:14
32:22 36:2	14:25,25	former	155:24	185:11	149:13,15	gentrifying	141:24,25
37:18,20	53:13 102:9	187:23	French 155:5	187:18	FY18 6:12	135:24	142:3
38:5,16,21	164:22	forms 53:11	frequent	188:11	8:19 9:13	genuinely	144:12
40:18 41:2	171:18	187:2	10:14	189:4,10	90:17 91:8	39:3	146:12
41:9 67:7	191:17	formulaic	fresh 57:22	202:25	93:2 120:24	geographic	148:3 149:8
81:15,16	focused 81:16	174:22	202:16	205:21	150:4	33:6	149:23
88:18 90:13	focusing	forth 43:23	Freudian	206:4	187:18	getting 35:3	150:14,18
105:24	80:14	65:18	215:10	fundament...	FY19 8:22	36:18 49:22	164:11
106:14	folk 68:15	163:11	friends 29:17	22:21	30:7 93:9	58:5 82:23	165:18
108:6 111:8	folks 2:12	167:22	146:23	funded 12:3	187:20	89:4 93:22	171:25
118:11,20	21:20 29:5	197:16	front 54:25	13:7,14	189:3	99:12 104:9	173:12,19
118:21,23	48:11 75:18	forthright	frustrated	16:9 26:4	FY20 93:14	143:13	177:19
119:3	116:12	166:9	63:25	100:3	189:4	145:9	180:5 181:9
120:20	137:25	forward	frustrating	funders	FY21 5:5	196:23	181:10
131:20	139:25	47:22 50:13	73:20	174:23	6:15 7:16	give 17:21	187:19
132:3	140:12	50:15 51:19	frustration	funding	7:18	34:3 55:14	189:23
145:17	141:7,20	57:19 70:6	70:10	11:13,18		56:22,25	190:23
149:17,19	209:25	74:10 81:23	full 8:25	13:13 16:14	G	87:9 90:19	191:10
151:6,14	211:21	94:14	32:25 33:13	37:15,23	gain 124:21	91:16 94:17	193:14,24
152:20,23	212:5	127:21	33:16 35:16	41:20 98:22	game 148:8	139:16	207:22
152:25	follow 32:18	128:25	35:19 57:8	99:12,15,19	205:25	208:25	goal 6:17
153:16	64:7 72:18	131:20	58:5,11	99:20 145:9	gap 113:6	given 19:4	14:24 46:2
179:3 181:6	100:23	134:8	69:16 93:10	150:22	geared 84:22	34:21 38:17	97:18
187:17	180:15	154:11	93:12 94:8	151:19	210:16	41:7 65:8	105:10
189:13	186:10	161:21	94:12 99:15	158:13	general 9:8	71:11 81:18	180:24
190:18,21	follow-up	162:10	193:5	182:2 189:8	16:6 36:4	176:7,16	181:5 183:5
215:16	162:12	163:12,21	213:23	196:3,24	98:14 117:9	186:24	183:15
five-year	171:9	163:23	fully 12:2	funds 16:2	117:15,16	gives 67:20	goals 18:11
34:23 37:22	186:16	166:11	32:21 34:17	17:14 78:15	118:18	106:5,6	49:20 50:3
39:3 151:25	188:24	170:21	79:14 99:17	167:4,8	121:7	194:5,7,9	66:21,22
fix 46:9,21	198:21	188:8	100:3 180:8	furniture	156:15	194:14	130:4 156:2
50:21 52:4	215:14	forward-loo...	218:5	160:19	185:11	215:25	181:20,22
52:6 53:16	following	4:6	fun 2:8	200:11	191:3 192:7	glad 17:2	goes 9:7
fixed 6:22	33:2	found 12:25	fund 6:3,11	201:4 202:7	195:15	43:4	19:25 27:5
31:12	follows 77:14	37:2	6:12,18,23	further 41:15	202:24	global 87:8,9	39:23 55:25
195:14	87:18	foundation	9:8,15,18	future 6:20	205:21	87:10,18	116:15
fixing 18:13	food 141:8	174:13,16	11:11 16:3	47:19	206:4	GMA 33:5	117:12,17
142:10	179:24	foundations	16:4,6,8,15	107:22	generally	go 27:25	118:6
flags 64:9	foot 43:17	175:19	17:9,13	119:20	78:3 79:16	33:17 34:14	157:20
flat 37:15,22	force 159:8	176:9	38:9 41:7	157:11	210:5	39:18,22	181:25
86:7	forecasting	177:21	66:3 98:5	205:3,10	generate	45:9,22	189:18
flat-funded	87:6	four 5:19	98:14,22	FY12 37:19	11:25	56:4 64:4	going 2:3
149:10,19	foregoing	68:12 88:17	99:17,18	37:20	105:23	69:20 76:24	9:11 22:11
151:12	135:2 137:8	102:4	100:3 117:9	FY15 10:9	196:5	77:11,24	22:23 23:12
152:23	218:7,20	106:13	117:15,16	181:19	generated	87:25 88:4	23:19,21
flesh 49:12	foresee	121:17	118:18	FY16 120:22	44:20	91:23 93:3	24:14 25:15
flexibility	165:14	four-year	147:5	120:23	generates	93:10 95:25	26:20 27:14
6:19 203:3	168:13	69:25	156:16	FY17 5:4,4	197:7	104:9	27:24 29:13
					generational		

Committee Of The Whole
March 29, 2016

Page 10

29:16 32:18	153:21	184:17	199:2,5,15	109:13,16	178:23,24	146:6	104:14
35:5,14	154:3,11	196:21	199:23	132:7	179:7	happens 22:3	108:17
38:15 43:3	155:15	206:15	Greenlee 1:12	133:11	180:23	40:2 74:6	123:4 145:2
43:6,7,20	156:5 157:4	209:22	29:22,23	134:13	181:4,19	74:11,21	148:5 149:2
44:11 46:7	157:7 158:3	gotten 167:7	30:4,17	153:12,14	182:7 183:3	135:19	189:22
46:17,23	158:9 159:9	government	31:7,23	179:2,8	183:19	144:3	213:21
48:7,8 50:8	160:23	6:12 42:10	32:9,19	guess 20:11	185:5,16,24	151:10,17	hearings 3:25
50:10,13	162:13,20	43:5,18	82:12 93:21	22:21 28:12	186:4,9	181:8	22:12
51:7 52:15	165:21	44:9 59:8	102:11	31:24 33:22	188:25	happy 29:9	heaviest
53:2,21	166:13,19	142:14	148:24	34:16 39:17		29:10 37:10	19:16
55:6,8,15	168:22	Governor	156:10	44:20 73:19	H	41:24 71:23	heavily 19:12
56:22,24	169:2,15	146:16	159:16	93:19	Hackney	82:11,12	75:15
57:10,19	170:11,14	grades 12:15	160:14	101:18	69:19 79:9	84:6 130:14	heavy 166:22
59:9,18	170:16	gradual 86:8	161:3,6,14	103:13	79:11,12	138:22	hedge 167:4,8
60:3,9,22	177:13	graduate	161:22	107:13	80:10 81:6	148:7	Helen 1:13
60:23 65:7	178:12,13	12:15	162:2,8,11	148:9 151:8	81:23	hard 31:20	107:9
66:16 67:16	180:21	grant 182:2	162:23	151:21	147:12,13	36:12 65:9	help 5:19
68:14 70:5	184:2,13	182:13,17	163:2,5,15	153:6	147:14	158:23	32:6 40:3
70:9 71:7	188:7,8	183:8,9,13	163:24	162:12	148:12	177:15	53:5 87:5
73:10 74:17	190:17	granted	164:5,8,25	180:23	half 6:16	207:25	94:13 123:7
74:23 76:13	193:20	96:14	165:5 171:3	192:8	20:17,17	Harold 48:24	123:17,17
76:18,19,21	194:10	grasp 214:17	175:24	193:20	21:22 77:9	57:16	123:20
76:21,24	200:14	great 32:6	178:3,21	201:6	77:12 78:5	108:19	124:23
78:4 80:19	206:3	37:4 85:24	186:13,20	210:19	106:12,14	154:22	126:10
82:22,25	207:10,18	88:6 105:17	187:12,16	gun 43:14	114:7	203:19	182:4
83:4,4	210:6,7	106:20	191:25	guys 59:16	116:15	Harrisburg	201:19
84:13 86:10	211:2,12,25	124:5 153:8	195:19	60:5 101:20	195:6	40:13 120:5	helped 45:8
88:25 90:23	213:10,23	greater 6:19	198:17,20	104:22	Hall 1:6	havens 14:3	87:13
92:21 96:7	215:10	110:8	199:24	138:17	70:24	He'll 200:22	helpful
96:19 97:6	216:22	Green 1:12	200:7	139:25	hand 143:14	head 121:22	101:21,24
98:6 102:6	good 2:2,13	90:9,10,22	groceries	141:13	182:17	178:9	113:25
104:9	4:18,21	91:4,7,11	22:14,17	165:21	202:19	head-on 5:21	helping 68:15
117:19	18:14 22:8	91:15,20	gross 192:14	Gym 1:13	handful	heads 68:10	helps 188:3
118:13,17	30:2,3	92:6,16,19	groups 140:7	32:15,16	154:14	healthcare	Henon 1:13
118:21	42:24 44:10	92:23 93:5	grow 38:19	33:3,22	175:19	14:16	82:5,6,14
119:13,19	47:3,5	93:8,19	87:2 92:9	34:4,15	handle 49:23	179:24	84:15,19
124:3 125:2	48:13,14	94:20,24	92:10	35:8,23	happen 20:19	182:23	85:21 88:3
129:2,17	50:5,17,18	95:3,8,23	134:16	36:11,15,22	23:14 54:21	healthier	88:8 89:16
130:18	61:15 63:21	97:12,19	155:11	37:6,12	65:8 67:3	141:16	90:2
131:19	63:23 79:11	98:3,10,17	166:14	39:13 40:7	74:12	healthy 6:18	Hi 32:16 83:9
132:4	102:3	98:24 99:4	180:10	40:11 41:2	117:24	hear 4:9	172:21
134:22	105:16	99:11,21	growing	41:16 42:2	143:7	46:14 62:11	high 6:22
136:14	108:19,20	100:12,22	108:5	93:22	146:15	74:25	12:15 15:20
138:7	109:3,4	101:4	grown 185:18	102:11	155:15	108:13	25:25 27:24
140:16	120:16,17	102:12	grows 93:17	149:3,5,14	201:13	118:10	69:21 80:6
141:10,16	121:16	157:6	180:11	149:16,24	214:18	129:17	176:10
142:23	125:4	186:16	growth 7:8,10	150:15	happened	201:11	210:5
143:7 145:7	131:10	187:14,15	7:24 8:17	151:4,8,18	20:11 23:13	203:24	high-level
145:9,11	139:3	188:23	9:4,20	151:24	24:2 26:8	heard 159:10	175:18
146:2	153:22	189:17	34:21 35:4	152:9,16,21	74:6 77:15	159:19	177:13
148:25	154:5 159:5	190:9 191:6	67:15 86:8	153:5	78:12	hearing 2:15	high-quality
149:21	163:25	191:13,24	89:13 91:12	154:21	153:12,13	31:9 43:14	78:15,20,23
150:9,13	172:19	198:18,19	93:18	155:9 156:8	happening	60:21 85:2	higher 13:10
					61:10 73:5		

Committee Of The Whole
March 29, 2016

Page 11

14:6 21:25	129:14,14	implementa...	138:25	increases	175:23	194:22	159:18
27:21 79:18	human 46:16	64:15 80:8	167:22	20:5 35:21	209:4	Intergover...	160:5,18
81:5 99:3,3	hundred	implemented	187:4	37:16 41:10	informative	3:15,17	166:12
113:2 114:5	121:17,19	12:2	included 7:20	143:17	101:21	interim 135:7	186:17
114:7	169:24	implementi...	126:3	180:4	infrastruct...	136:23	189:2
211:24	188:15	95:18 154:4	includes 5:18	increasing	13:20 67:22	internally	issues 51:25
highest 80:15	hunger 15:3	implications	7:12 119:17	10:15 15:10	67:22,23	124:18	52:2 65:9
177:22	hurdle	140:13	including	54:2 94:3	initial 55:22	intimate	146:11,12
209:12	172:13	importance	41:10 126:2	137:9	initiations	205:2	146:13,20
highlight	hurtful 39:7	51:20 69:7	127:8	incremental	52:12	intractable	147:18
164:21	hypothetica...	129:5 183:9	inclusion	39:5 40:19	initiative	40:14	156:23
highlighted	175:4	important	49:19 59:12	incumbent	147:23	intrigued	160:17
133:15	I	7:4 10:2	61:18 67:24	72:25	163:14	42:16	items 155:13
highly 10:23	i.e 202:20	16:20 48:6	96:10,13	incur 85:5,11	177:24	invest 195:8	158:21
hire 51:16,17	206:3	51:6 52:3	97:10 128:9	indemnities	initiatives	211:12	J
54:6 123:16	idea 24:10	60:20 78:17	128:17	7:3	5:19 10:11	investing	Jackson 96:7
129:7 155:3	37:4 139:20	103:4	129:5	independent	11:5 27:10	5:12 182:5	jail 180:25
hires 155:20	158:17	125:24	inclusive 2:24	184:6 185:6	86:25	investment	183:5
hiring 116:12	216:7	128:3	57:9 58:17	independen...	143:24	12:3 13:21	Jane 4:13,23
129:9	ideas 159:6	129:21	73:6 88:13	184:9,20	190:16	15:21 26:23	75:9 101:18
155:10	194:23	132:6,9,10	income 7:19	186:6	202:18	166:20	158:5
207:25	IHS 87:8	146:4,20	87:20 88:5	indicate 41:5	injustices	175:2,3	188:20
208:10	IHS's 89:22	148:11	93:25	109:21	183:7	176:10	JANNIE 1:11
historic 183:6	immigrant	166:8,12	164:15,23	indicated	inmate 182:4	191:11	January 3:20
historically	153:19,25	184:16	195:14	176:9	inmates	investments	57:18 58:14
50:4	154:6	impression	209:17	indicates 41:3	179:24	10:2,12	Jersey 111:9
history 62:4	immigrants	17:21	incorporati...	industrial	181:16	15:16,20	156:6
62:13	153:14	improve 10:6	3:12	122:7,16	input 50:14	25:25 28:4	Jim 4:24
hit 22:18	154:23	14:2 47:12	increase 20:7	124:15	57:3	41:8 151:13	job 14:16
66:22 134:2	immigration	188:2	20:12,14,18	126:16,21	Inquirer	152:8	61:23,24
hoc 38:4	153:6	improved	20:23 21:4	industries	107:11	166:17	89:10 108:6
holistic 49:25	impact 11:15	190:8	21:25 25:3	84:21	inside 113:14	175:7	108:7
hone 54:3	15:5 24:24	improveme...	25:4,7	197:18,20	Insight 87:8	191:22	109:13,16
honest 140:15	47:17 87:12	135:14	28:10 34:22	209:20	institutional	195:2,14	110:8 111:2
hope 41:17	96:20	improving	35:12 49:5	210:14	128:5	investors	124:6 129:4
124:16	109:13,16	16:14	77:5,17	industry 31:5	institutiona...	143:12	130:2 132:6
130:4	139:8,9	190:22	85:15 88:9	33:9 38:22	124:16	involved	133:11
133:13	141:15	in-house	90:14,16,17	122:21	64:23	200:16	171:11
138:25	169:16,18	34:11	91:19,21	135:9	intended 64:6	119:17	189:19
169:9	170:3,16	incentive	93:13	139:24	interest 26:17	issuances	190:3,10
hopefully	187:21	112:25	103:24	141:20	101:24	118:14	jobs 44:2
160:22	188:7	113:3,24	109:23	198:8	104:7	issue 26:18	54:3 72:20
181:25	192:16	115:6	110:8	inequity 11:9	119:18	34:6 45:3	73:19 89:12
182:2 215:6	197:19,21	116:10	111:21	inflexible	125:8 195:9	66:15 94:6	89:24
hoping 86:24	207:3	210:8	123:10	36:23	interested	94:7 120:19	107:24
horse 129:2	impacts	incentivize	129:10	info 83:14	141:19	124:4 128:8	109:23
hour 84:6	169:6	115:17	179:15	inform 10:13	175:20	133:2	111:22
houses	impediments	incentivizing	180:22	40:3 65:7	198:5	148:11	116:11
135:15	165:23	129:9	197:2,9	69:22	203:16	150:20	210:13,13
housing	imperatives	inclined	210:17	information	interesting	153:9 157:9	JOHNSON
62:20	165:15	213:10	increased	20:2 32:7	104:23	157:23	1:14
huge 106:17	implement	include 10:12	90:24	97:13	123:6	158:22	join 63:24
116:6	78:21 79:21	41:12	115:15	104:24			joined 5:6

Committee Of The Whole
March 29, 2016

Page 12

Jones 1:14	19:8,9	28:19 31:8	200:17	lawyer 85:19	210:9	84:11 137:4	40:2 54:7
42:6,7,12	20:18 21:11	31:13,19	201:24	lay 65:18	let's 64:4,7	list 10:19	61:13 136:7
44:24 45:6	21:13,21	37:4,10	205:5,8	126:19	83:7 95:25	29:20	139:10
45:13 46:4	23:25 27:5	38:13 39:11	206:19	lead 123:7	133:12	listed 35:25	162:15
47:5,8	27:6 29:11	40:24 46:13	208:5,14,15	168:15	137:3	listen 127:19	180:3,10
48:14,18	30:23,24	49:15 50:3	210:19,25	leader 153:9	139:15	little 2:10	191:2
49:15 50:16	31:9,17	50:21 56:2	211:21	leadership	144:5	20:16,17	214:12,21
53:17,20,24	33:8,17,20	56:23,25	213:9,14	68:14,18	192:10	28:17 32:18	long-term
journeymen	34:9,12	59:17 61:3	214:23	175:18	level 16:14	39:25 40:15	11:7 41:21
65:22	35:11,13,18	61:6,7,8,14	216:3	177:21	40:12 49:5	42:25 49:12	41:23
JR 1:14	35:21 36:3	61:21,25	knowledge	leading 30:25	58:4 80:13	82:15 86:12	longer 172:25
juice 141:10	38:4 39:8	62:4,6,6,10	75:21 123:2	30:25	99:12 100:3	109:6 137:3	173:2,4
141:14	40:4,22	68:7 69:24	knows 62:9	211:10	113:6	153:21,23	look 11:9
June 154:13	43:7 46:16	71:3,20	146:17	learn 12:9	116:17	158:6	20:10 24:8
junior 69:21	76:4 81:20	73:11,14	Korean 155:4	47:16	157:16	162:21	37:19 46:5
jurisdiction	87:11 89:19	74:15 75:2		learned 70:16	172:9	163:12	59:16 62:3
125:23	89:21 94:16	75:11,14	L	111:13	177:22	184:4	66:24 88:4
jurisdictions	94:19	79:9,17,17	L 1:10,11,15	learning 15:2	184:25	185:14,22	102:13,15
95:4	100:15	80:7 81:11	218:14	79:25	levels 69:3	194:6,10	107:23
justify 61:22	116:19,20	81:15 89:6	labor 100:25	leave 54:12	leverage	live 45:24	125:24
	133:25	89:21 102:5	lack 150:22	163:18	185:3	59:23	137:17
K	135:7,25	102:10,19	lag 51:4	189:21	levied 11:23	111:20	138:17
K 1:12	136:2,7	103:23	laid 191:23	197:18	Levy 201:23	112:18	140:24
146:17,18	137:18	106:22	land 8:15	198:9	liabilities	114:13	141:10
keep 22:25	144:3	107:8 108:7	33:3,13	leaves 157:2	16:10 173:5	115:16	144:9
35:13 39:20	151:22	108:20	36:12 90:16	leaving 93:25	liability	141:7	145:20
128:4	152:5	121:6,9	90:23,25	94:2 95:13	157:20	206:24	158:14
136:22	157:22	122:8 130:8	91:2,4	113:8 138:8	libraries	208:2,6	169:16
162:19	163:13	138:11	102:23,24	150:17	13:25 45:22	209:12	170:8,14,16
166:13	165:13	139:2,16,22	135:12	189:20	47:13 49:3	210:6,7	173:11
203:7	166:4 170:8	142:4,5	language	left 137:19	library 46:8	212:5,6	184:3,9,19
207:18	170:12,18	145:6,7,13	153:18	173:8	lien 10:21	lived 113:2	184:21
211:16	183:6,24	145:23	154:2,8,11	legacy 157:22	104:21	livelihoods	185:7,20
keeping	184:16	146:5,6,18	154:18	legal 85:8	liens 105:11	70:3	186:5,21
33:20	185:17	147:25	languages	96:14,19	life 61:10	lives 11:15	187:5,6
167:10	189:12	148:3	155:3	165:22	188:15	67:25	189:14
179:20	190:5,20	160:16	large 107:22	legally 85:12	light 102:14	living 112:7	190:20
Kenney 4:25	196:14	162:3,17	192:11	legislate	likelihood	112:12	191:21
163:22	198:6 210:3	164:11,18	197:9	136:15	214:18	197:19	194:25
KENYATTA	212:20	165:20	Largely 8:7	legislated	limitations	198:9	198:6 199:7
1:14	215:23,24	166:14	larger 21:12	7:21 85:12	213:15	local 9:6	201:12
kept 207:21	kindergart...	168:12	170:19,19	132:14,17	limited	12:20 37:24	203:10,12
key 5:19	12:8	170:13	183:16	132:19,23	141:22	38:2 70:8	208:13,17
83:11,17	kiosks 190:25	171:14	largest 5:20	legislation	142:2	70:12 71:8	209:4
130:20	191:12	184:2,13,22	12:3 57:24	65:5 120:3	line 21:14	71:10 73:7	210:19
Keystone	knew 162:13	187:8	73:24	159:21,22	94:8 155:13	74:20 129:9	211:12,18
78:18,20	knocked	189:23	180:16,18	164:12,16	212:23	176:8	212:3
79:18 80:3	61:17	190:11,25	laser 102:8	Legislature	lines 31:8	204:16	looked 10:5
80:12	know 14:4	192:6,15	late 148:8	40:14	160:10	locked 69:15	19:8 25:2
kicked	18:15,23	194:17,19	laudable	lending 84:25	linkage 69:11	lofty 46:2	33:2 50:4
211:24	19:10,12,15	194:21,24	18:11	length 152:7	liquor 83:8	long 2:5 28:2	135:7
kid 46:15	21:21 22:10	195:4	law 53:9	lengthy 29:20	83:14,19,22	28:21 29:7	137:18
kids 150:9,13	22:25 24:7	197:13	88:24	lessen 53:9	83:25 84:4	30:19 31:25	143:23
kind 17:18			119:12				

Committee Of The Whole
March 29, 2016

Page 13

152:11	11:11 62:19	150:5	match 176:4	203:6	111:9	92:10 98:7	missing
172:2	188:11	166:24	176:21	207:12	144:22	99:2,24	129:13
200:17	189:9	179:21	matched	208:16	160:21	103:16,20	mitigate 6:20
203:11	low-income	190:12,22	181:20	213:9,16	164:17	103:21,22	mix 74:8
207:5 209:5	19:13	Malvern	matriculati...	214:6,9,20	mentioned	104:6,25	78:24
216:14	164:13	209:13	44:8	216:5,18	16:25 75:12	105:4,5,25	MMO 98:12
looking 26:10	186:17	210:6,7	matter 14:10	meaning 16:9	83:16,21	105:25	98:15,19
44:17 45:15	211:21	212:6	130:11	meaningfully	126:7	106:3,3,5,6	99:13,14,19
49:25 52:19	Low-perfor...	manage	151:9 218:7	11:7	129:16	106:7,8,9	158:12
67:3 74:24	15:6	180:13	Maynard	means 23:2	134:21	116:16	moderate 6:7
78:12 79:20	low-wage	181:15	96:5,6,6	106:8	188:20	117:13	7:8 9:4,20
79:20 80:12	212:4	managed	Mayor 3:14	139:12	193:3	118:17	moderate-i...
81:5,8,23	lower 6:10	178:12,13	3:20 4:24	150:4	met 52:24	120:22,23	62:19
100:10,20	8:9 100:18	management	4:25 42:15	157:24	139:25	120:24	moment 96:5
136:4	134:14	11:3 53:14	50:17 153:8	218:22	methods	123:15	177:4
138:15	139:4 188:4	102:21	159:8	meant 149:16	86:22	132:2,23	money 17:22
141:18	188:21	180:8	Mayor's 5:3	measure 60:9	metric 154:9	133:4,16,21	27:14 28:9
158:2 170:3	206:23	managers	5:12,17	62:18	metro 107:14	137:7,11,20	28:17 94:2
187:17	208:5 209:9	10:24	201:6	169:18	Mexico 20:12	138:5,7,9	94:3 95:13
190:2,5	211:3	Managing	MBE/WBE	measures 4:5	20:19	151:6 157:4	95:16 97:4
192:24	lower-end	46:23 49:13	49:21 64:3	39:5	Miami	157:6 158:9	99:23
203:16	210:12	174:20	64:22	measuring	107:19	166:10	102:19,21
209:14	lowering	183:17	mean 19:10	25:2	mic 25:17	168:21	138:8 147:5
210:12	207:7	203:14,22	23:4,6	mechanism	Michael	169:24	147:6
212:18,23	Lucien 61:15	203:24	24:20 30:13	66:2 130:5	73:15	174:4,6,8	157:10,13
looks 179:8		204:2,3,12	31:4 34:2	mechanisms	MICHELE	176:11,19	158:7
Los 15:7	M	Marathon	36:25 37:17	130:21	218:14	179:14,17	167:15
lose 116:16	ma'am 68:6	63:22	39:11 40:9	median 88:5	mid 194:2	183:23	168:23
loss 166:10	MacArthur	March 1:7	42:19 55:14	meet 29:10	mid-sized	185:11	174:13,16
lot 2:8 34:13	182:13	62:14 217:7	55:14 56:16	31:17 49:19	192:10	187:19,20	179:22
47:9 54:14	macro 171:12	margin	76:2 80:19	50:3 154:13	middle	188:15,16	180:2 194:6
76:7,8	Madam 42:9	143:12	88:6 94:5	meeting	209:15	193:10,15	195:5,8
81:19 86:14	main 75:18	margins 6:6	94:10 95:8	52:23	middle-class	193:25	196:6 203:4
103:12	75:21	MARIA 1:16	119:7 121:7	101:20	44:10	194:11	203:8
115:8 125:8	maintain	market 8:18	127:2	139:23	middle-inco...	195:12	205:20
140:25	116:14,18	8:22 33:6	131:19	140:5	210:13	mind 73:23	211:13
150:21	116:20,21	93:6,7	138:22	146:10	Mike 56:15	121:24	216:19
151:3	183:12	94:22	143:23	meetings	121:21	128:5	monies 104:9
155:18	209:18	169:25	147:25	146:12	123:2 125:2	215:12	173:24
156:23	maintained	194:25	149:13	member	174:20	mine 104:18	monitor
157:22	180:22	207:23	155:11	54:14	million 6:13	minimize	181:24
160:18	182:25	marketing	157:17	members	6:15 7:13	31:21 212:9	monitoring
163:17	major 7:7	84:21 85:3	159:2	4:19 16:25	7:23 8:9 9:9	minority 49:6	61:2
164:22	35:21 87:12	200:9	162:14	69:8 125:5	9:11,17	73:18	months 21:22
179:22	168:11,16	201:14	164:19	125:10	10:7,8	minority-o...	82:20 85:23
187:25	majority 78:5	202:6	166:25	142:24	11:25 13:2	57:24	104:11
191:3 195:4	making 33:17	marketplace	167:20	148:20	13:11,21,22	minute	108:9 125:9
203:7 210:3	53:15 58:16	94:16	168:16	159:3,12	14:13 16:7	207:24	166:23
212:15	66:20 80:20	married	171:18	memorand...	16:11 38:3	minutes	195:3
214:24	108:3	31:15	188:17	85:9	39:12 44:20	29:18,25	Moore 202:3
love 37:5	115:13	Mass 8:23	190:19	men 69:22	45:20 64:14	53:23 102:6	morning 2:3
181:10	124:9	massive	191:9,20	mention	67:6 71:14	misquote	2:7,13 4:18
low 6:13	135:14	38:10,23	199:11	106:21	71:17 72:22	142:7	4:22 30:2,3
	136:17						

Committee Of The Whole
March 29, 2016

Page 14

47:4,6	name 48:23	needs 69:15	125:10	90:18 91:16	115:23	OIC 69:12	197:10
48:13,15	155:5	115:4	nine 107:19	96:2 103:7	obvious	okay 18:8	199:23
63:21,23	narrow 6:6	181:15	200:9	103:9	156:16	24:4 25:12	204:11
79:11 109:3	89:19	negative	nodding	109:23	obviously	27:24 29:13	205:14
109:4	narrowly	39:18	121:21	111:22	37:18 39:20	29:17 31:7	214:4,12,13
130:17	89:23	109:16	Nolan 57:22	123:10	52:3 72:25	32:9 44:24	217:2
159:20	nasty 141:11	139:9	130:13	137:20,21	78:19 83:22	45:13 59:9	old 104:20
171:10	nation 15:6	negotiating	non-citizens	147:19	121:7	64:19 69:6	on-street
173:22	73:24	97:9	111:7	150:9	139:23	70:18 72:6	185:13
193:3	national 87:9	negotiations	non-partici...	169:10	163:8	76:13 77:7	once 8:23
mortgages	87:10,18	18:2	14:8	174:2,4	179:19	78:2,13	30:7 45:10
85:3	natural 37:16	neighborho...	non-resident	180:21	184:14	81:2,10	54:21 59:9
move 50:12	nature 22:9	11:9 18:13	7:17 109:15	184:5	185:3	85:21 92:16	74:12 93:9
51:15 70:6	necessarily	19:8,9	112:12	195:14	occupancy	95:23 98:3	147:13
77:24 79:4	22:16 45:9	45:19 62:2	207:8,10	197:5	196:22	99:21	189:3
100:17	77:23	75:13,13	non-residents	208:14	occurred	105:19	ones 167:9
113:4 114:3	necessary	139:12,13	109:8,22	211:23	156:23	109:3,19	200:6
114:25	11:18 81:4	203:4	111:13	numbers	OEO 155:12	110:2,12	205:10
115:7,21	necessity 29:2	neighborho...	164:14	17:12 23:15	155:17	112:15,21	ongoing
127:21	need 12:24	5:14 19:13	207:2	24:7,21	office 4:24	116:8	40:21
161:21	27:18 28:23	43:17 46:13	non-sugary	59:22 64:24	8:16 71:5	117:25	online 52:13
163:20,23	40:24 41:20	47:25 54:7	141:5	64:25	97:24	120:7	onset 58:11
170:21	50:6,7	58:3 72:25	normally	102:22	103:11	121:15,23	OPA 8:14,19
202:22	62:21 63:8	75:24 76:4	140:11	104:16	153:25	126:25	8:25 30:6
moved	65:18 70:13	76:7,8,23	North 67:13	105:20,21	154:6 187:8	127:18	31:11
154:24	71:20 74:11	84:23	Northwest	106:17	Officer 51:24	132:12	102:13,14
moves 114:21	76:15 80:15	139:10	74:15,17	122:14	79:12	133:13	120:19
movie 106:20	83:14 88:19	145:10	notably 11:2	126:3,12	147:14	137:2	122:7,16
moving 38:23	94:11	154:24	note 60:19	127:17	offices 31:9	142:24	126:17
51:9 52:9	102:18,19	155:4 210:2	127:20	129:18	208:3	144:13	134:20
74:10 94:14	102:19	net 28:14	142:16	137:5	officials 5:9	148:20	OPA's 122:2
95:21	103:2	networks	149:25	166:14,15	136:11	160:12	open 25:15
115:10	107:25	140:7	212:13	177:16	oh 1:15 55:7	161:14	147:4
134:8	111:11	never 58:4	noted 126:15	181:21	59:10,11,15	162:8,11,23	opened
162:10	112:18	96:5 123:14	notes 218:6	184:2,9,10	59:19 91:18	163:5,24	154:24
166:11	114:11,22	new 5:22 8:23	notice 141:2	185:6,8	108:24,25	165:5,24	opening
multiple	116:20	27:9,11	noticed	186:3	109:5,19	167:25	208:3
152:14	117:23	30:6 38:6	138:16	207:21	110:2,12,16	168:10	operate
multiplier	119:22	45:20 54:15	notwithstan...	208:16,18	110:20,24	170:6,25	191:18
108:6	120:2 121:2	55:4,12,12	137:6	numerical	111:17	171:3 172:6	operates 6:6
municipal	124:21	64:16 69:16	NTI 54:22	91:16	112:6,15,21	172:14	operating 3:4
17:25 45:24	125:25	71:21 72:22	nuances	Nutter 56:15	115:24	173:21	4:4 5:3
160:18,20	145:22	74:10	171:13	161:10	116:5,8,23	174:9	opinion 74:18
161:5,8	146:19,22	100:25	number 5:8		116:25	175:21	107:21
171:15	156:21	107:23	8:3 10:3,13	O	117:10,18	176:24	opportunities
200:8,13	159:20	111:9	10:15 16:12	objections	117:25	177:25	48:21 52:21
201:14	187:9 189:5	134:16	18:24 24:20	218:4	118:4,9,25	178:18	70:5 86:2
MURPHY	189:8 208:5	154:23	25:12 31:21	objectives	119:7,15,24	183:19	157:12
218:14	209:15	156:6 157:5	42:14 52:20	130:4	120:4,7	186:12	opportunity
	210:17	158:4	52:20 59:20	obligation	153:22	191:24	5:13 16:16
N	needed 14:22	163:10	59:21 65:19	98:16 168:8	206:21	192:21	16:24 25:18
Nabisco	121:17	202:15	65:21 69:8	obligations	208:22,23	195:17,17	42:24 46:17
209:20	143:18	newer 73:12	73:7 87:24	188:6	211:15	196:19	49:5 67:21
NAICS 89:19				obstacle			

Committee Of The Whole
March 29, 2016

Page 15

71:6 81:19	96:24 99:22	Parker 1:15	167:4	190:14,23	47:24 54:6	71:15 77:12	39:19 57:23
88:10,20	110:9	120:13,14	197:20	195:5,9	57:20 61:8	77:12 86:9	90:25 94:5
129:14	111:21	120:18	201:18	201:25	61:22,25	86:9 90:17	130:10
156:3	112:7,13	121:15,23	205:7 206:6	payback	62:2,12	91:12 93:13	210:12
157:25	113:14	122:19	particularly	26:23	67:14 69:9	98:11 116:3	PGW 168:12
158:15	115:12	123:5,19,22	38:18 72:20	paying 23:2	69:13 70:3	116:4,5,6	phase 67:15
opposed 21:9	123:17	124:2 125:6	73:2 124:6	27:3,10,19	74:9,10,19	116:15	68:24 69:2
82:23 94:9	124:22	126:9,25	124:25	27:20 75:18	76:15 77:21	118:12,16	69:5
110:3,9	135:9,11	127:18	125:9	85:14 98:6	77:24 84:4	120:21	phased
199:10,19	136:4	128:13,20	127:23	99:8 127:22	86:16 87:24	137:6,25	143:24
206:2 211:9	155:23	128:24	141:7	130:3,7	88:23	155:12	Philadelphia
212:5	165:19	130:13,24	166:14	137:25	100:17	156:25	1:2,6 3:8,10
optimism	208:6,6,11	parking	197:15	payment	105:12,15	157:16	5:15 11:22
46:18	212:5	183:21	198:7	98:15 105:2	107:3 111:4	171:20,22	13:15 15:14
optimistic	outstanding	185:4,12,14	parties	191:3	111:15,20	171:25	37:14 42:21
154:12	129:4	185:21	173:13	payments	112:18,19	172:2,5,9	46:11,19
options 141:2	137:19	parks 13:25	partly 77:21	99:16	113:4,8	179:8	49:2 58:4
141:6,9,21	overall 116:9	46:8 174:15	partner 53:5	104:25	115:8,10,13	180:22	66:24 68:2
141:22,25	125:20	parsing	partnership	peaks 6:15	115:17	182:8,12	69:12 71:12
order 9:25	179:5 183:6	204:15	50:8	peers 12:11	126:20	195:6,6,7	73:21 76:20
11:6 49:19	oversight	part 24:10	pass 19:22	penalized	129:8	percentage	80:9 86:3
ordinance	184:23	36:7 40:20	22:23 42:24	114:24	133:18,23	20:13	96:4 111:5
2:22,25 3:3	overtime 11:3	45:11 46:14	61:24 85:5	penalty 104:7	134:4	171:14	112:10,19
3:19	178:12	48:6 54:24	85:11,15	Pennsylvania	135:10,14	192:12,14	114:13
ordinarily	180:7,8,16	69:16 72:3	143:10	1:6 3:15	141:16	197:9	115:2 150:2
48:11	180:19	74:16 76:22	pass-on 21:9	96:11	145:16	perfect	155:23
organization	181:24	77:19 79:2	83:4	penny 106:4	146:7,22	136:14,15	177:8
96:24	182:25	83:20	passed 20:5,8	106:5,8	147:22	136:19	190:14
organized	owe 195:5	109:11	20:21 23:21	194:5	164:24	performing	191:19
14:19	owner 96:7,8	136:21	77:8,13	pension 6:3	169:13	167:5,6	195:3
original 27:6	owners 51:16	153:12,12	83:21,23	6:23 9:15	171:18	period 34:23	206:24
originally	51:18 140:8	154:8	164:12,14	9:18 16:3,4	190:23,25	74:2 95:6,9	208:4
103:15	140:10	157:18	passes 22:19	16:13,15	191:5	100:4	209:13,16
OT 178:12		167:20	passing 77:5	98:5,7,15	192:16	105:24	209:21
Otis 69:19	P	189:22	passthrough	98:22 99:18	193:19	151:25	210:11
79:9,12	p.m 217:11	190:17,19	21:8	100:3,13,20	202:11	152:10	Philadelphi...
147:14	pace 31:5	197:11	path 48:2,3	156:16	208:2,6,10	158:8	9:23 12:7
ounce 11:24	Page 17:8	198:10	156:22	157:5 159:9	209:14,23	174:14,17	184:15
20:25	25:20 30:5	participants	pathway	160:5 166:6	214:8	216:20	Philadelphi...
outcome 49:9	89:10 90:12	44:7	69:23	166:16	215:18	periodically	86:2,23
58:7	90:22	participate	pay 9:13	167:15	percent 6:14	120:9	89:3 156:4
outdoor	paid 26:14	14:5 74:20	13:18 15:21	168:7,24	6:16,17,24	186:25	211:6
161:17	51:10 87:22	participation	18:17 26:2	169:14,18	7:11,16,16	person 4:11	philanthropic
outlook 89:10	paper 52:8	13:8 49:6	26:14,18	170:5 195:8	7:18,18,25	23:16	13:24
outreach	paradigm	50:5 54:17	27:9,17,21	195:10	7:25 8:17	113:14,25	philanthropy
155:15,19	68:5 211:2	54:24 58:25	28:3 66:9	pensions	8:21 9:4,5,6	114:18,21	176:5
155:25	parcels	64:4 72:20	76:18 78:15	95:17	9:9 12:7	personal 2:11	Philly 23:14
156:5	125:19,20	73:18 97:14	84:11 99:8	156:14	14:6 16:5,9	82:9 111:18	philosophic...
outset 66:10	125:23	97:22	99:10	194:18	24:9,19	personally	68:11
66:13	127:9	particular	105:12	people 17:21	25:3,5,6,7,8	212:16	philosophy
outside 11:10	Pardon 161:6	22:2,6	117:6	21:24 22:24	34:20 38:19	personnel	65:3
51:9 57:21	parents 13:8	26:15 34:21	124:22	24:10 34:25	45:16,17	34:5 37:7	physical
87:7,15	80:22	76:17,22	129:23,25	43:16 47:18	50:5 71:13	perspective	47:12
	park 49:4						

Committee Of The Whole
March 29, 2016

Page 16

PICA 115:25 117:4,7 118:24 159:17,19 160:4,7 pick 146:23 picked 17:12 145:12 picture 42:20 69:16 171:12 pictures 141:4 PIDC 51:17 96:18,21 piece 71:21 105:7,9,18 107:7 134:7 169:23 197:22 198:10 piggyback 67:20 pipeline 44:2 46:12 69:10 69:15 129:6 129:11 Piper 121:21 123:2 124:12 125:4 126:10,24 127:6 128:10,11 place 8:24 27:7 30:8 40:23 45:5 94:12 157:21 164:20 174:16 places 20:20 23:6 33:7 47:15,16 77:4 78:12 plan 3:9 4:7 4:11 5:6,17 5:18,22,25 6:10 7:9,12 7:21,25 9:16 10:3 10:10 13:12 14:12 30:9	30:15 31:12 35:9 36:2 37:20 38:5 38:13 41:3 49:8 81:15 81:17 86:7 86:10,11 88:4 89:11 90:14 100:17,19 104:4,8 108:10 118:11,20 118:21,23 119:3,6,10 120:20 131:20 132:3 133:4 142:6 144:7 144:9 149:17 153:15,17 156:24 157:21 158:4,8,9 160:22 161:2 164:17,22 187:18 190:18,21 191:23 215:16 planned 10:22 67:12 planning 40:17 41:8 80:8 plans 16:19 38:25 65:5 150:2 153:24 154:3 playgrounds 47:14 72:23 plays 41:14 please 2:19 4:15 81:22 113:20 161:15 204:7 pleased 5:2 plenty 85:22 pocket	202:20 point 12:10 54:21 55:10 57:7 58:10 58:10 65:14 82:9 104:17 106:11 114:7 119:16 145:3 155:13 167:18 175:22 177:14 189:21 point-of-sale 83:18 pointed 157:6 157:18 policies 44:15 157:14 210:4 211:8 policy 45:7 98:22 99:19 99:20 139:3 ponder 140:24 poor 76:3 poorer 75:15 pop 43:2 popping 166:13 population 76:17 107:12 179:5 180:25 182:8 183:5 populations 76:9 portion 9:6 23:25 66:4 66:9 91:2,4 98:14 110:3 110:21 116:2,21 117:5 position 20:4 40:5 170:15 197:13 203:20 positions 123:11	positive 15:5 possibilities 48:12 possibility 78:8,10 201:12 possible 64:21 80:5 104:3 158:4 166:25 189:8 195:8 199:8 possibly 104:8 potential 12:22 134:23 138:2 174:23 176:8 188:6 potentially 136:16 157:11 168:14 poverty 11:8 powder 138:18 power 97:10 PPA 184:7,13 PPA's 184:9 pre-appren... 47:23 pre-constru... 68:24 pre-K 12:14 12:20,25 13:4,7,14 18:12 45:21 78:16 95:16 132:9 143:18 144:23 146:3,8,19 147:7,24 174:15 212:24 pre-kinder... 12:5 pre-recession 9:22 pre-sale 104:25 105:2	precarious 37:21 predatory 84:25 predict 164:6 predictability 6:21 preface 18:10 preference 70:8,13 71:11,13,15 premise 26:11 202:5 preparation 165:10,20 preparatory 81:21 prepare 43:9 165:13 prepared 166:2 178:17 preparing 147:16 presence 153:13 present 1:9 2:15 59:21 64:24 148:14 presented 38:6 presenting 172:13 presents 12:21 President 1:10 2:2 3:23 4:14 4:19,21 15:16 17:5 17:16,20,24 18:6 20:3 20:22 21:2 21:6,17 22:20 23:9 24:3,13 25:11,14 27:2,12,23 28:6,24 29:4,12,24 32:11,12 42:3,8	43:23 53:18 53:22 54:11 55:20,24 56:8,13,21 57:6,14 58:9,15,21 60:12,15,16 61:20 62:9 62:22 63:4 63:9,13,16 63:20 72:8 72:9,14,15 81:13,25 82:7,17 90:6,11 96:2 101:11 101:16 108:4,21 109:2 112:22 113:11,19 114:8,16,20 114:23 115:5,20 120:10,15 128:15,18 128:21 131:2,4 142:19 143:2 144:14,16 144:21 147:9,10 148:17,18 164:2 200:2 200:19,24 203:13,17 203:23 204:6,10,18 204:23 205:13,16 205:24 206:10,14 208:20 210:20 212:11 213:4,8,19 213:25 214:5,14,25 215:4,8,22 216:9,12 217:3 President's	65:13 187:7 presidents 68:20 pressure 188:12 pretty 2:8 29:20 38:3 103:14 107:5 133:9 155:16 prevailing 129:24 130:2,3,7 prevent 43:24 preventing 45:8 prevention 43:21,22 preview 43:3 previous 19:18 101:7 187:25 195:25 previously 190:12 price 20:12 21:15 22:7 71:14 prices 77:6 85:15 184:11 primarily 76:17 209:14 primary 126:22 127:3 150:11 prior 10:22 110:25 179:16 priorities 74:13 139:7 prioritizing 80:14 priority 43:22 53:16 95:12,20 97:11 201:8 prison 179:2 179:5,14 180:7,12 181:11	Prison's 183:17 Prisons 179:6 180:5 182:21 private 13:24 26:21 96:11 147:3 169:25 privately 65:2 privatized 169:17 170:12,15 privatizing 169:11 170:17 privilege 25:18 82:10 pro 133:9,11 probably 2:9 19:13 81:16 101:5 104:13 105:7 121:18 156:25 162:6 189:12 214:17 problem 34:5 34:24 37:7 46:10,21 61:13,14 63:3 156:20 157:2,3,15 164:7 208:9 problems 5:21 31:10 34:8 38:11 52:4 165:16 proceedings 218:4 proceeds 9:19 66:5,9 168:8 process 2:5 2:14 30:21 30:22 34:9 34:14 51:14 52:6 55:12 55:18 57:9 58:23 59:4
---	---	---	---	---	--	--	---

Committee Of The Whole
March 29, 2016

Page 17

59:13 60:25	54:15,19,23	93:9 133:22	176:12	195:24	99:22	186:16	13:7 87:4
81:8 82:20	55:18,19,21	134:8,11	proposes	pursuant	113:16,20	200:6	88:2 119:18
90:3 93:24	57:2,4	199:21	14:13	3:17	113:21	quicker 95:5	rating 167:13
95:5 97:5,7	60:21 66:14	projects 26:4	proposing	pursue 159:6	118:4,10	100:4 214:3	187:22
100:7 104:3	67:8,25	50:24 51:15	168:22	167:14	123:7	quickly 75:10	188:3,13
121:9	71:8 104:11	51:18 52:5	196:7	pursued 45:7	124:12	94:15 95:21	ratings
127:22	105:6	53:8 62:15	proposition	push 36:6,9	128:7,16	100:23	188:12
128:6	143:19	66:23 67:12	145:22	36:18,19,21	143:3,14	135:23	ratio 122:22
161:10,21	147:7 154:8	68:22	prospect	146:14	151:9 153:6	Quinones-S...	124:13
161:23,25	159:21	promise 2:7	168:11	156:22	156:13	1:16 131:7	125:18,19
189:23	163:21	promised	prospects	198:9 214:6	159:15	153:11	RDA 56:14
190:15,18	175:5 206:6	130:23	47:18	pushing 30:8	162:12	210:22	re-loop 34:23
191:4,8	programmi...	155:11	protocols	36:2	164:10	quite 18:2	reach 13:13
200:4,25	10:17	proper 88:21	64:9	put 19:19	182:15	155:23	155:22
214:19	programs	102:22	proven 11:14	30:23 57:2	183:20	quorum 2:14	reached
216:24	5:25 7:4	properly	provide 5:2	57:3 61:9	189:18	quote/unqu...	167:4
processes	11:14 14:17	181:16	9:25 11:13	64:13 66:13	192:7,22	23:17	reaches 6:13
52:8 55:13	78:19 80:4	properties	11:17 14:15	66:21 102:8	194:17	215:17	reaching 53:3
177:19	88:24	8:20 32:21	45:25 47:14	110:4	198:3	216:16	reaction
procurement	130:15,19	32:24 90:18	49:4 71:25	113:12	200:10,21		21:16
46:10 50:21	130:22	91:9 102:24	95:15	140:16	202:15	R	read 2:19 4:3
52:5,7 53:7	143:20	121:12	154:18	142:15	206:2,18	raise 19:2	ready 67:11
71:9,24	157:13	122:13,24	209:22	159:18	212:14	52:2,2	67:15 81:22
86:22 95:25	progress	124:14,15	provided	164:22	216:8	raised 37:23	reaffirming
96:3,17,20	179:22	126:13,23	184:6	166:22	questioning	37:25 122:2	124:8
97:2,4,16	project 26:2	127:5	provider	167:2,15,21	155:24	152:2	real 6:8 8:11
97:24 161:9	46:20 49:10	135:21	205:19	168:8	180:24	186:17	8:13 9:21
165:16	53:13 58:17	property 8:11	providers	169:24	questions	189:2	25:15,20
produce 8:21	106:2	34:19,20	30:25 79:4	188:12	5:10 17:3	raising 11:19	38:11 45:10
produces	project-labor	53:13 91:19	79:5 80:12	191:16	18:19 25:19	18:21	52:3 65:8
100:11,21	50:9 65:17	91:22 103:5	80:17,17	202:10	29:15 42:14	ran 57:24	74:18
106:4,7,9	projected	122:23	provides	puts 136:12	43:2,20	81:11 173:5	102:16
producing	6:24 7:7,10	171:19	15:12	putting	60:23 81:20	range 81:9	103:17,19
118:17	8:8,9,20 9:8	proposal	providing 3:7	153:24	82:24 86:5	136:5	103:25
product	9:17,22	100:9	25:22 78:23		93:20 125:6	ranged 20:16	111:15
20:16 22:2	16:5 37:22	167:21	156:2	Q	125:15	ranges 97:14	119:2 142:9
22:6	45:17 91:23	169:4	164:12	quadplex	144:23	97:22 135:9	167:23
productivity	105:24	174:18	public 2:15	28:16	145:4	135:11	173:10
13:10	120:22	216:15	3:25 17:17	quality 12:5	147:15,19	rapidly 38:23	216:21
products 22:4	121:25	proposals	43:20 46:9	12:14,20	148:2 149:4	rate 7:12,15	realistic
77:22,25	131:14	19:18	46:20 53:13	13:4,7,14	149:8 169:8	7:17,22	151:15,19
professional	143:4,5,15	214:16	73:19 147:2	14:10 47:16	178:25	14:7 25:25	152:22
49:24 68:25	projecting	propose	147:5 150:3	79:18 80:6	189:13,24	26:17 27:21	153:2
124:20	39:11 89:13	28:13	150:18	80:21 81:5	192:5	27:25 34:20	realities
profit 143:11	150:7	109:17	218:15	quantitative	212:16,19	37:15 86:10	21:24
profits 22:25	projection	proposed	publicizing	169:10	213:17	87:2,15,21	reality 22:5
program 2:22	92:3 133:18	3:12 4:4 5:3	10:18	question 27:4	217:6	137:5,9	54:18
4:6 13:23	166:15	5:4,17 7:14	publicly 13:7	30:5 31:24	quick 17:7	139:5	realized
28:13 44:4	projections	10:3 11:22	13:14 65:3	37:13 44:12	18:18 25:15	155:25	216:15
44:6,8	8:19 38:15	42:18 50:24	pull 54:22	51:6 56:19	25:20 86:5	180:18	really 31:2
47:11,23	38:18 41:6	54:16	purchase	60:15 75:9	93:23 102:7	196:4,5	32:5 34:25
49:20 50:2	86:4,7	105:23	77:23	78:14,16,18	178:25	206:25	39:2 41:20
51:8,22	87:13 89:22	175:6 176:7	purposes	79:13 83:2	183:20	216:7	42:16,24
				93:20 98:4		rates 7:14	

Committee Of The Whole
March 29, 2016

Page 18

47:15,22	51:23	121:2	183:5	205:9	158:13	61:1 62:1	167:1 168:1
50:18 60:19	rebuild 47:11	127:21	207:15,17	region 153:14	report 186:24	63:1 64:1	169:1 170:1
73:7 75:10	67:10,16,20	132:25	reductions	211:7,9,10	reporter	65:1 66:1	171:1 172:1
76:20 82:20	67:25 97:20	166:7,11	7:12,21	regional	218:24	67:1 68:1	173:1 174:1
91:24	97:22	recovering	109:11	87:11 176:8	representat...	69:1 70:1	175:1 176:1
105:10	130:17	6:4	131:15	209:6	10:16	71:1 72:1	177:1 178:1
106:17	165:18	recovery 9:23	132:13	registry	representing	73:1 74:1	179:1 180:1
108:2,10	rebuilding	recreate	133:5,7	155:12	159:12,12	75:1 76:1	181:1 182:1
129:25	13:19	47:16	183:12	regressive	159:13	77:1 78:1	183:1 184:1
134:2	rebuilt 96:8	recreation	207:13	139:3	reproduction	79:1 80:1	185:1 186:1
136:10	96:21,25	13:25 45:23	210:15	regular 97:7	218:21	81:1 82:1	187:1 188:1
145:25	rec 18:13	54:3 72:22	211:14	regulated	request 24:23	83:1 84:1	189:1 190:1
146:3	46:8 47:13	212:24	212:2	161:18	162:3,5	85:1 86:1	191:1 192:1
150:25	49:4 174:15	recruit	reemphasize	reinforce	163:8	87:1 88:1	193:1 194:1
155:25,25	Receipts 7:20	111:10	134:19	43:8	require 102:7	89:1 90:1	195:1 196:1
157:14	receivable	112:17	reference	reiterate 62:9	196:5	91:1 92:1	197:1 198:1
159:5 166:8	173:9,20	114:12	24:16,18	63:2	required	93:1 94:1	199:1 200:1
167:6,19	receivables	recruits	96:12 97:20	related 15:13	34:11 98:20	95:1 96:1	201:1 202:1
168:4,5,6	172:24	47:24	98:4 101:6	87:19 134:2	requirement	97:1 98:1	203:1 204:1
173:11,18	received	recurring	187:21	relates 22:13	99:10	99:1 100:1	205:1 206:1
182:9	137:22	11:13	188:25	23:20 28:14	requirements	101:1 102:1	207:1 208:1
191:17	182:14	red 27:25	189:19	28:15 68:3	53:10 97:3	103:1 104:1	209:1 210:1
194:4 197:9	192:24	64:9	199:16	141:6	97:5	105:1 106:1	211:1 212:1
197:17	193:5	redo 68:2	215:17	174:14	requires	107:1 108:1	213:1 214:1
211:25	receiving	reduce	referenced	179:3	27:25 99:8	109:1 110:1	215:1 216:1
212:2	134:24	109:21	70:23 200:8	202:17	RES 3:1 4:1	111:1 112:1	217:1
reason 26:9	recess 148:23	111:11	201:7	relationship	5:1 6:1 7:1	113:1 114:1	resident 7:15
26:17 27:6	217:7	112:18	216:13	26:6	8:1 9:1 10:1	115:1 116:1	109:15
28:21 30:10	recession 6:5	113:5	referring	relatively	11:1 12:1	117:1 118:1	113:23
30:11 45:12	recipes 84:5	115:22	100:13	16:18 34:19	13:1 14:1	119:1 120:1	207:7
121:25	recognize	132:2	127:9	66:14 86:6	15:1 16:1	121:1 122:1	residential
136:22	155:2	166:15,24	reflect 122:14	207:13	17:1 18:1	123:1 124:1	8:18 32:20
150:17	156:22	180:2,25	reflected	reliable	19:1 20:1	125:1 126:1	32:24 33:16
200:20	186:15	reduced 13:9	38:25 134:7	196:23	21:1 22:1	127:1 128:1	35:11 90:15
210:8 214:6	recognizes	134:14	153:16	remain 34:19	23:1 24:1	129:1 130:1	92:14,18
reasonable	29:21 32:14	216:17,20	181:6	remainder	25:1 26:1	131:1 132:1	93:16
202:14	42:5 63:17	reducing	reflects	9:12 117:8	27:1 28:1	133:1 134:1	102:25
reasons 113:9	72:11 82:4	12:23 15:8	120:21	remaining	29:1 30:1	135:1 136:1	121:5,14,18
169:12	90:8 101:13	109:17	reform 7:19	9:19 82:19	31:1 32:1	137:1 138:1	122:8,12,17
reassess 8:19	108:23	111:19	51:8,21	remains 8:12	33:1 34:1	139:1 140:1	122:23
reassessed	120:12	179:4,21	133:3	remark 63:2	35:1 36:1	141:1 142:1	124:13
8:14 32:21	131:6	180:20	regard	remedy 54:17	37:1 38:1	143:1 144:1	125:21
reassessing	142:21	reduction	130:17,18	remember	39:1 40:1	145:1 146:1	126:4,4,6
34:18	144:18	27:16 77:20	145:15	44:6 61:15	41:1 42:1	147:1 148:1	126:14,17
reassessment	recognizing	109:7,7,9	190:17	reminder 9:5	43:1 44:1	149:1 150:1	127:3,5
9:2 32:25	154:13	110:4,5	regarding	remove 73:10	45:1 46:1	151:1 152:1	135:21
32:25 33:14	183:6	113:13	2:16 72:19	renegotiate	47:1 48:1	153:1 154:1	residents 7:5
33:16 35:16	recommend...	115:16	128:16	167:9	49:1 50:1	155:1 156:1	11:21 14:9
35:20 91:25	6:11	116:9	129:23	rep 51:16,18	51:1 52:1	157:1 158:1	14:18 18:22
93:12	reconvene	121:25	130:10	repay 26:22	53:1 54:1	159:1 160:1	39:7 110:5
135:12	148:22	180:6	131:13	repeat 32:20	55:1 56:1	161:1 162:1	110:6
rebates 203:6	record 64:3	181:23	156:14	66:6 79:13	57:1 58:1	163:1 164:1	111:12
Rebecca	106:20	182:8,12,19	189:2,25	replace	59:1 60:1	165:1 166:1	115:3

Committee Of The Whole
March 29, 2016

Page 19

134:24	result 8:16	6:14,16	113:12,24	143:3	133:8,12	161:23	secret 124:5
164:13	14:22 34:17	11:12 38:20	116:4	186:16	134:6,10,18	165:3	Secretary
206:24	154:25	86:11 87:6	117:10,18	robust 166:4	135:16,22	199:13,16	73:11
209:9	162:19	88:9 117:16	118:25	room 1:6	136:9 137:2	204:5	161:19
resolution	201:14	118:22	119:9,15,21	39:25 95:9	137:12,15	214:22	see 21:16
1:19 2:18	202:6	119:10,11	121:21	160:24	137:23	Sayre 145:21	28:7,25
2:20 3:6,7	results	119:19	122:18	roughly 77:9	138:6,12,24	says 142:8	33:6 35:11
resource 94:7	191:11	131:16	124:3,24	106:10	139:19	192:12	35:21 37:19
191:14	retailers 22:3	143:6 152:2	133:10	121:13	140:14,21	scale 39:8	38:8 39:25
resources 7:6	85:17	184:15	136:12	138:4	165:7,8	scenario 28:8	41:14,19
11:11 16:17	retain 111:10	reverse 52:16	137:14	156:17	166:3	64:8 151:10	60:9 61:23
27:8 28:23	retiring 44:9	85:2	147:16	157:19	167:12,25	schedule	61:25 63:2
76:14 89:3	retrofit 26:13	review 140:22	153:22,25	176:16,18	168:10,18	35:25	73:4,4
95:15 103:4	27:15	Revised 3:9	156:8	route 167:17	168:20	scheduled	78:22,24
158:3	retrofits 26:8	revisit 95:24	157:17	RPR-Notary	169:7,21	117:19,21	79:8 86:3
189:15	retrospect	Reynolds	160:24	218:15	170:6,10,20	school 7:2	88:5 89:18
191:7	44:15	1:16 63:17	163:6,6	rubric 129:22	170:25	9:10,12,14	89:20
resourcing	retrospectiv...	67:2 129:3	170:2	rules 60:6	173:22	12:9,16,22	100:11,21
154:17	46:5	171:5 178:5	174:10	rumor 159:10	175:22,25	14:7,17,23	104:3
respect 3:13	return 15:20	RFP 30:23	176:6,15	run 71:9	176:2,13,20	37:13 38:7	107:13,17
128:8	25:25	100:25	177:4	96:25	176:24	38:22 41:19	120:22
150:16	195:15	Rhynhart	183:10,23	143:18	177:5,11,25	44:21 69:9	135:8
215:13	revenue 5:22	51:23,24	187:13	185:6	195:21,22	69:11	141:25
respond	8:6 10:11	190:11	189:17	rung 71:20	196:10,18	138:11	142:2
125:3	10:20 11:6	ribbon-cutt...	193:20,21	running	196:20	145:21	143:22
response	15:12 25:22	51:2	193:22	52:10 55:11	197:4,10	149:10,25	144:3,10
127:20	31:11 37:17	rich 80:24	194:15	103:10	198:4,14	152:2	149:17,18
175:3	37:24 38:2	Richmond	196:18	160:24	210:23	184:14	151:11,17
202:14	40:16 45:20	61:17	198:4 199:2		save 13:2	185:20	151:19,22
208:25	64:14 83:12	right 17:17	205:15	S	saves 179:22	189:2,9	152:22
responses	87:4 103:13	17:19 24:14	206:9,15	S 1:12	180:2	196:3	153:22
31:2 140:19	104:14	25:15 28:3	214:20	safe 14:3	saving 15:18	schools 12:20	158:18
214:2	131:13	28:22 29:13	216:6,13	47:15	savings 15:23	14:14,15	160:20
responsibili...	137:8 138:2	29:19 31:16	217:4	174:25	26:3,13,15	15:4,7 19:3	164:16
126:2	143:5,15,16	32:10,22	ring 108:14	safety 43:21	26:22 27:15	37:15 38:12	165:19,22
127:13,13	143:22	35:7 39:6	rise 8:3	150:20	28:15 51:13	44:3 69:21	167:10
responsibility	144:10	39:10 40:9	184:11	sake 144:6	178:15	95:17	172:4
127:4,14	166:11	40:10 42:22	risks 6:21	salaries 81:4	181:17,17	132:10	173:16
responsible	172:11,18	45:11 51:21	rival 13:6	salary 81:9	saw 20:18	143:19	180:21
127:11	190:21	52:7 53:24	river 67:13	sale 10:21	23:5,8	145:13,17	181:10
151:15	191:21	56:16 59:25	riveting	105:4,15	54:21	145:24	182:21
173:12	193:5	60:2,4,7,13	43:15	168:17	saying 18:10	146:3 150:3	185:23
211:6	194:10	62:18,23	road 108:9	sales 7:22 9:3	22:22 23:10	150:10,18	187:18
restaurant	199:18	63:5 68:21	157:12	9:7,19	23:12,23	150:21	190:24
197:16	201:13,17	69:3 75:6,7	211:25	10:23 77:2	28:12 37:25	SDP 185:16	191:10,21
198:7	202:5,8,23	77:15 78:3	Rob 5:6 20:2	99:24	41:17 58:13	sealed 97:8	192:19
restaurants	204:15	78:11 79:25	22:22 27:12	104:21,23	66:11 76:12	seats 13:15	198:12
84:5,9,10	205:19	85:5 86:13	44:14 93:20	105:9 158:7	76:16 94:21	80:16	199:24
restrict 96:15	206:4,5	88:7,12,16	101:18	192:13,13	109:20	second 9:9	204:23
restrictions	213:3 214:7	88:22 91:14	121:16	193:4	111:19	37:12 106:6	207:23,24
96:15,19	revenue-ge...	91:20 95:2	122:11,20	Sanchez	113:12	156:19	seeing 70:24
restrictive	184:18	99:4,7	124:4	131:8,21,24	115:6,8	200:23	72:23
97:6	revenues 6:7	100:25	126:11	132:8,12,20	142:10	seconds 102:5	150:24
				132:24			

Committee Of The Whole
March 29, 2016

Page 20

174:5 198:5 seeking 12:18 seen 19:21 20:20 28:8 29:5 52:18 58:4,7 73:9 76:3 77:4 109:12,21 110:11,13 111:3 125:7 186:2 Seize 177:4 select 30:23 selected 161:11 sell 22:5,6 65:10 105:11 send 16:20 207:15 213:17 seniors 14:9 sense 73:8 82:23 88:11 124:16 134:25 213:3 sent 187:3 sentiment 64:2 series 22:12 53:2 99:16 175:17 serious 51:7 177:18 207:17 216:18 service 7:3 9:14 10:15 13:18 15:13 25:23 26:12 49:24 79:23 117:7,12 190:22 201:19,22 201:23 services 6:22 7:4 11:19 12:24 14:15 14:19,21,22 45:25 68:25 116:14,18 124:23	150:19 153:18 154:19 169:17 202:2,11,13 set 43:23 48:10 96:24 seven 29:18 29:25 67:7 102:6 194:11 seventh 107:10,12 sewer 103:20 104:2 share 89:4 104:24 165:22 shared 9:10 85:7 122:11 sheet 103:13 165:13 shelter 15:4 shelters 201:15 202:7 205:4 shelving 141:3 shift 68:5 shock 134:23 135:5,20 136:24 141:17 shop 46:15 173:7 shore 39:8 41:21 short 28:22 148:23 shortfall 133:17 174:5 shortly 119:8 show 7:8 12:8 12:13 17:9 24:24 29:8 93:18 119:11 199:21 showing 9:3 9:20,23 199:12 shows 16:16	28:25 106:16 119:12 shrink 175:7 shut 74:22 sick 197:18 198:9 sickness 15:3 side 17:15 35:11,15,19 52:7 54:25 57:23 92:18 92:24 123:12 124:7 142:17 155:17 207:8,10 sides 41:12 93:14 207:13 sign 164:24 signal 16:20 88:15 207:16 significant 18:24 22:7 35:6 58:25 77:17 86:17 86:18 88:14 152:3 188:5 189:4 201:16 significantly 14:2 34:22 112:25 similar 20:19 21:16 44:4 95:5 simply 206:3 single 7:22 sink 59:23 sir 97:25 113:20 161:3 164:4 204:12 sits 160:17 sitting 55:3 situation 39:22 167:13 170:24 situations	111:3 six 2:23 67:5 size 16:13 48:20 49:3 125:22 176:7 skills 48:4 124:21 slight 74:8 slightly 104:15 slip 31:19,21 107:13 215:10 slipped 107:10 slipping 107:18,18 Slusser 4:13 4:18,23,23 19:17 24:5 42:11 140:4 140:18 153:20 165:25 200:12,22 203:15 small 16:12 16:18 52:25 53:4 139:25 140:5,8 154:25 155:7 192:9 207:11,14 smaller 20:13 21:4 175:5 sobered 42:25 soda 64:5 106:25 141:11 143:4,14 192:5,13,13 193:4,20 solution 12:21 somebody 114:17 198:6 215:11 somewhat 31:8 175:2 202:2	song 64:22 soon 170:8 sooner 30:15 136:17 sorry 10:7 48:24 54:12 90:20 92:13 117:2 126:10 134:9 161:7 176:25 177:10 178:2 179:11 194:8 215:9 sort 47:10 75:13 80:2 87:14,17 93:17 122:2 124:8,19 126:11 130:8 184:5 sorts 74:24 144:7 sought 10:3 sounds 76:12 113:16 source 5:23 143:16 165:19 196:24 205:25 space 67:6 spaces 14:10 Spanish 155:4 speak 48:17 57:18 70:8 71:2,7 72:5 178:10 speaking 21:18,21 86:6 212:16 speaks 74:13 special 12:24 201:19,22 201:23 202:10,13 specials 84:6 specific 82:24 129:17 148:9 200:10	203:2 specifically 40:24 89:12 161:4 164:21 speech 201:7 speed 36:23 37:3 51:12 51:14 spend 203:4 spending 4:5 11:2 39:3 47:9 69:4 72:21 spent 68:24 187:25 spite 86:19 split 117:6 spoke 173:23 196:11 spoken 160:8 spot 159:18 spread 22:3 22:14,16 103:16 139:4 165:2 spur 52:18 square 67:6 squeezed 7:5 squeezing 16:7 stability 38:8 116:22 stable 34:19 38:16 staff 4:24 42:9 54:14 66:3 81:3 126:5 127:8 127:10 staffed 155:17 staffing 37:7 181:14 182:23 stage 110:7 stand 160:21 217:6 standard 80:2 135:9 standards 33:9 122:21 star 79:6	80:12 STARS 78:18 78:20 79:4 79:18 80:3 start 2:3,13 29:16 39:18 61:3 67:17 68:22 82:22 82:25 136:17 141:4 150:2 150:5 179:10 208:3 started 43:2 55:21 56:3 56:7,14 65:25 138:21 starting 2:5 80:14 150:4 216:4 starts 82:8 state 13:5,12 13:23 37:21 39:23 40:2 40:7,13 41:11 48:23 99:8,10 151:2,13,17 151:23 153:2 159:22 161:18 162:24 184:25 stated 64:5 statement 42:14 66:7 82:17 89:6 143:8 163:19 statements 130:15 stating 88:17 156:15 status 71:3 stay 12:11,14 146:9 201:18 202:8 stays 45:4 steadily 39:8	STENOGR... 48:22 stenographic 218:6 step 47:22 steps 34:14 35:12 50:22 52:6 53:6 sticker 134:23 135:5,20 136:24 141:17 sticking 202:19 Stitt 2:19 3:24 4:12 stop 130:2 store 141:6 192:10,11 storefronts 203:6 stores 141:21 141:23 story 74:3 straight 83:23 146:21 Strategic 5:5 strategies 99:25 101:10 strategy 50:12 85:3 101:5 166:17,20 168:23 stream 131:13 205:19 streamlining 190:15 street 67:13 160:19 200:11 201:4 202:4 202:7 streets 62:11 202:11 stretch 152:13 stretches 152:6,13
--	---	--	--	--	---	---	--

Committee Of The Whole
March 29, 2016

Page 21

stronger 97:9 97:11	99:25 105:19	216:8 supportive	15:18 70:3 swim 59:24	176:25 181:17	96:6 139:24 140:10	87:19,23 88:2 91:19	103:22 104:6
structure 134:4 214:10	106:24 107:2,4 138:15	55:7 101:21 206:12 supposed	switch 75:10 system 8:24 10:18 30:6	210:18 taken 8:4 35:13	141:13,20 165:17 174:3	91:22 93:25 99:24,25 103:5,9,11	112:12 115:16 171:12,15
struggled 195:2	196:7 197:22,22	44:23 186:23 187:2	32:7 51:9 52:9 64:9 69:11 79:4	173:25 174:7 197:13	191:14 196:2 216:19	103:16,24 104:21 105:19,22	172:2,7,23 190:14 202:20
struggling 172:8	sugary 5:23 11:16,23	sure 17:7,25 29:3,19	79:19 94:13 95:2 136:13	218:6 takeover 152:17,19	talks 25:24 107:18 target 67:8	109:11,13 109:16,22 110:4,6	206:22,23 215:15 taxing 11:16
student 15:9 students 13:5 14:4,8,9,25	12:4 13:17 15:11,24 16:11 19:5	31:20 36:7 47:17 49:9 51:19 58:2	142:11,12 146:22 178:13	152:20 takes 22:18 30:18 184:8	targeted 19:15 76:5 83:5 84:21	111:6,11,19 112:24 113:8,13,23	taxpayers 10:14,16 taxpayers'
studies 12:13 84:20 109:12,20 110:11 207:4	26:10 27:3 42:23 45:15 75:11,22 83:16	58:17 61:4 62:16 64:17 66:20 67:10 67:24 68:21	179:15 180:7,12 181:11 systemic 46:10 58:16 65:9	talent 208:4 talk 19:4 22:8 22:24 30:5 31:18 70:14 85:25 89:11 90:14 109:6 133:2 137:3 140:12 141:14 149:22 153:20,23 165:11 178:25 183:15 192:6 196:14 198:12 207:5 216:4	task 126:22 159:8 tasked 10:25 Taubenber... 1:17 142:22 142:25 143:25 144:4,13,24 tax 5:23 7:9 7:12,20 8:11 9:3,7 9:19,21 10:19,21 11:20,22 12:4 13:17 15:11,25 16:12 18:21 19:6,19,22 19:23 20:4 20:14 25:3 25:4,22 26:7,10 27:4,7,11 28:11,18 35:3,17 37:16 42:23 44:15,17 45:6,16 64:5,16 75:11,19 76:21 77:2 77:8 78:6 83:14,16,18 83:19,19,23 83:24,25 84:2,4,8,11 84:14 85:14	114:4,15 115:7,9,11 116:2,3,9 116:21 117:5 118:24 119:22 133:3,5,7 134:3 137:4 139:3,3 140:13 143:4,14 157:5 158:7 160:7 164:13,15 164:17,23 171:18,19 172:7,13 174:6 186:18 189:25 192:5 193:4 201:25 207:8,17 209:9 211:8 211:20 212:17 215:17 216:16 taxable 8:18 8:21 92:3 93:6,7 taxed 102:17 102:18 taxes 7:7 9:20 19:3 20:7 20:23 42:18 87:12 103:17,19	teaching 14:25 tech 107:24 108:11 technical 10:17 34:5 34:8 94:6 128:2 129:11 technology 107:23 108:5 155:18 tee 63:10 tell 30:20,22 61:12 65:6 74:14 86:13 89:23 121:3 122:10,20 160:23 200:20 telling 31:5 108:4 template 58:24 154:10 temporary 48:3 ten 53:23 67:5 107:19 ten-year 46:6 50:23 51:4 115:7,9,11 tend 25:17 term 28:2,21 28:22 40:3 99:7 136:7
study 87:8 stuff 62:18 106:23 140:3 141:19 142:4 165:11 166:6 stumble 162:20 subject 69:20 submit 53:10 53:11 submitted 3:14 submitting 71:16 subsequent 178:11 substantial 41:10 47:22 152:8 169:5 197:2 substantially 99:3 167:11 suburbs 114:6,14,18 207:25 208:10 success 15:9 69:23 successful 10:23 44:18 44:25 49:10 sugar 82:25 83:6,7	suggest 140:23 215:11 suggested 113:22 suggestion 123:24 sum 73:19 sunset 45:3 sunsets 117:19 118:5 supermarket 192:11,16 supervision 218:23 supervisors 126:5 supplier 53:2 support 12:19 19:3 79:3 101:22 115:4 123:12 126:2 127:8 127:10 128:2 144:11 150:22,25 151:3 155:7 202:18 204:16 215:24	80:20 85:18 85:19 88:12 88:22,23 102:22 103:3 105:21 108:18 109:10 110:24 117:23 118:8 119:22 124:9 128:4 130:22 139:14 143:25 146:21 147:16,20 154:17 158:11 166:24 181:13 184:10 186:22 192:23 197:8 198:3 200:10 204:21 surely 38:13 surprised 141:22 sustainable	table 4:15,17 47:2 70:20 94:2,3 95:14 128:23 138:8 172:16 174:11 177:16 189:21 tabled 211:20 tabs 190:21 tackle 5:20 11:7 66:17 156:21 157:3,9,14 158:22 tags 61:23 take 16:5,19 18:15 50:8 50:10,21 54:5,8 82:9 88:4 110:3 114:3 115:11 118:7 139:11 142:23 148:21 155:22 157:23,24 163:11,12 167:17	176:25 181:17 210:18 taken 8:4 35:13 173:25 174:7 197:13 218:6 takeover 152:17,19 152:20 takes 22:18 30:18 184:8 talent 208:4 talk 19:4 22:8 22:24 30:5 31:18 70:14 85:25 89:11 90:14 109:6 133:2 137:3 140:12 141:14 149:22 153:20,23 165:11 178:25 183:15 192:6 196:14 198:12 207:5 216:4 talked 18:20 21:24 25:21 26:6 90:23 94:6 96:3 96:17 103:11 139:8 140:2 144:24 158:5 168:6 168:25 174:11 190:12 196:3 206:20,22 212:4 talking 23:13 39:21 62:20 67:9 69:17 69:25 72:21 86:20 91:12 92:4 93:24	103:22 104:6 112:12 115:16 171:12,15 172:2,7,23 190:14 202:20 206:22,23 215:15 taxing 11:16 taxpayers 10:14,16 taxpayers' 202:19 teacher 39:14 teaching 14:25 tech 107:24 108:11 technical 10:17 34:5 34:8 94:6 128:2 129:11 technology 107:23 108:5 155:18 tee 63:10 tell 30:20,22 61:12 65:6 74:14 86:13 89:23 121:3 122:10,20 160:23 200:20 telling 31:5 108:4 template 58:24 154:10 temporary 48:3 ten 53:23 67:5 107:19 ten-year 46:6 50:23 51:4 115:7,9,11 tend 25:17 term 28:2,21 28:22 40:3 99:7 136:7		

Committee Of The Whole
March 29, 2016

Page 22

138:7 180:3	127:19	31:18,21	55:19 56:20	196:20	30:9,19	206:21	84:24
terminals	128:11,13	32:5 34:10	59:2,15	197:6,7	31:25 33:18	212:21	tremendous
190:25	128:20,24	36:4 39:9	65:13,19	200:12	34:3 35:19	told 199:25	12:21 108:6
terms 18:12	130:12,24	45:21 53:14	66:12 73:10	201:2 203:9	37:17 40:23	top 5:8 10:19	trends 87:10
19:5 23:15	131:2,3,5,8	62:21 64:13	74:4 75:20	206:9,20,21	41:13 47:10	30:5 53:16	87:10,11
53:7 75:17	142:18,20	87:16 95:15	78:7 82:18	208:8,12,13	51:3,19	146:9	triggers 64:8
77:5 80:11	142:25	95:18,19	83:20 84:13	210:4,24	53:12,14	158:11	troubling
80:20 81:8	144:15,17	96:16 100:6	86:16 87:12	211:10,16	54:15 59:3	total 8:5	136:16
132:6,13	144:20	102:4	88:10,14	212:7,20	59:7,8	121:12	true 30:11
134:18	147:9,11,15	118:15	97:4,10	213:10	61:24 66:16	126:13	215:9 218:7
153:17	148:15,17	127:11	99:2 103:17	216:6	66:19 74:5	137:11	trust 50:17
155:10,15	148:19,22	133:14	104:12	thinking 39:2	81:11 82:8	totally 143:6	50:18 56:2
166:6,16	148:24	135:6 136:4	105:5,18	66:12	82:19 85:22	touches	try 31:14
205:2,6,18	149:5 156:9	136:23	107:15,21	129:22	90:3,4	214:15	52:18 87:17
213:15	156:10	142:5	108:15	130:9	93:14 95:5	town 61:24	103:24
testify 4:11	160:12,14	144:23	116:3	193:19	95:10	208:12	146:9
16:24	160:25	158:25	121:11,20	211:9	105:19,24	track 12:15	204:16
testimony 4:9	164:8 165:6	159:3	123:14	third 105:18	107:13,17	74:5	trying 36:23
5:2 17:6	165:8 171:2	166:22	128:9	181:2,5	117:13	trades 47:21	47:10 51:11
18:9 25:21	171:4,6,8	169:2	129:13,24	185:17	142:4	48:4,12	55:11 66:13
43:9,16	178:3,7,17	179:23	132:6,8,9	186:4	152:10	49:23 50:9	126:18
72:4 81:22	178:19,20	182:3,6	132:16,25	thought 30:9	162:15	50:19 65:16	136:22
90:13 95:24	178:21	184:12	134:3 135:4	30:14 58:12	163:13	65:21,22	164:23
98:6 133:15	186:11,13	186:22	135:19	103:14	168:12	86:16	167:8 188:2
158:6	187:13,15	187:9	136:2	111:2 129:3	170:8 177:2	traditional	190:2
188:21	191:25	188:20	137:10	159:5 183:3	179:25	211:2	197:17
212:22	192:4	191:3,17	139:11	184:8 204:9	180:4	traditionally	200:4 201:9
testy 2:10	195:18,18	197:24	143:21	thousand	185:23	26:7	201:11
thank 2:4,12	195:19,22	201:5	144:2,8	121:17,19	201:16	trails 14:2	203:18
3:24 16:23	198:14,16	202:12	149:20	thousands	207:14,25	training	Tuesday 1:7
17:6 18:7	198:19	203:7	150:9,13	12:5	213:14	14:16 69:13	tuition 13:6
29:15,23	200:3	210:15	151:16	three 13:15	214:8	124:17	tune 38:2
32:10,11,13	206:15,15	212:7	152:4,12,19	32:3,7	216:21	126:8 128:4	turn 29:13
32:16 42:2	208:21,21	think 21:7,11	153:7	39:14 68:20	timeline 31:3	transactions	twice 141:9
42:4,7,11	208:24	21:15 23:19	155:17	106:7	36:4,24	71:14,17	two 10:23
48:20 54:9	210:21	23:22,24	156:4,17,24	137:18	timely 35:3	transcript	21:22 52:25
62:25 63:11	212:10,12	26:17 28:20	157:4,24	150:3 174:8	211:11	218:8,21	57:20 59:21
63:14,14,15	217:4,9	29:24 30:12	158:14	185:25	212:8	transfer 9:21	68:19 69:24
63:19 65:11	Thanks 125:6	30:15 32:2	159:2,4	three-five	times 62:5	147:6	82:19 85:22
72:7,10,13	195:18	32:4 33:10	164:22	176:16	94:18 211:7	transform	103:9
73:13 81:12	208:19	33:19,25	166:7	three-year	timing 94:23	48:8	104:23
81:14 82:2	themes 43:6	34:7 35:10	167:10,20	134:20,23	95:2	transforma...	108:9 111:3
82:3,6 90:7	theoretical	35:20 36:5	170:14,15	135:2	Titan 201:3	48:9	172:3 192:5
90:10 96:22	111:3,14	36:9,17,19	170:17	136:11	titles 2:20	transportat...	tying 26:10
101:12,15	thing 20:19	36:20,21	172:22	174:4	today 3:25	89:13	type 54:23
101:17,18	41:22 52:19	37:9,24	174:25	throw 145:5	4:9 5:6	161:19	83:24
108:20,22	53:25 59:10	39:19,24	181:11	ticket 184:11	16:24 43:3	travel 209:13	167:22
108:25	80:10 126:6	40:4,22	182:14	tie 28:18	43:5 44:9	traveling	210:14
120:7,11,14	138:15	41:13 44:21	184:22	tied 91:24	84:16	210:10	types 39:5
121:16	177:12	44:23 45:2	186:21,25	131:15	107:10	Treasurer	89:24 95:15
123:23	196:15	46:22 48:5	188:7,19,25	Tier 49:6	113:6	187:24	125:23
124:7	211:16	48:7 49:12	192:18,19	tight 60:25	122:11	treat 84:25	184:12
125:12	things 18:14	50:13 55:17	193:7	time 29:7	161:13	treating	209:4

Committee Of The Whole
March 29, 2016

Page 23

211:13	unfortunat...	value 33:13	147:8	62:19 64:21	208:24,24	121:7	136:6,10,22
212:2	87:14	36:12 90:16	148:10	66:17 67:24	210:24	134:15	137:8,13
typically	161:17	90:18,24	213:14	68:2,25	212:14	139:17	138:5,8,22
125:19	202:13	91:21 92:7	voting 89:2	69:8 70:14	wants 88:15	142:16	139:2
209:19	unfunded	92:11	142:8	74:25 78:16	96:8,11	165:25	141:12,18
typo 17:12	157:19	131:18	vulnerable	79:21 80:3	110:23	170:17	142:10,23
	unions 86:16	values 7:10	76:9	80:7 82:9	163:20,23	178:17	145:3 147:8
U	159:12	8:15,18,22		82:16 88:11	211:18	182:15	147:19
U&O 83:6,8	unique 49:4	9:22 33:4	W	88:12,22,23	warehousing	189:7 197:2	148:6,25
190:3,7	155:3	33:10,11,20	W-2's 187:4	92:2 94:11	89:14	198:12	149:21
196:4 197:7	universal	34:18,20	wage 7:9,12	98:4 100:7	wasn't 20:8	212:13	150:23
ultimately	12:25 95:16	92:3,15	87:19,23	100:11	24:14 55:9	215:2	153:24
20:8 22:2	174:15	102:23,24	88:2 104:5	101:19	201:11	216:23	154:3,12,17
188:3	universities	102:25,25	109:6,7,9	102:8	202:24,25	we're 2:3	156:18
unacceptable	68:20	105:8	109:10,13	104:24	205:25	22:11 23:23	158:12,25
64:23 71:2	University	variation	109:15,22	105:20	watch 43:13	26:9 27:7	165:21
unclear 19:24	96:10	33:8	110:4,6	106:20	106:23	27:10 29:9	167:10,17
underfunded	unprepared	varied 185:19	111:5,11,19	114:14,17	watched	29:10,16	168:22
156:18	12:9	varies 171:17	112:24	120:19	106:20	33:12 35:15	169:19
underscore	unrealistic	variety 10:11	113:8,13,23	122:20	water 103:20	36:25 40:8	170:2,10,14
69:7	153:4	11:3 140:19	114:4,15	124:11	104:2 141:5	41:24 43:20	170:16
underserved	unscientific	various 140:6	116:2,3,9	125:12	way 24:25	44:11 46:7	188:10,13
69:14	140:22	140:20	117:5	127:20	42:20 43:21	48:6,7,8	191:2
understand	unusual	177:21	129:24	128:3	43:21 54:7	49:25 50:13	193:19
27:13 56:11	107:5	214:16	130:2,3,8	131:10	59:10,12,15	51:8,11	199:11,22
59:7 60:10	up-front	vary 14:23	131:14	134:19	61:4 62:18	52:6,14,16	206:9
79:15 84:20	15:19 25:24	vendor	133:6	139:5,16	68:2 69:4	52:19 53:6	207:17,18
90:21	28:4	161:11	164:13	142:3,6,15	73:19 79:14	53:8 55:6,7	210:12
105:21	updating	vendors 31:2	186:18	144:22	80:16,21	55:10,17	211:2,5,6,7
114:9	135:13	34:2,13	197:19	145:4,7,13	104:13	56:20 57:10	211:8,12,25
126:19,20	upset 61:9	53:10 70:25	198:10	148:3,9,21	106:19,25	59:9,18	213:23
138:13	usage 19:11	94:17	206:22,23	149:8,25	124:20	60:2,3,3,4,6	216:3,19
144:5 183:8	19:16 42:19	versus 23:10	207:8,17	176:25	129:7 138:3	60:9,23	we've 18:23
184:17	use 26:5 84:4	23:18 26:7	209:9 210:5	189:23	147:21	62:17 65:7	19:2,21
187:5 192:8	84:5 87:5,7	108:7	210:15	192:22	152:3	67:9 69:17	26:5 32:23
192:23	95:14 105:6	156:21	wages 209:22	196:15,16	157:10	72:21 74:23	33:20 35:13
198:2 200:3	170:18	170:4	wait 94:11	203:7	168:2	76:12,16	37:25 39:21
200:7	182:4	216:21	148:5,7	204:11	178:15	78:11,14	39:24 40:5
205:11	196:22	Vietnamese	163:10	208:3 210:9	197:11	79:20,20	40:13,21
understand...	203:2	155:5	191:2 216:3	212:3 213:6	202:18	81:5,7	46:5 50:4
85:9 100:24	user 83:5	view 43:18,19	waiting	213:12,17	211:19,20	86:20 88:6	64:13 65:24
122:5 150:6	usually	violations	213:12	214:17	214:10,11	88:25 94:2	67:10 70:4
175:11	160:17	185:13	waiver	216:3	ways 10:5	95:10,13,18	76:3 77:3
203:18	utilities 89:14	violence	161:20	wanted 18:18	12:19 70:2	97:15 98:6	109:12
205:17	182:22	43:14,25	walk 29:11	72:18 73:21	73:8 100:15	99:7,11	110:11,13
understood	utility 15:19	visibly 86:14	104:14	73:24 75:3	174:12	104:8	117:25
49:17 204:9	15:22 26:3	vision 174:14	want 2:6	75:10 79:17	we'll 2:10	107:11,15	123:14
205:7	27:16,17	vital 5:24	17:21 18:9	89:5 130:8	17:15 35:20	107:17	125:7,15
unemploy...		vocal 37:25	21:14 28:18	149:7	36:20 59:17	124:2	135:5
86:4,6,10	V	volume 84:8	39:20 41:13	163:10	59:25 60:10	129:13	136:21
86:15,17,19	vacancies	vote 42:22	46:14 50:19	165:12	68:12 82:18	130:18	140:7 145:2
87:2,15,21	38:10 39:14	59:16,18	50:20 53:4	198:9	85:21 90:2	134:22,25	146:17
unexpected	valuation	60:8 97:21	56:18 57:2	204:24	100:10,21	135:12,13	147:6
133:16	34:21		60:19 62:8				

Committee Of The Whole
March 29, 2016

Page 24

155:21	wider 139:4	208:10	104:10	41:3,11	38:16,21	1.5 7:25	160170 1:19
158:10,11	WILLIAM	worked 55:9	wrong 61:7	44:21 52:11	39:15,22	116:4,5,24	2:17,21 3:1
165:16	1:12	57:5 65:16	205:17,18	54:20 55:3	40:6,18	116:25	4:1 5:1 6:1
166:19	willing	174:24	wrote 107:11	57:19 81:15	41:9 54:14	117:2,4	7:1 8:1 9:1
167:3,7,13	167:17	workers		81:17 90:14	54:15 59:7	118:12,16	10:1 11:1
168:25	177:6 205:8	210:14	X	98:7 104:23	61:19 67:7	1.54 116:3,23	12:1 13:1
170:11,15	willingness	212:4	X 85:11	106:2,3,9	68:12 88:18	1.8 64:14	14:1 15:1
174:24	197:23	workforce	174:18	106:12,12	88:18	118:22	16:1 17:1
179:21	wind 207:14	13:9 16:22		116:16	105:25	1.89 141:13	18:1 19:1
182:5 188:5	wish 82:10	45:24 54:2	Y	118:11,18	123:13	1:30 148:21	20:1 21:1
194:25	withhold	66:23 67:11	yards 200:9	118:20,21	137:19	10 71:15	22:1 23:1
197:24	143:17	73:6 112:17	yeah 18:7	118:23	149:19	104:25	24:1 25:1
198:8,8,11	witness 4:16	working 29:7	26:16 30:20	119:3	151:7,14	138:4,7,9	26:1 27:1
200:17	46:25 70:19	31:20 39:20	36:14 45:2	120:20	152:6,12,14	10:00 217:8	28:1 29:1
207:5 211:5	70:19	48:12 49:8	45:12 75:20	131:20	152:14,20	10:40 1:7	30:1 31:1
211:17	128:22,22	51:10 53:9	98:25	132:3	152:23,25	100,000	32:1 33:1
212:20	172:15,15	53:12 56:9	100:14	133:23	165:17	122:14	34:1 35:1
216:20	Witnesses	60:5 61:7	118:19	134:15,25	171:25	126:14,23	36:1 37:1
website 187:3	4:16 46:25	66:23 78:24	132:22	134:25	172:3 174:8	103 102:16	38:1 39:1
Wednesday	women 69:22	103:23	134:13	135:7,11	179:3	105 102:5	40:1 41:1
217:7	women-own...	112:8,9	135:18	136:3,5,25	185:25	12 30:14	42:1 43:1
weeds 82:24	49:7	124:18	136:9	137:11	189:14	104:10	44:1 45:1
121:8	wonder 187:4	154:2 159:8	138:24	143:18,18	190:8	146:17,18	46:1 47:1
week 24:23	wondering	203:22	140:4	145:18	216:17	195:2	48:1 49:1
60:20	184:19	works 14:20	164:20	149:11,11	yesterday	12.5 120:24	50:1 51:1
148:14	186:5	46:20	165:4	149:17,17	43:15 69:19	12.8 120:23	52:1 53:1
213:21,22	words 23:2	113:15	170:22	149:22	yield 90:4	120 9:11	54:1 55:1
213:23	158:12	114:2 117:4	188:9	150:3,5	178:14	120,000	56:1 57:1
214:24	work 34:9	158:19	189:11	151:6	York 107:23	33:11	58:1 59:1
215:3,5	37:5 41:18	world 195:4	190:4,6,19	153:16	young 44:6	127 6:15	60:1 61:1
weekend	45:24 46:19	worried	191:9,20	168:14	47:18,24	13 30:14	62:1 63:1
106:21	46:20 47:19	146:18	192:17	171:23	69:9,13,22	35:22	64:1 65:1
weeks 47:10	48:3,9	213:21,22	193:11,21	173:25	76:14 107:3	13.3 120:22	66:1 67:1
52:25	51:17,21	worst 156:19	196:13	181:6	207:25	130 39:12	68:1 69:1
weight 107:5	54:2 55:8	worth 45:20	199:3	185:15	208:4,10	134 102:15	70:1 71:1
welcome 2:6	62:6 67:16	92:10	203:15	187:17		14 24:18	72:1 73:1
42:9,13	68:8 70:9	210:25	204:8,14	190:18,21	Z	14,000	74:1 75:1
48:18 50:14	71:23 80:7	worthwhile	208:17,23	193:5	zip 70:24	107:25	76:1 77:1
63:21 72:16	86:24 100:7	45:21	213:9,16	194:12,19		140-ish 197:7	78:1 79:1
171:7	109:8	wouldn't 22:7	215:9,20,21	198:25	0	140,000	80:1 81:1
went 30:21,22	111:20,24	22:12 86:18	216:5,11	207:14		197:21	82:1 83:1
30:24 33:9	112:2,4,13	99:6 113:3	year 3:5,9,13	215:2,7,16	1	140140 187:6	84:1 85:1
44:16 93:23	112:20	113:16	4:10 5:5,17	year-by-year	1 6:14 9:6	15 6:24 14:6	86:1 87:1
94:16	115:18	114:2	5:18,22,25	40:19	20:24 23:10	98:11	88:1 89:1
188:14	126:5	115:17	6:10 7:9 8:2	year-to-year	23:18 45:16	133:20	90:1 91:1
205:20	140:12	116:11,18	8:6,10 9:16	41:19	49:6 77:12	15.4 16:5	92:1 93:1
weren't 56:9	154:9	116:19	9:16 10:3	yearly 110:17	105:22,23	150 9:9	94:1 95:1
59:4 77:4	157:23	151:19	13:11 14:12	110:21	116:15	103:21	96:1 97:1
152:7 167:5	159:25	wow 216:18	24:7,8	years 2:23	192:25	176:10	98:1 99:1
west 67:12	169:11	write 173:15	31:12 33:2	3:11 7:14	193:3,5	1563-A 3:21	100:1 101:1
whichever	179:20	writing 65:4	33:12 35:16	8:4 13:16	194:13	16 54:14	102:1 103:1
123:4	183:14	175:13,17	35:17 36:2	15:22 18:25	195:11	88:18 92:9	104:1 105:1
whip 59:25	188:2	written	37:20 38:5	32:22 37:18	1,800 84:10	92:22	106:1 107:1
			39:16,17		1.1 38:21		

Committee Of The Whole
March 29, 2016

Page 25

108:1 109:1	214:1 215:1	36:15	199:10,12	78:1 79:1	184:1 185:1	432 106:7	193:24
110:1 111:1	216:1 217:1	2019 32:22	199:19	80:1 81:1	186:1 187:1	45 16:9	195:6
112:1 113:1	160171 1:19	33:24 35:24	3.2 105:4	82:1 83:1	188:1 189:1	46 12:7	60 8:8 117:13
114:1 115:1	2:17,25	2021 3:11	3.3 9:4	84:1 85:1	190:1 191:1	4601 60:24	133:16,21
116:1 117:1	160172 1:19	118:12	3.32 207:11	86:1 87:1	192:1 193:1	470,000	137:11
118:1 119:1	2:17 3:3	2022 2:23 4:8	207:22	88:1 89:1	194:1 195:1	121:13	174:3,6,8
120:1 121:1	160180 1:19	2023 115:25	3.3202 7:18	90:1 91:1	196:1 197:1	122:12	600 72:22
122:1 123:1	2:18 3:6	116:6	3.48 207:10	92:1 93:1	198:1 199:1	126:14	641 16:6 98:7
124:1 125:1	17 91:23 92:9	117:22	207:21	94:1 95:1	200:1 201:1	127:5	157:6
126:1 127:1	92:20,22	119:14	3.4828 7:17	96:1 97:1	202:1 203:1	48 13:22	
128:1 129:1	133:21	159:19	3.6 120:21	98:1 99:1	204:1 205:1	187:20	<u>7</u>
130:1 131:1	170 10:7	2037 99:15	3.7 9:5	100:1 101:1	206:1 207:1	485 133:4	7 86:9 87:3
132:1 133:1	18 91:24	99:15	3.7276 7:16	102:1 103:1	208:1 209:1	4th 57:19	7-ish 194:3
134:1 135:1	18.3 93:3	21 93:15	3.9 60:21	104:1 105:1	210:1 211:1	58:14	70 10:7
136:1 137:1	19 35:20	214 132:2	105:3	106:1 107:1	212:1 213:1		71.6 92:14
138:1 139:1	39:18 45:5	214.6 7:13	3.9102 7:15	108:1 109:1	214:1 215:1	<u>5</u>	72 13:2
140:1 141:1	19.4 93:3	23 89:10	3/29/16 3:1	110:1 111:1	216:1 217:1	5 71:13 179:8	74.2 92:15
142:1 143:1	191 70:25	24 152:6,12	4:1 5:1 6:1	112:1 113:1	30 50:4 162:6	179:17	75 111:14
144:1 145:1	71:12	25 14:14	7:1 8:1 9:1	114:1 115:1	162:16	180:22	141:11
146:1 147:1	1967 156:24	145:12	10:1 11:1	116:1 117:1	300 176:14	195:5,6	157:15
148:1 149:1	1987 156:24	25,000 13:14	12:1 13:1	118:1 119:1	30th 154:13	5.1 157:20	750 103:15
150:1 151:1	1990 157:22	250 99:2	14:1 15:1	120:1 121:1	217:7	5.9 156:17	
152:1 153:1	1992 3:20	256 13:11	16:1 17:1	122:1 123:1	31 102:17	157:19	<u>8</u>
154:1 155:1		258 179:14	18:1 19:1	124:1 125:1	34 182:7,12	50 38:19	8 6:17 17:8
156:1 157:1	<u>2</u>	26 16:11	20:1 21:1	126:1 127:1	348 13:20	44:20	80 106:3
158:1 159:1	2 24:24 25:6	99:24 157:4	22:1 23:1	128:1 129:1	45:19	155:12	157:15
160:1 161:1	30:5 90:12	168:21	24:1 25:1	130:1 131:1	176:14,14	158:8	80's 193:16
162:1 163:1	106:2	260 105:25	26:1 27:1	132:1 133:1	35 50:4	176:22	81 93:16
164:1 165:1	192:25	266 40:15	28:1 29:1	134:1 135:1	350 116:16	50's 193:8,12	82 122:7,16
166:1 167:1	193:14	270.6 7:23	30:1 31:1	136:1 137:1	118:17	50,000 43:17	126:17
168:1 169:1	194:5,10	132:22	32:1 33:1	138:1 139:1	176:19	500 103:22	127:2
170:1 171:1	198:23	28 106:4,7	34:1 35:1	140:1 141:1	353 103:20	500,000	851 99:5
172:1 173:1	199:9,12,18	193:14	36:1 37:1	142:1 143:1	36 24:19 25:6	123:16,20	87 100:17
174:1 175:1	2.8 6:15	29 1:7	38:1 39:1	144:1 145:1	25:7,9	52 105:25	88 199:4
176:1 177:1	2:50 217:11		40:1 41:1	146:1 147:1	37.7 6:13	106:6 193:9	8th 73:5
178:1 179:1	20 103:17	<u>3</u>	42:1 43:1	148:1 149:1	38 122:5,15	194:14	<u>9</u>
180:1 181:1	172:7	3 3:20 7:11	44:1 45:1	150:1 151:1	126:15,20	52.6 9:17	9 137:7
182:1 183:1	216:17	8:17,21	46:1 47:1	152:1 153:1	187:19	52nd 202:4	9.6 137:20
184:1 185:1	20-year 201:3	11:24 21:10	48:1 49:1	154:1 155:1	38.8 185:15	536 91:23	90 156:25
186:1 187:1	20.8 93:15	23:10,18,20	50:1 51:1	156:1 157:1	39 14:13	543,000	172:8
188:1 189:1	200 50:22	24:24 25:4	52:1 53:1	158:1 159:1	39.5 185:11	107:24	90's 194:3
190:1 191:1	166:10	25:20 34:20	54:1 55:1	160:1 161:1		55 24:9,16	93 171:20,22
192:1 193:1	2007 6:5	45:16 77:12	56:1 57:1	162:1 163:1	<u>4</u>	25:4,5,8	95 199:4
194:1 195:1	2009 6:5	79:5 80:13	58:1 59:1	164:1 165:1	4 7:11,25	551 91:23	96 11:25
196:1 197:1	2013 34:24	90:17,22	60:1 61:1	166:1 167:1	79:5 80:13	56 195:12	96.7 137:6
198:1 199:1	2014 34:25	91:12 92:10	62:1 63:1	168:1 169:1	105:3	570,000	97 172:4
200:1 201:1	164:11	92:12,13	64:1 65:1	170:1 171:1	188:16	121:12	
202:1 203:1	2015 104:19	93:13	66:1 67:1	172:1 173:1	4.5 17:9 18:3	126:12	
204:1 205:1	2016 1:7 3:13	105:22	68:1 69:1	174:1 175:1	400 1:6 38:2	5th 147:17	
206:1 207:1	62:14 63:22	137:24	70:1 71:1	176:1 177:1	151:5		
208:1 209:1	2017 2:23 3:2	192:25	72:1 73:1	178:1 179:1	403 106:2	<u>6</u>	
210:1 211:1	3:5,11 4:5,7	193:24	74:1 75:1	180:1 181:1	40th 82:11	6 6:17 86:8	
212:1 213:1	35:24 36:12	194:5,10	76:1 77:1	182:1 183:1	41 183:22	87:2 106:9	
	2018 35:24	198:23			43 104:6	156:16,17	