

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC
DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, October 8, 2014
1:15 p.m.

PRESENT:

COUNCILMAN W. WILSON GOODE, JR., CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILL 140640 - An ordinance amending Chapter
17-1600 of The Philadelphia Code, entitled
"Economic Opportunity Plans"...

BILL 140641 - An ordinance amending Chapter
19-2600 of The Philadelphia Code, entitled
"Business Income and Receipts Taxes"...

- - -

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COUNCILMAN GOODE: Good

3

afternoon. This hearing is called to

4

order. This is a public hearing of the

5

Commerce and Economic Development

6

Committee on Bills No. 140640 and 140641.

7

My name is W. Wilson Goode,

8

Jr., Chair of this Committee. To my left

9

is Councilman Mark Squilla, Vice Chair of

10

the Committee. To my immediate right is

11

Councilwoman Jannie Blackwell and to her

12

right is Majority Leader Curtis Jones.

13

The title of Bill No. 140640,

14

amending Chapter 17-1600 of The

15

Philadelphia Code, entitled "Economic

16

Opportunity Plans," to require that each

17

Economic Opportunity Plan include

18

information concerning the Equity

19

Ownership (as defined) of (1) the

20

contractor, developer and/or recipient of

21

financial assistance required to submit

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the Plan; (2) participants (as defined)

23

engaged by the contractor, developer

24

and/or recipient of financial assistance;

25

and (3) the eventual owner or owners of

1 10/8/14 - COMMERCE - BILLS 140640 & 140641
2 the project or contract to which the Plan
3 relates; and requiring periodic reports
4 for the purpose of updating Equity
5 Ownership information; all under certain
6 terms and conditions.

7 The title of Bill No. 140641,
8 amending Chapter 19-2600 of The
9 Philadelphia Code, entitled "Business
10 Income and Receipts Taxes," to revise the
11 Credit for New Job Creation by changing
12 the minimum wage requirement in the
13 definition of "New Job"; and by providing
14 an additional "Special Tax Credit
15 Opportunity for Job Creation" in the form
16 of a multi-year tax credit for certain
17 new jobs created in 2015; all under
18 certain terms and conditions.

19 Let me note for the record
20 Councilwoman Brown is present as well.

21 We will deal with Bill No.
22 140641 first. I'll ask Clarena Tolson to
23 please approach the witness table.

24 (Witness approached witness
25 table.)

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2 COUNCILMAN GOODE: Good

3 afternoon, Commissioner.

4 COMMISSIONER TOLSON: Good

5 afternoon.

6 COUNCILMAN GOODE: Please state
7 your name for the record and proceed with
8 your testimony.

9 COMMISSIONER TOLSON: My name
10 is Clarena Tolson and I serve as the
11 Chief Collections Officer for the City of
12 Philadelphia.

13 Good afternoon, Chairman Goode
14 and members of the Committee on Commerce
15 and Economic Development. I'm here today
16 to testify in support of Bill No. 140641.

17 Bill No. 140641 amends Chapter
18 19-2600 of The Philadelphia Code,
19 entitled "Business Income and Receipts
20 Taxes," to revise the Credit for New Job
21 Creation by changing the minimum wage
22 requirement in the definition of "New
23 Job"; and by providing an additional
24 "Special Tax Credit Opportunity for Job
25 Creation" in the form of a multi-year tax

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2 credit for certain new jobs created in
3 2015; all under certain terms and
4 conditions.

5 This bill alters the minimum
6 wage requirement for jobs eligible for
7 the program to be either 150 percent of
8 the federal minimum wage, the current
9 requirement, or \$12 per hour, adjusted
10 annually by the Consumer Price Index.
11 The amendment also expands the credit
12 from a one-year \$5,000 benefit to \$5,000
13 per year for five years, for a total of
14 \$25,000 per job created for full-time
15 positions created in 2015. We believe
16 employment growth is a key to remain
17 economically viable in our increasingly
18 competitive region, and this dramatic
19 increase in the size of the credit may
20 encourage more businesses to create
21 positions. With this change, the amount
22 of total credits available remains
23 unchanged and thus does not represent an
24 increase in the potential tax
25 expenditure, although actual credits

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2 utilized can be expected to increase.

3 This change will also result in a modest
4 increase in the administrative effort
5 required to run the program, but we
6 believe that this can be absorbed without
7 additional staff or resources.

8 Thank you again for giving me
9 the opportunity to testify today, and I'm
10 ready to answer any of your questions.

11 COUNCILMAN GOODE: Thank you,
12 Commissioner. Two quick questions for
13 the record. The program is capped at
14 about \$9 million a year; is that correct?

15 COMMISSIONER TOLSON: Yes.

16 COUNCILMAN GOODE: And this
17 bill does not raise that cap; is that
18 correct?

19 COMMISSIONER TOLSON: That's
20 correct.

21 COUNCILMAN GOODE: Thank you.
22 Are there any questions for
23 this witness?

24 (No response.)

25 COUNCILMAN GOODE: Seeing none,

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2 we will move to the other bill. Thank
3 you very much.

4 COMMISSIONER TOLSON: Thank
5 you.

6 COUNCILMAN GOODE: Bill No.
7 140640, Angela Dowd-Burton.

8 (Witness approached witness
9 table.)

10 MS. DOWD-BURTON: Good
11 afternoon, Chairman Goode and members of
12 the Committee of Commerce and Economic
13 Development. My name is Angela
14 Dowd-Burton. I am the Executive Director
15 of the Office of Economic Opportunity.

16 I'm here today to provide
17 testimony on Bill No. 140640. This bill
18 amends Chapter 17-1600 of The
19 Philadelphia Code, entitled "Economic
20 Opportunity Plans," to require that each
21 Economic Opportunity Plan include
22 information concerning the Equity
23 Ownership of all identifiable
24 participants.

25 The Office of Economic

1 10/8/14 - COMMERCE - BILLS 140640 & 140641
2 Opportunity would be required to capture
3 the equity ownership interests held by
4 minority, women or disabled persons at
5 the project development stage and, if
6 ownership is privately held, at the time
7 of completion of the project. The plan
8 will identify the aforementioned equity
9 ownership of the contractor, developer
10 and/or recipient of financial assistance,
11 as well as the equity interests in the
12 ultimate owner. As a practical matter,
13 the shareholders of publicly traded
14 corporations cannot be identified, but
15 for other business entities, the
16 ownership interests should be
17 identifiable.

18 The Administration is dedicated
19 to maximizing the opportunity for
20 minority persons and women to share in
21 the ownership of ventures that contribute
22 to the development of the City of
23 Philadelphia. The Administration
24 supports this bill and agrees that the
25 Economic Opportunity Plan is an effective

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2 tool for gathering equity ownership data
3 over time.

4 The Administration believes
5 this legislation will advance the mission
6 of OEO in its continued execution of the
7 "Inclusion Works: Strategic Plan." It
8 will give OEO an opportunity to develop a
9 baseline of knowledge related to the
10 equity ownership of development within
11 the City and encourage the consideration
12 and growth of minority and women equity
13 ownership on local projects.

14 Thank you for this opportunity
15 to testify in support of Bill 140640. I
16 will be happy to answer any questions you
17 may have at this time.

18 COUNCILMAN GOODE: Thank you
19 for your testimony.

20 Let me note for the record
21 Councilman Brian O'Neill is in attendance
22 as well.

23 Any questions for this witness?
24 (No response.)

25 COUNCILMAN GOODE: Seeing none,

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2 thank you very much.

3 MS. DOWD-BURTON: Thank you.

4 COUNCILMAN GOODE: Our next
5 witness is Hanford Jones.

6 (Witness approached witness
7 table.)

8 MR. JONES: Good afternoon,
9 Honorable Councilman Goode and Honorable
10 Councilwoman Reynolds Brown and members
11 of this Committee. I am in complete
12 support of the overall purpose of this
13 bill. However, I would like for this
14 Committee to revisit the projects below
15 that the Personal and Professional
16 Services Unit, which I directed in MBEC,
17 placed equity ownership requirements on
18 certain projects throughout the last 15
19 or so years.

20 The Airport Parking Garage had
21 an RFP on the street that required equity
22 ownership. Mr. Robert Nix, Jr. was
23 involved.

24 On the Marriott Hotel at the
25 airport back in the early '90s, there was

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2 an equity opportunity requirement, which
3 was not achieved and Marriott still got
4 the contract.

5 And as it reads here, in lieu
6 of time, there are quite a few other
7 projects that have equity requirements in
8 them and the awarded firms were awarded
9 because they were responsive and
10 responsible to the equity ownership
11 requirement. However, in time, as in the
12 Marriott case, for example, the ownership
13 changed and through the Pennsylvania
14 Right to Know law request, no one in
15 Council, Law, or Department of Commerce
16 could tell me -- or PIDC, rather, could
17 tell me who the current black or minority
18 equity owners are in the sale of the
19 Marriott. I don't know if that's a
20 breach of contract, but that proposal was
21 a Law Department signed contract.

22 And the same with the cable TV.
23 When it first came out, there were
24 requirements that it was split into four
25 sections and it allowed two black

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2 business men to be equity owners. Now,
3 of course, Comcast has the whole kit and
4 caboodle and I don't know where their
5 minority participation equity ownership
6 is.

7 So my question here is that of
8 course passage of the bill but, more
9 importantly, having some type of
10 monitoring office that watches the
11 duration of these contracts, because once
12 they're approved, five, ten years down
13 the road all kinds of things happen, and
14 yet the equity ownership requirement
15 should be a part of that happening.

16 Thank you for allowing me to
17 testify.

18 COUNCILMAN GOODE: Thank you
19 for your testimony. At least one of
20 these contracts will come before Council
21 again. The Airport Concession contract
22 will probably come this fall. Aside from
23 that, I will forward your testimony and
24 ask the Administration for an update on
25 the other projects.

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2 MR. JONES: I really appreciate
3 that.

4 COUNCILMAN GOODE: No problem.

5 MR. JONES: Thank you.

6 COUNCILMAN GOODE: Thank you
7 for your testimony.

8 Any questions for this witness?

9 (No response.)

10 COUNCILMAN GOODE: Seeing none,
11 thank you very much.

12 Is Jihad Ali here?

13 (No response.)

14 COUNCILMAN GOODE: Is there
15 anyone else to testify on this bill?

16 (No response.)

17 COUNCILMAN GOODE: Seeing none,
18 we will move from our public hearing into
19 a public meeting to consider Bills No.
20 140640 and 140641.

21 The Chair recognizes
22 Councilwoman Brown, the co-sponsor of the
23 bill, for a motion on Bill No. 140640.

24 COUNCILWOMAN BROWN: Thank you,
25 Mr. Chairman. I move that Bill 140640 be

1 10/8/14 - COMMERCE - BILLS 140640 & 140641
2 reported out of Committee with a
3 favorable recommendation and with a
4 suspension of the rules to be heard at
5 the next scheduled session of City
6 Council.

7 (Duly seconded.)

8 COUNCILMAN GOODE: All in
9 favor?

10 (Aye.)

11 COUNCILMAN GOODE: Those
12 opposed?

13 (No response.)

14 COUNCILMAN GOODE: Bill No.
15 140640 is reported out of the Committee
16 with a favorable recommendation and
17 suspension of the rules to allow first
18 reading at the next Council session.

19 The Chair recognizes
20 Councilwoman Brown again for a motion on
21 Bill No. 140641.

22 COUNCILWOMAN BROWN:

23 Mr. Chairman, I move that Bill No. 140641
24 be reported out of Committee with a
25 favorable recommendation and suspension

1 10/8/14 - COMMERCE - BILLS 140640 & 140641
2 of the rules so as to be read at the next
3 scheduled session of City Council.

4 (Duly seconded.)

5 COUNCILMAN GOODE: All in
6 favor?

7 (Aye.)

8 COUNCILMAN GOODE: Those
9 opposed?

10 (No response.)

11 COUNCILMAN GOODE: Bill No.
12 140641 is reported out of this Committee
13 with a favorable recommendation and
14 suspension of the rules to allow first
15 reading at our next session of Council.

16 Thank you all. This concludes
17 our public meeting.

18 (Committee on Commerce and
19 Economic Development concluded at 1:30
20 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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direct control and/or supervision of the
certifying reporter.)

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