

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, May 16, 2016
2:20 p.m.

PRESENT:

COUNCILWOMAN JANNIE L. BLACKWELL, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN ALLAN DOMB
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN DAVID OH
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILL 160248 - An ordinance amending Section
19-1806 of The Philadelphia Code, entitled
"Authorization of Realty Use and Occupancy
Tax," by adding an exclusion from the tax for
certain new businesses...

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1
2 COUNCILWOMAN BLACKWELL: Good
3 afternoon, everyone. We thank you for
4 your patience. We will now call to order
5 the Committee on Finance with regard to
6 Bill No. 160248.

7 Will the Clerk please read the
8 title of the bill.

9 THE CLERK: Bill 160248, an
10 ordinance amending Section 19-1806 of The
11 Philadelphia Code, entitled
12 "Authorization of Realty Use and
13 Occupancy Tax," by adding an exclusion
14 from the tax for certain new businesses,
15 all under certain terms and conditions.

16 COUNCILWOMAN BLACKWELL: Thank
17 you very much.

18 The Chair will now recognize
19 the Vice Chair of the Committee and the
20 author of the bill for remarks.

21 COUNCILMAN HENON: Thank you,
22 Madam Chair.

23 COUNCILWOMAN BLACKWELL: Excuse
24 me. Before you do, let me note that we
25 do have a quorum. That is the Vice

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2 Chair, who will make remarks. This is
3 his bill. To my left, Councilwoman
4 Blondell Reynolds Brown. Next to her,
5 Councilman Bill Greenlee. Next to me,
6 Allan Domb, Cherelle Parker, and again
7 Bobby Henon. Thank you very much.

8 COUNCILMAN HENON: Thank you,
9 Madam Chair. And I just want to make a
10 brief statement before we bring up the
11 panel for questions.

12 In 2015, two large commercial
13 bakeries, Amoroso and Mondelez, left
14 Philadelphia and left nearly 450 people
15 out of a job. These are experienced men
16 and women with specialized background in
17 food manufacturing, individuals who will
18 be ready and be qualified to fill jobs
19 should a new manufacturer open a door
20 here in the City of Philadelphia. But
21 the question is how can we attract
22 commercial food manufacturers to
23 Philadelphia? We have the workforce, but
24 we need more. That is the goal of my
25 proposed U&O tax break, to create and

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2 incentivize an incentive for commercial
3 food manufacturing to move to the City of
4 Philadelphia and to employ Philadelphia
5 residents.

6 For manufacturing, this tax
7 break is attractive because of its
8 predictability. It can be easily
9 calculated based on the assessed value of
10 the property. The exemption is for new
11 business or, with Councilwoman Parker's
12 amendment, expanding business. It is an
13 investment in a growing local economy.

14 This bill represents a small
15 but yet targeted effort to respond to
16 major job loss in our city, but it is
17 also an important part of a broader goal,
18 a broader goal of supporting the
19 manufacturing sector in Philadelphia
20 using the 2013 manufacturing growth
21 strategy for Philadelphia as the actual
22 foundation.

23 It bears repeating that
24 manufacturing jobs are good jobs. They
25 have few barriers to entry, tech workers

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2 with new skills and, more importantly,
3 other good wages and benefits. These are
4 the kinds of family-sustaining jobs that
5 build a better and bigger and more
6 diverse middle class. And as a city, we
7 must be willing to find ways to get them
8 and to keep them right here in our city.

9 We have had a difficult time
10 supporting existing manufacturing
11 companies and attracting new ones. I
12 will continue to work and I will continue
13 to work -- finish the work that we
14 started together under the previous
15 Administration with the Manufacturing
16 Task Force, the Mayor's Office of
17 Industry and Manufacturing, the Commerce
18 Department, and other economic
19 development partners to ensure that we
20 are doing everything we can to make
21 Philadelphia a location of choice and a
22 place to grow companies that provide jobs
23 with family-sustaining wages.

24 I know that we have some
25 changes to make and good work to do, but

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2 I know we can get there.

3 So, Madam Chair, thank you for
4 your time.

5 COUNCILWOMAN BLACKWELL: Thank
6 you.

7 Does anyone else have any
8 statement to make before we call on our
9 panel?

10 (No response.)

11 COUNCILWOMAN BLACKWELL: Seeing
12 none, we call forth the Commerce
13 Director, Harold T. Epps.

14 Thank you very much, Mr. Epps.

15 (Witnesses approached witness
16 table.)

17 COUNCILWOMAN BLACKWELL: I'm
18 glad you came right before our budget
19 process, because we really get our
20 money's worth, and certainly we're happy
21 to have you. Thank you both.

22 MR. EPPS: Councilwoman
23 Blackwell, it's always good to come
24 before this body as I continue to learn
25 how government works. And good afternoon

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2 to you, Councilman Henon, and other
3 members of the Finance Committee. As
4 stated before, my name is Harold Epps. I
5 am the Director of Commerce and I am here
6 today to testify on Bill 160248
7 introduced by Councilman Henon, which
8 would provide an exclusion from the use
9 and occupancy tax for certain bakeries
10 and related confectionery product of
11 manufacturing companies.

12 I am pleased to support the
13 Majority Leader's effort to stabilize and
14 grow the important food processing sector
15 of our local manufacturing economy.
16 Philadelphia is home to a broad and
17 diverse group of manufacturers that
18 employ about 20,000 local residents in
19 family-sustaining jobs. While many of
20 these businesses are stable or growing,
21 there continue to be pressures to
22 consider lower cost locations. Food
23 manufacturers like bakeries that require
24 expensive equipment investments to remain
25 competitive too often make the decision

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2 to move out of our city, taking hundreds
3 of jobs with them. As stated earlier, in
4 the last year, two bakeries have moved
5 out of the City, taking jobs with them.
6 But we share the sponsor's view that it
7 doesn't necessarily have to be this way.

8 Bill No. 160248 highlights the
9 need to address this loss of bakery jobs
10 by encouraging new bakeries to expand
11 into the City and even reactivating some
12 facilities that have become vacant. We
13 believe that in combination with low-cost
14 financing and other incentives, targeted
15 tax relief can be an integral part of our
16 strategy to stabilize and grow our food
17 manufacturing sector. A use and
18 occupancy approach presents one option
19 among several, and we look to weigh those
20 more closely in the coming weeks and
21 months. We stand ready to work with the
22 sponsor to develop the best possible tax
23 legislation to support his crucial goal
24 of providing relief and incentive to this
25 sector.

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2 In closing, I would like to
3 recognize and thank Councilman Henon for
4 his tireless support for the
5 manufacturing sector. Through his
6 leadership on the Mayor's Manufacturing
7 Task Force, his countless relationships
8 in the Philadelphia manufacturing sector,
9 and his continued partnership with the
10 Commerce Department, Councilman Henon has
11 been one of the City's strongest
12 champions for keeping and growing jobs in
13 the manufacturing sector.

14 Thank you for the opportunity
15 to testify today, and I would be happy to
16 answer any questions you may have.

17 COUNCILWOMAN BLACKWELL: Thank
18 you.

19 Questions?

20 Councilman Domb.

21 COUNCILMAN DOMB: Thank you,
22 Madam Chair.

23 And good afternoon.

24 MR. EPPS: Good afternoon.

25 COUNCILMAN DOMB: I just want

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2 to make sure, any idea of projection of
3 revenue that might be lost if this gets
4 passed?

5 MR. EPPS: Would you repeat the
6 question, please.

7 COUNCILMAN DOMB: Any idea of
8 the actual revenue that we're talking
9 about that we won't collect?

10 MR. EPPS: I will defer to the
11 Revenue Department.

12 (Witness approached witness
13 table.)

14 DEPUTY COMMISSIONER WAXMAN:
15 Good afternoon. Marisa Waxman, First
16 Deputy Revenue Commissioner.

17 So in looking at this bill, it
18 is as drafted currently for new
19 businesses, though it is hard to estimate
20 what the revenue loss would be, because
21 there's a real range among taxpayers of
22 what their liability is.

23 COUNCILMAN DOMB: So our
24 current revenue doesn't go down; this is
25 just for new coming in?

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2 DEPUTY COMMISSIONER WAXMAN:

3 Yes. As the bill is drafted, it is for
4 new entities, yes.

5 COUNCILMAN DOMB: I just want
6 to make sure I understand. This would
7 exclude a new manufacturer of bakery
8 goods or whatever from paying use and
9 occupancy taxes?

10 DEPUTY COMMISSIONER WAXMAN:

11 Yeah. It lists out certain NAICS codes
12 industry classifications that this would
13 be targeted to.

14 COUNCILMAN DOMB: And how are
15 we dealing with the existing -- I'm going
16 to use Tastykake as an example. They're
17 paying use and occupancy taxes. How do
18 we deal with that situation?

19 DEPUTY COMMISSIONER WAXMAN: So
20 one thing that's important to remember
21 about the use and occupancy tax is that
22 it's typically paid by the landlord of
23 the building or the owner of the
24 building, not necessarily the tenant. So
25 that will come into play, but my

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2 understanding as it's drafted, this is
3 just targeted for new, not the existing.
4 So their tax bills would remain the same.

5 MR. EPPS: As stated in the
6 bill, there's more work that we will do
7 with Councilman Henon over the summer to
8 finalize the bill.

9 COUNCILMAN DOMB: Use and
10 occupancy taxes are in place for what
11 reason really? Why did that tax even
12 happen?

13 DEPUTY COMMISSIONER WAXMAN: So
14 it is a tax on the commercial use of an
15 occupancy of real estate. One of the
16 features of the Pennsylvania Constitution
17 is something called the Uniformity Clause
18 that requires us to have the same tax
19 rate for all classes of real estate. So
20 without getting into the history, it is
21 something that is sort of a tax that is
22 just on a certain category, the use of a
23 certain category of real estate.

24 COUNCILMAN DOMB: So it's
25 become a tax that's burdened the ability

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2 of businesses to operate in the City.

3 DEPUTY COMMISSIONER WAXMAN:

4 I'm sure that all businesses would prefer
5 to not pay taxes in the City.

6 COUNCILMAN DOMB: But if the
7 real estate was assessed correctly, you
8 probably wouldn't need it.

9 DEPUTY COMMISSIONER WAXMAN: It
10 depends what your goal is.

11 COUNCILMAN DOMB: Okay. Thank
12 you very much. Thanks.

13 COUNCILWOMAN BLACKWELL: Thank
14 you.

15 The Chair notes that Councilman
16 David Oh is here as well.

17 Councilwoman Blondell Reynolds
18 Brown.

19 COUNCILWOMAN BROWN: Thank you
20 very much.

21 Good afternoon.

22 MR. EPPS: Good afternoon.

23 COUNCILWOMAN BROWN: Always
24 when we're talking about taxes, there are
25 winners and there are losers. Who are

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2 the winners and losers in this proposed
3 measure? We know who the winners are
4 going forward, but who are the potential
5 losers?

6 MR. EPPS: Well, we have not
7 finalized the bill, but if there were to
8 be any dollars that would be exempt, I
9 believe the School District would be one
10 of the people that would get less
11 revenue. I believe that's correct.

12 DEPUTY COMMISSIONER WAXMAN:
13 Correct.

14 COUNCILWOMAN BROWN: So that
15 being stated for the record, the
16 Administration believes in its wisdom
17 that it is acceptable, it's okay that
18 there's an even yield with the School
19 District losing but it's offset by the
20 prospective jobs that this particular
21 measure could incentivize?

22 MR. EPPS: Well, as the
23 Councilman stated and my testimony
24 stated, that we will work together over
25 the summer to finalize the bill. So it's

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2 not final yet. We have to sort out where
3 that balance is, but the intent is, we
4 need to be more strategic and intentional
5 and address it about recruiting and
6 retaining manufacturing jobs,
7 particularly when we got such an
8 abundance of our population that do not
9 have the educational attainment to
10 participate in the higher education
11 economy that we're building. So these
12 manufacturing jobs are critical for a
13 good portion of our workforce that is
14 best suited for manufacturing jobs.

15 COUNCILWOMAN BROWN: I agree
16 with that 2,000 percent, and too often we
17 end up in a place where both sides are
18 right.

19 MR. EPPS: Right.

20 COUNCILWOMAN BROWN: And so --

21 MR. EPPS: So we got to find
22 that happy medium.

23 COUNCILWOMAN BROWN: Yes, yes,
24 yes. So I join members of this Committee
25 who will remain interested in what that

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2 ultimate equation looks like and that it
3 will be asked by the sponsor of the bill
4 that will be shared with members of the
5 Committee as you go down this road.

6 MR. EPPS: We concur.

7 COUNCILWOMAN BROWN: Thank you
8 very much.

9 Thank you, Madam Chairwoman.

10 COUNCILWOMAN BLACKWELL: Thank
11 you.

12 The Chair notes that Councilman
13 Mark Squilla is here as well.

14 Questions for members of the
15 Committee?

16 Councilman Oh.

17 COUNCILMAN OH: Thank you very
18 much.

19 I do have a question just for
20 clarification. I apologize for coming in
21 late. I tried to listen, but I know you
22 always miss something on your way up.

23 This is an exclusion
24 particularly for commercial food
25 manufacturing; is that correct?

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2 MR. EPPS: That is correct.

3 COUNCILMAN OH: And when it
4 says engaged specifically in sugar and
5 confectionery product manufacturing, I
6 think of bakeries. Does that include
7 soda?

8 MR. EPPS: From the Commerce
9 perspective in our conversation with the
10 Councilman's office, the answer would be
11 no, it does not.

12 DEPUTY COMMISSIONER WAXMAN: If
13 I may add, just for the NAICS code
14 listed, there is, I believe, a
15 separate --

16 COUNCILMAN OH: From that code.

17 DEPUTY COMMISSIONER WAXMAN:
18 For that code that would apply to soda
19 and flavored concentrate manufacturers,
20 that, I believe, is not one of the listed
21 ones in this bill.

22 COUNCILMAN OH: Okay. So I
23 know this is on the legislative side, so
24 thank you very much.

25 Thank you, Chairwoman.

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2 COUNCILWOMAN BLACKWELL: Thank
3 you.

4 The Chair notes that
5 Councilwoman Cindy Bass is here. So all
6 members of the Finance Committee are
7 present.

8 Councilman Greenlee.

9 COUNCILMAN GREENLEE: Thank
10 you, Madam Chair.

11 Real quickly. Following up to
12 Councilwoman Reynolds Brown's question, I
13 guess is it fair to say another way of
14 looking at this since it's new businesses
15 that will be given this waiver, that
16 right now the School District wouldn't
17 lose anything from what they have,
18 because right now they're not getting the
19 funds?

20 MR. EPPS: That is correct.

21 COUNCILMAN GREENLEE: And if
22 new businesses take advantage of this,
23 there also would be other tax money
24 coming in from the workers, wage tax,
25 whatever, correct?

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2 MR. EPPS: That is also
3 correct.

4 COUNCILMAN GREENLEE: So in the
5 sense, the School District doesn't get
6 money, but they don't lose money,
7 correct?

8 MR. EPPS: That's correct.

9 COUNCILMAN GREENLEE: All
10 right. Thank you.

11 Thank you, Madam Chair.

12 COUNCILWOMAN BLACKWELL: Thank
13 you.

14 Any other questions?

15 (No response.)

16 COUNCILWOMAN BLACKWELL: All
17 right.

18 COUNCILWOMAN BROWN: Point of
19 information.

20 COUNCILWOMAN BLACKWELL: Yes,
21 Councilwoman Brown.

22 COUNCILWOMAN BROWN: To the
23 sponsor of the bill, Councilman Henon,
24 the 450 people that regretfully ended up
25 out of work, were we able to do anything

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2 for them on their behalf and do they
3 become first -- do we go to them first
4 for new manufacturing opportunities that
5 may come to the City to try to make them
6 whole again?

7 MR. EPPS: Well, let me --

8 COUNCILMAN HENON: I'm sorry.
9 I was a little distracted. Was your
10 question directed at me or the Commerce
11 Department?

12 COUNCILWOMAN BROWN: Well, to
13 either of you who might know what
14 happened with those 450 citizens who
15 ended up out of work. Do they become the
16 first pool of prospective employees that
17 the City goes to in the future for the
18 next manufacturing opportunity?

19 COUNCILMAN HENON: I hope so.
20 I believe the Commerce Department working
21 with the state and the programs that they
22 have for retraining and job placement, so
23 I believe it was the City and state had
24 been working closely with both of the
25 manufacturers itself to offer -- work

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2 between offering early retirement and job
3 placement in other sectors of the field
4 or training to be placed in other job
5 sectors.

6 COUNCILWOMAN BROWN: Okay.

7 COUNCILMAN HENON: So what
8 those numbers actually are at this point
9 I don't know, but I know that there was a
10 team with the Commerce Department and the
11 state working together to try to place
12 them in their programs that currently
13 exist and have been existing with the
14 Commonwealth for quite some time.

15 COUNCILWOMAN BROWN: Very well.
16 Thank you.

17 MR. BUMB: I'll just add to
18 that that -- Duane Bumb, Deputy Commerce
19 Director.

20 Councilwoman, you're right that
21 when companies -- when large companies,
22 manufacturers in these two cases, one day
23 close, they are required to give us a
24 notice of closure. It's called a WARN
25 Notice. They give it to the City and

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2 they give it to the Commonwealth, and
3 when we receive those two notices, as we
4 do with all others, we immediately
5 contact Philadelphia Works, the local
6 workforce development agency, as well as
7 send a copy to the state Rapid Response
8 Team. Those are the two groups that in
9 fact will then immediately mobilize to
10 help those impacted employees who are at
11 that point scheduled to lose their jobs
12 within 60 days to help them to find --

13 COUNCILWOMAN BROWN:

14 Employment.

15 MR. BUMB: -- other employment,
16 get their resumes together, to sort of
17 set them up for unemployment in the
18 meantime.

19 COUNCILWOMAN BROWN: And so
20 then does the Commerce Department then
21 circle back to see what the real tangible
22 yield has been of that effort? I mean,
23 where's the loop close on those, in this
24 case, 450 employees? Is there some
25 mechanism in place in the Department that

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2 tells you X number of people were laid
3 off, X number of people were trained, X
4 number of people remain unemployed?

5 MR. BUMB: We would get that
6 information from Philadelphia Works,
7 because they would -- these are people
8 who would all be put into unemployment
9 and, therefore, as long as they're in
10 unemployment, that means they haven't
11 found sort of alternate employment.

12 COUNCILWOMAN BROWN: Very
13 helpful. Thank you.

14 COUNCILWOMAN BLACKWELL:
15 Councilman Henon.

16 COUNCILMAN HENON: I think
17 Councilman Domb.

18 COUNCILWOMAN BLACKWELL: Thank
19 you.

20 Councilman Domb.

21 COUNCILMAN DOMB: Just a
22 question. The two large bakeries that
23 left Philadelphia, I know one was
24 Amoroso. Was this the major reason, the
25 U&O, or were there other reasons that we

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2 should be addressing also?

3 MR. BUMB: We understood
4 that -- and we've worked with Amoroso for
5 several years. One of the primary issues
6 that the company had was they were --
7 their existing facility was -- they were
8 unable to expand it because they were on
9 all sides basically surrounded by a
10 neighborhood and couldn't identify a new
11 location that met their sort of
12 requirements. They, I would sort of say,
13 ultimately got an offer they couldn't
14 refuse in New Jersey. So there was an
15 incentive package that they received that
16 sort of probably was the primary reason
17 for the move.

18 COUNCILMAN DOMB: So the point
19 is that New Jersey is basically stealing
20 our businesses by giving them better
21 incentives to go over there.

22 MR. BUMB: They have very good
23 incentives.

24 COUNCILMAN DOMB: So we need to
25 get competitive.

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2 Thank you.

3 MR. EPPS: I cannot let this
4 pass. You will hear that theme again.
5 The Governor of New Jersey has got
6 strategic intent to plow significant
7 dollars into Southeast New Jersey,
8 primarily Camden, and so we will see this
9 scenario play itself out a few times in
10 the future, and some we win and some
11 we're not going to win.

12 COUNCILMAN HENON: Question,
13 the City -- I just want it stated for the
14 record. I mean, the City tried to
15 intervene to save the two businesses; is
16 that correct?

17 MR. BUMB: Yes. In the case of
18 Amoroso, we worked with the company, a
19 family-owned business, for years to find
20 them alternate sites and to actually work
21 with them on could they expand internally
22 on the site that they already owned. And
23 in the case of Mondelez, the City and the
24 state worked together with the company,
25 but we had very little notice that they

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2 were making alternate plans, where they
3 told us that they were choosing between
4 Philadelphia and two other Mid-Atlantic
5 locations, existing locations, and sort
6 of the decision was made very shortly
7 thereafter.

8 COUNCILMAN HENON: So if it was
9 a surprise at least with Mondelez --

10 MR. BUMB: Right, Mondelez
11 was --

12 COUNCILMAN HENON: You were
13 trying to work with Amoroso. How can we
14 improve our outreach with manufacturers
15 in the sector, the base, so that we can
16 see some of these things coming, if
17 indeed they're going to come, which we
18 hope not? How could we try to get to
19 them before it's too late?

20 MR. BUMB: I think we have to
21 sort of have ongoing and open
22 communication with all of our
23 manufacturers to, A, always sort of make
24 sure they are aware what services we can
25 provide and to solicit really on

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2 one-on-one meetings in many cases whether
3 they have any issues that we could help
4 with, which is maybe the indicator that
5 they're thinking about something else.

6 Often, though, what is
7 happening with some of these
8 manufacturers is that they are no longer
9 like Philadelphia-based and family-owned
10 businesses. They are in fact large
11 consolidations. And so Mondelez
12 acquiring Kraft and then consolidating
13 actually globally their facilities, you
14 know, the folks who were at the local
15 level at that facility would not have
16 known anything about that. We sort of
17 learned from their Chicago office when
18 they made the decision.

19 COUNCILMAN HENON: So we now
20 recently over the last couple years
21 created an Office of Manufacturing, this
22 year changing some of the priorities
23 around a little bit more and refining.
24 We have the Office of Industry and
25 Manufacturing, which is broader, which

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2 captures a lot of industry as well.

3 Are there any other similar
4 situations that are arising right now,
5 and how can we help?

6 MR. EPPS: So I would say that
7 you are correct. The Manufacturing Task
8 Force and the other task force we are
9 putting in place have to be able to
10 externally focus to do the outreach to
11 ensure that we are ahead of the game and
12 we're also looking at all of the data
13 that we can to predict and forecast
14 what's going to come up as possibilities
15 that we need to consider.

16 Make no mistake about it,
17 states and cities are getting
18 increasingly competitive about recruiting
19 and retention, and we've got to up our
20 game, if you will, to make sure that
21 we're on top of it.

22 One of the things that you all
23 can do is, though it's been done this
24 year, is next year, of course, we could
25 use more resources.

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2 COUNCILMAN HENON: Well, we're
3 going to try to get it done this year,
4 because that's my -- that's one of my
5 priorities and I think which I share with
6 most members of City Council.

7 Where do you see the growth
8 opportunities in the manufacturing
9 industry in the City over the next
10 decade?

11 MR. EPPS: Well, one of the
12 things that's an opportunity is, our
13 existing manufacturers do little to no
14 exporting. And so we just finished
15 hiring a -- what's the right title?
16 International business development
17 officer, for the sake of it, and her task
18 is to work with the Office of
19 Manufacturing to get a higher level of
20 interest of those manufacturers to
21 export.

22 My little slogan is, if we
23 could export -- if we could export
24 Bassetts Ice Cream, we can export other
25 things, and we're only exporting 1

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2 percent of our possibility. So that's
3 one opportunity.

4 The second is, there's a lot of
5 new called makers type manufacturing
6 that's opening. We've got to be
7 aggressive in supporting them as they
8 start up and supporting them as they
9 grow. So the traditional manufacturers
10 export is one opportunity. Start-up and
11 makers is another, among others.

12 COUNCILMAN HENON: I think I
13 want to add to the record, if we could,
14 Drake, I think, Bakery were -- at some
15 point they were looking to expand -- to
16 come to the City of Philadelphia. I
17 think they may have been here at one
18 point, and they're a veteran-owned
19 business. So that may be a direction
20 that we can outreach to and see if they
21 want to take a look at the opportunities
22 that we have here in the City of
23 Philadelphia, and whatever we come up
24 with here working throughout the summer,
25 it might be something that we can

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2 incentive and attract new business with
3 new employees or actually new employees,
4 Philadelphia employees, that we can put
5 on our rolls and add to our wage tax.

6 MR. EPPS: And it's not direct
7 manufacturing, but there's also an
8 increased opportunity in logistics and
9 distribution. There are a number of
10 companies that find Philadelphia
11 advantageous for their Mid-Atlantic and
12 Northeast distribution warehousing,
13 because we are at the center of the
14 transportation node for the Northeast.
15 So we already see some of those things
16 that are coming at us and some of those
17 that we are pursuing.

18 COUNCILMAN HENON: Thank you.

19 I have no further questions.

20 COUNCILWOMAN BLACKWELL:

21 Councilman Oh or Councilwoman Parker,
22 would you like to speak?

23 COUNCILWOMAN PARKER:

24 Councilman Oh can go.

25 COUNCILMAN OH: I'll yield to

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2 Councilwoman Bass.

3 COUNCILWOMAN BLACKWELL: Thank
4 you, and then Councilman Domb.

5 COUNCILWOMAN BASS: Thank you.

6 I just have a quick question,
7 and I think you answered some of it
8 through Councilman Henon's questions, but
9 I was wondering in terms of -- you said
10 the projection of the forecast was that
11 New Jersey's Governor was going to try to
12 steal some of our businesses. Are we
13 trying to steal some of theirs, I guess
14 is my question? Put a little bit
15 differently, what are we doing to try to
16 pull some other businesses in through the
17 Commerce Department and knowing that
18 that's the projection that we have?
19 Folks who are out there trying to poach
20 what it is that we have, how is Commerce
21 working, I guess, to insulate them to
22 make sure that those businesses have
23 every advantage that's here? You
24 answered some of it, but I don't know if
25 there is anything further that you wanted

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2 to add.

3 MR. EPPS: Well, let me just
4 balance the scale. So when you talk New
5 Jersey, you got to talk Pennsylvania,
6 because they're bringing the entire state
7 portfolio of resources. So we work very
8 closely with the Commonwealth to make
9 sure that we bring in their entire
10 benefit package.

11 But, I mean, some time last
12 year during the last Administration, the
13 Governor of Florida came to Pennsylvania
14 and basically said, Come on to Florida,
15 I'll give you whatever you want.

16 So I'll just give you one
17 example of where it can be a challenge.
18 Our basketball team took its practice
19 facility to Pennsylvania [sic], \$75
20 million. Well, that wasn't a good deal
21 financially.

22 COUNCILWOMAN BASS: To Jersey?

23 MR. EPPS: Yeah. They will
24 regret -- that wasn't a good financial
25 deal.

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2 COUNCILWOMAN BASS: It was a
3 good financial deal for them.

4 MR. EPPS: \$75 million for 20
5 jobs or 30 jobs. That's just not good
6 business sense. So if one of those come
7 along, we're going to say let it go. So
8 sometimes you just got to say it's not
9 good financial sense. We will be
10 aggressive about those that make good
11 financial sense and we won't be with
12 those that are irresponsible.

13 COUNCILWOMAN BASS: Okay.

14 MR. EPPS: And Camden is in
15 such dire strait, that sometimes they're
16 going to make some that we deem to be not
17 in our best interest for the state or for
18 the City. Because it's all about jobs.
19 It's all about jobs that are going to pay
20 taxes.

21 COUNCILWOMAN BASS: Absolutely.
22 All right. Thank you.

23 That's all.

24 COUNCILWOMAN BLACKWELL: Thank
25 you very much.

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2 Councilman Domb.

3 COUNCILMAN DOMB: Thank you,
4 Madam Chairwoman.

5 One other question. The New
6 Jersey issue, which everyone is talking
7 about it, do we have like an effort to
8 make sure that we win versus losing?
9 Because I will say this: In business,
10 it's one thing about the economics. It's
11 also about the marketing and the image
12 and the message that it sends. And I
13 will say like I was saddened that we
14 didn't get the Forbes 30 under 30. I
15 thought even if it was \$2 million, we
16 should have done that, because it sends
17 the right message. The Sixers going to
18 South Jersey, I know the economics are
19 bad, but sends the wrong message.

20 So sometimes it's not just the
21 money, it's also the messaging about our
22 region and our city. So I know that you
23 like to win.

24 MR. EPPS: I do.

25 COUNCILMAN DOMB: So I'd like

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2 you to think about this, maybe come back
3 to us with, what do we have to do to make
4 sure we blow their doors off? Because I
5 don't want to lose these companies in the
6 City.

7 MR. EPPS: I will only take
8 that under advisement and not respond.

9 COUNCILMAN DOMB: Okay. Thank
10 you.

11 COUNCILWOMAN BLACKWELL:
12 Councilman Oh.

13 COUNCILMAN OH: Thank you very
14 much, Chairwoman.

15 So I do appreciate the
16 challenges that our City faces and under
17 the new leadership of the Mayor and
18 yourself as Commerce Director. The
19 challenges I think are that we have to
20 come up with an overall plan for this
21 Administration of how we're going to
22 approach business. What I mean is that
23 there are a lot of very good competing
24 interests. Sometimes they are in
25 conflict with one another, and that's

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fine as long as we understand what we --
the weight and balance of what we gain
and what we lose. But at least in my
meetings with Nabisco/Mondelez, which
were in part -- I think I attended at
least one meeting arranged by Councilman
Bobby Henon. They said that they were
reducing their lines of production and
would further reduce in response to what
the City was doing, particularly looking
at, I think, benefits, wages, and if any
product taxes were going to be
introduced, meaning the soda tax, meaning
that they make a decision in all 50
states and overseas where is the best
place for them to be. We have the weight
of it because they're here, but they
increase or decrease their lines of
production. At least that's my
recollection. People may have heard
something different, but my concern now
is, how does it fit within what we're
trying to do in terms of jobs if we are
trying to establish a tax policy and what

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2 does the soda tax do to manufacturers
3 when they produce a product that may be
4 taxed, a soda tax, a sugary bakery tax, a
5 potato chip tax or whatever? And that is
6 within the context of trying to compete
7 for business.

8 MR. EPPS: Let me start by
9 saying I am very encouraged and
10 optimistic about the ability for
11 Philadelphia to be proactive, strategic,
12 and intentional about recruiting new
13 business to Philadelphia and retaining
14 the majority of our businesses. We are
15 talking about the one or two that are at
16 risk, but we got a list of at least a
17 dozen right now that we're in dialogue
18 and conversations that are hundreds, in
19 some cases high hundreds, maybe in the
20 thousand jobs, that are high potential
21 that are in various phases of
22 negotiation.

23 We're also saying to many of
24 our suburban employers because of the way
25 in which talent wants to be housed today

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2 in cities rather than suburbs, that they
3 don't have a Philadelphia branch or
4 satellite office, they need to open one,
5 and we're finding an increasing number of
6 companies that want to do that. So
7 that's part of our strategic initiatives
8 that we're working on.

9 As it relates to your question
10 about the beverage manufacturers, well,
11 it probably would not be a surprise to
12 you that they are outrageously opposed to
13 the soda tax. It's as much about
14 Philadelphia as it is about the nation,
15 because if Philadelphia goes, others are
16 likely to follow, and those, between
17 Pepsi and Coke probably, I don't know,
18 1,400, 1,500 jobs -- does that sound
19 about right -- that if the tax or any
20 part of it passes, they'll probably
21 threaten an item and they may over time
22 do something, but I'm a part of the
23 Administration. I support what's being
24 advocated for because I think of a whole
25 that's bigger than those jobs. But

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2 they've got to do what's best for them,
3 and I think that the Administration and
4 Council has got to do what's best for
5 Philadelphia.

6 But overall I think that
7 outlook for job creation in Philadelphia
8 is very good. I will go back to the
9 statement that's been made often: But
10 we've got to change the culture of
11 educational and degree attainment. And
12 it's not a four-year degree. It's any
13 kind of degree, because increasingly all
14 of our jobs require that they have some
15 kind of certificate and/or degree, and
16 that's one of the problems that we have
17 today that we've got to work on.

18 COUNCILMAN OH: Thank you very
19 much.

20 COUNCILWOMAN BLACKWELL: Thank
21 you very much.

22 Any other questions?
23 (No response.)

24 COUNCILWOMAN BLACKWELL: Then
25 we're going to call on Councilwoman

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2 Parker for her remarks.

3 COUNCILWOMAN PARKER: Thank
4 you, Madam Chair.

5 And good afternoon to each of
6 you. Let me just start for the record
7 and note I really sort of just want to
8 provide some context to Jon Liss's
9 testimony that we'll hear in a few
10 seconds from the owner of Michel's
11 Bakery. But I want to just start by
12 thanking Councilman Henon for introducing
13 the legislation to create jobs and
14 stimulate workforce development.

15 But, Councilwoman Reynolds
16 Brown, I think when you spoke earlier and
17 you asked your infamous question that I'm
18 always prepared to hear you ask that
19 always makes good sense and, that is, who
20 are the winners and who are the losers,
21 and as Councilman Henon and I talked some
22 time ago, when he talked about this
23 legislation and I knew he was working on
24 it, to give new commercial bakeries an
25 exemption from the use and occupancy tax

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2 for a ten-year period, I said to myself,
3 What about Michel's Bakery? Michel's
4 Bakery is located in the 9th. It was
5 founded in 1898. It has 150 employees,
6 and it's family-owned and managed. So
7 how do we find a way to ensure that
8 existing companies in the City of
9 Philadelphia that are, A, building new
10 facilities, building new facilities
11 and/or acquiring facilities -- and now we
12 think about our neighborhood commercial
13 corridors -- acquiring new facilities
14 that have been unoccupied for at least a
15 year.

16 So I was thankful to you, to
17 our Commerce Director Epps, for just
18 noting that this legislation is something
19 that the Commerce Department, the
20 Administration, the legislative body will
21 work on specifying the details in the
22 future. But when I thought about our
23 neighborhoods and bakeries like Michel's
24 that's growing -- and full disclosure,
25 and here's my bias, Council Lady. I

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2 think about Denise's all the time, you
3 know, and I wanted to see Denise's expand
4 and I wanted one on Wadsworth and even
5 Germantown and Broad Street, and they
6 could never -- aside from the crisis that
7 we know they endured, they could never
8 sort of get the incentives necessary in
9 order for them to expand.

10 And so when Councilman Henon
11 and I talked about this, that was
12 something that was of concern, what about
13 existing companies that are growing.
14 Like how do we find a way to incentivize
15 their growth and retaining them here in
16 the City of Philadelphia.

17 So, one, I just wanted to give
18 some comments before he comes up to
19 testify, because it is a very interesting
20 issue, but when we think about them
21 building new facilities, that is the
22 creation of new jobs. So it's kind of
23 like the old-time Philadelphians who
24 stayed here during the lean years,
25 feeling like all of the incentives that

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2 are being produced and offered as we
3 think about economic development includes
4 a future, but what about those of us who
5 have had some skin in the game for some
6 time.

7 So I just thank you, Madam
8 Chair, for your latitude and allowing me
9 to provide some context before Michel's
10 testimony.

11 And, Councilman Henon, thank
12 you also.

13 COUNCILWOMAN BLACKWELL: Thank
14 you.

15 And thank you for your
16 testimony. We'll now call Jon Liss,
17 Michel's Bakery.

18 (Witness approached witness
19 table.)

20 COUNCILWOMAN BLACKWELL: You've
21 had a great introduction already, so
22 we'll ask you to identify yourself and
23 begin your testimony.

24 MR. LISS: My name is Jon Liss
25 and I'm the President and owner of

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2 Michel's Bakery, and I'm here to support
3 Councilwoman Parker's amendment to
4 Councilman Henon's bill providing for tax
5 relief, specifically U&O tax relief
6 exemptions for commercial and industrial
7 bakeries.

8 Michel's Bakery currently has
9 plans and is reviewing plans to expand
10 its current facility and feel that we
11 should have the same benefits as others
12 in terms of tax relief.

13 Brief history, Michel's Bakery
14 was established in 1898. It's been
15 family-owned in my family since 1948, and
16 the factory is located on Rising Sun
17 Avenue in the Northeast. We provide
18 employment for nearly 200 people. We've
19 hired approximately 30 new employees in
20 the past 12 months. Ninety-eight percent
21 of our people live in Philadelphia, and
22 we're a very diverse workforce,
23 ethnically, racially, and gender-wise.
24 Around 20 percent of our employees have
25 more than 20 years of seniority, which is

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2 very unusual in today's world. Most of
3 our workers belong to the Bakery,
4 Confectioner, and Tobacco Workers Union
5 Local 6, and we provide benefits for
6 full-time employees and their families in
7 terms of medical, dental, vacation,
8 personal holidays, disability, legal
9 holidays, et cetera.

10 Annually we invest in training
11 our people significantly, because it's a
12 very important part of food safety in
13 today's manufacturing environment. We
14 also invest in equipment in our facility,
15 well in excess of a million dollars a
16 year. And unfortunately we have suffered
17 losses during several years, but we've
18 found ways to overcome that and we're on
19 a steady pace right now.

20 So what has happened to the
21 industrial or commercial landscape in
22 Philadelphia? We heard about Amoroso's
23 Bakery. They've laid off over 200
24 people, and the other jobs have -- even
25 the ones that were here who weren't part

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2 of the ones who were laid off, like the
3 drivers, they just moved to New Jersey.
4 They're working out of New Jersey now.
5 So the impact is really even greater.
6 Even though they didn't lose their jobs,
7 the revenue is going to New Jersey.

8 There was a baking company
9 called Philadelphia Baking Company, which
10 was on Grant Avenue in the Northeast, and
11 they closed up, and that cost about 150
12 jobs in Philadelphia. Nabisco, as you
13 know, 300 jobs. Hostess Bakery -- and
14 you mentioned Drake's. Hostess actually
15 owns Drake's, and they closed up a few
16 years ago, and that was 300 jobs, and
17 they were located on Blue Grass Road.

18 Just as an aside -- I guess
19 this is indicative of what's going on in
20 the industry -- Stroehmann Bakery, which
21 is in Norristown right outside of the
22 City and a lot of their employees did
23 work in the City, they recently closed up
24 just last year, and that was 266 jobs.

25 So in reality, Michel's Bakery

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2 is the only industrial bakery left that
3 is privately owned in Philadelphia.

4 Tastykake was bought by a company from
5 the South called Flowers Baking Company,
6 and they actually saved them from going
7 out of business.

8 So I feel that Michel's Bakery
9 is at a competitive disadvantage. And
10 even the case of Tastykake, I'm not
11 certain and I'm certainly not an expert,
12 but they're located in a Keystone
13 Opportunity Improvement Zone, so I
14 believe they have an abatement on
15 business privilege tax, net profits tax,
16 sales and use tax, real property tax, and
17 use and occupancy tax. So I'm the only
18 one who is paying.

19 I really feel -- and I've
20 certainly heard a lot of questions asked
21 here which were very insightful, that the
22 Mayor, City Council, the Commerce
23 Department really also need to focus on
24 existing bakeries in Philadelphia, and
25 you can't wait until the businesses leave

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2 and then ask yourself what happened on
3 our watch.

4 So in closing, I'm here to
5 support both the bill and the amendment,
6 especially the amendment. And that's
7 really all I have to say.

8 COUNCILWOMAN BLACKWELL: Thank
9 you very much.

10 Any questions?

11 (No response.)

12 COUNCILWOMAN BLACKWELL: Thank
13 you very much.

14 Are there any other comments or
15 concerns for this legislation?

16 (No response.)

17 COUNCILWOMAN BLACKWELL: All
18 right. We will now then conclude this
19 part of our gathering, our hearing, and
20 go into our stated meeting.

21 The Chair recognizes
22 Councilwoman Parker for a motion on the
23 amendment to Bill No. 160248.

24 COUNCILWOMAN PARKER: Thank
25 you, Madam Chair. I offer an amendment

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2 to Bill No. 160248. A copy of the
3 amendment has been circulated to the
4 members of the Committee. I move that
5 the amendment to Bill No. 160248 be
6 adopted.

7 (Duly seconded.)

8 COUNCILWOMAN BLACKWELL: It has
9 been moved and properly seconded that the
10 amendment to Bill No. 160248 be adopted.

11 All those in favor say aye.

12 (Aye.)

13 COUNCILWOMAN BLACKWELL:
14 Opposed?

15 (No response.)

16 COUNCILWOMAN BLACKWELL: The
17 ayes have it and the motion carries, and
18 the amendment to Bill No. 160248 has been
19 adopted.

20 COUNCILMAN HENON: Madam Chair,
21 I'd like to make a motion that Bill No.
22 160248, as amended, be reported out of
23 Committee with a favorable recommendation
24 as to be read at our next Council
25 session.

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2 (Duly seconded.)

3 COUNCILWOMAN BLACKWELL: All
4 right. Thank you. It has been moved and
5 properly seconded that Bill No. 160248,
6 as amended, be reported from the
7 Committee with a favorable recommendation
8 and further moved that the rules of
9 Council be suspended to permit first
10 reading of this bill at the next session
11 of Council.

12 All those in favor of this
13 motion say aye.

14 (Aye.)

15 COUNCILWOMAN BLACKWELL:
16 Opposed?

17 (No response.)

18 COUNCILWOMAN BLACKWELL: The
19 motion carries, and Bill No. 160248, as
20 amended, will be reported from this
21 Committee with a favorable recommendation
22 with a request that the rules of Council
23 be suspended to permit first reading at
24 the next session of Council.

25 Thank you very much. We're

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1 5/16/16 - FINANCE - BILL 160248
2 adjourned.
3 (Committee on Finance concluded
4 at 3:10 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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