

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

ROOM 400, City Hall
Philadelphia, Pennsylvania
Wednesday, April 25, 2012
2:00 P.M.

PRESENT:

COUNCIL PRESIDENT BILL GREEN
COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

Bill 120106 - An Ordinance amending
Title 12 of The Philadelphia Code,
entitled "Traffic Code," by providing
for the adjudication of parking
violations contested by alternative
methods ...

Bill 120138 - An Ordinance authorizing
The Department of Human Services
on behalf of the City, to enter into
a grant agreement with the Commonwealth
of Pennsylvania, Department of Public
Welfare for a grant to provide funds ...

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2 COUNCILMAN GREEN: Bill No.
3 120100 which was scheduled for a
4 hearing today will be held at the
5 request of the Sponsor. So if you
6 are here to testify on that bill, we
7 will not have a hearing and that will
8 be renoticed.

9 So we will be hearing Bills
10 No. 120106 and 120138. I notice the
11 presence of a quorum with Vice Chair
12 Marian Tasco, Blondell Brown, Bill
13 Greenlee and Mark Squilla. Also
14 present is Councilman Bobby Hemon.
15 And with that, I will call this
16 hearing to order and ask the Clerk to
17 read the title of the bills.

18 CLERK: Bill No. 120138:
19 an ordinance authorizing the
20 Department of Human Services on
21 behalf of the City to enter into a
22 grant agreement with the Commonwealth
23 of Pennsylvania, Department of Public
24 Welfare, for a grant to provide funds
25 for the time-limited, family

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2 reunification initiative to the City
3 under certain terms and conditions.

4 COUNCILMAN GREEN: And will
5 the Clerk also please read the title
6 of the other bill we're hearing? And
7 while she's doing that, anyone
8 testifying or the people testifying
9 on 138 please come to the stand.

10 THE CLERK: Bill No.
11 120106: an ordinance amending Title
12 12 of the Philadelphia Code entitled
13 "Traffic Code" by providing for the
14 adjudication of parking violations
15 contested by alternative methods.

16 COUNCILMAN GREEN: Thank
17 you. Please state your name for the
18 record and continue with your
19 testimony.

20 MS. AMBROSE: Good
21 afternoon, Chairman Green and members
22 of the Finance Committee. I am Anne
23 Marie Ambrose, Commissioner of the
24 Department of Human Services, the
25 largest child welfare agency in the

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2 Commonwealth. I am here today to
3 testify in support of Bill No.
4 120138, which authorizes the
5 Department of Human Services, on
6 behalf of the City, to enter into a
7 grant agreement with the Commonwealth
8 of Pennsylvania, Department of Public
9 Welfare for a three-year grant to
10 provide funds for the Time-Limited
11 Family Reunification (TLFR)
12 initiative to the City, under certain
13 terms and conditions. The total
14 grant is for \$591,250.00 for the
15 period of October 1, 2011 through
16 June 30, 2014. The annual budget is
17 \$215,000, pro-rated in the last year
18 of the grant.

19 The TLFR grant provides DHS
20 with funding for services designed to
21 facilitate timely family
22 reunification for youth in placement
23 through the provision of immediate
24 in-home services. In addition, this
25 grant money also allows DHS to

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2 provide aftercare services to
3 families once youth are reunified to
4 ensure successful transition back
5 into the home. DHS's target
6 population for in-home service are
7 families with youth who are entering
8 placement for the first time and who
9 are placed in group homes (GH) within
10 the five-county area: Philadelphia,
11 Bucks, Montgomery, Delaware and
12 Chester. Youth entering this type of
13 placement generally range in age from
14 11-17.

15 The TLFR initiative is
16 consistent with our mission to
17 facilitate timely reunification with
18 parents and other family members
19 through the use of in-home services
20 designed to strengthen families.
21 These services are designed to keep
22 the family focused on the fact that
23 group home placement is crisis-driven
24 and should not be seen as a long-term
25 alternative to a child growing up in

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2 a home environment.

3 At the time of a group home
4 placement, targeted families are
5 referred to TLFR services. A
6 thorough assessment is done with the
7 youth and the family to determine the
8 specific type of service each family
9 would need. A TLFR provider case
10 worker from one of three agencies is
11 contracted to work in collaboration
12 with DHS and the family. The
13 TLFR-provider worker provides
14 intensive in-home services of up to
15 ten hours a week, which includes
16 weekly supervised visits, if
17 necessary.

18 During this period, the
19 intensive worker concentrates on
20 helping the family organize the home,
21 establish a family structure using
22 positive family discipline and
23 develop and establish informal and
24 formal family support systems that
25 remain in place after the completion

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2 of the program.

3 The TLFR-provided and DHS
4 staff work collaboratively with the
5 group home provider staff to ensure
6 consistent and meaningful visits are
7 taking place in the resource home.

8 During the TFLR process,
9 the parent's home is evaluated to
10 assess the parent's capability to
11 provide a safe, healthy environment
12 for the returning child. The needs
13 of siblings, paramours and other
14 household members also are addressed
15 in order to help solidify the family
16 unit. Upon reunification, youth are
17 linked to services to support
18 relationship building in the family
19 and community.

20 Because the adjustment to
21 returning can sometimes be difficult,
22 the Family Reunification (Aftercare)
23 program provides five hours of direct
24 contact hours a week with the child
25 and family after the youth returns

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2 home. Services continue in the home
3 for 12 weeks after the child returns
4 home. Home visits are scheduled at
5 times that meet the family's needs.

6 Family meetings are
7 facilitated in order to assist the
8 family with problem solving and the
9 development of effective
10 communication skills. Discretionary
11 cash funds, averaging around \$300.00
12 per family, can be utilized to assist
13 the family with home repairs and
14 purchasing beds, furniture or any
15 other needs identified by the family
16 to support the reunification.

17 Through this program, DHS
18 strives to reduce the length of time
19 that children spend in group home
20 care to a period of nine to twelve
21 months. By providing front-end
22 intensive services, families receive
23 support and guidance to understand
24 why their child was placed and how
25 the circumstances can be changed.

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2 Aftercare services assist the youth
3 and family with the adjustment to
4 living together as a family. Through
5 the use of TLFR services, the
6 Department of Human Services hopes to
7 reduce the re-entry rates for
8 children returning to custody.

9 With this Grant, DHS
10 provides services to approximately 40
11 families during each year of the
12 grant. We are hopeful the City
13 Council will pass this bill to allow
14 more youth and families to benefit
15 from these essential services.

16 Thank you for allowing me
17 to testify today. I'm available to
18 answer any questions that you might
19 have about this critical service for
20 families involved with DHS.

21 COUNCILMAN GREEN: Thank
22 you, Commissioner. Does anybody have
23 any questions for the Commissioner?

24 (No response.)

25 COUNCILMAN GREEN: Seeing

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2 none, thank you very much.

3 MS. AMBROSE: Thank you.

4 COUNCILMAN GREEN: We will
5 move to Bill No. 120106 which has
6 already been read. So I will ask
7 Jerry Connors to come up from the
8 Bureau of Administrative
9 Adjudications.

10 Before we move to that, I
11 would like to recognize for the
12 record Councilwoman Jannie Blackwell
13 who is present, and Councilman Wilson
14 Goode and Councilman Kenyatta
15 Johnson. Mr. Henon, do you have
16 anything you would like to say before
17 we hear from the Bureau of Adjustment
18 and Adjudication?

19 Will you please turn on the
20 microphone for Councilman Henon.

21 (Microphone turned on.)

22 MR. HENON: Thank you, Mr.
23 Chairman. And welcome to those who
24 are here today this afternoon to
25 testify. We appreciate it and it's

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2 ironic, as what we are trying to --

3 and I'm speaking on behalf of the

4 Parking Authority, the BAA

5 Adjudication bill, specifically Bill

6 No. 12106 specifically -- it's ironic

7 that, you know, I want to thank

8 people for really taking the time out

9 to come down here in the City and

10 finding parking. I know it's an

11 inconvenience.

12 So it's my hope that the

13 message is that we need to be a

14 little more friendlier to not just

15 the residents of the City of

16 Philadelphia in the sense of parking,

17 adjudicating their, contesting their

18 parking tickets. I think it's an

19 inconvenience.

20 I've heard it for the last

21 year and several times this year from

22 a wide range of not only seniors, you

23 know, but professionals, people who

24 are working all over the place and

25 quite frankly, some family members

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2 that visit us that have come into the
3 City who used to live here and some
4 folks who are visiting the City and
5 its rich history which we have to
6 offer.

7 You know, single parents
8 also who have a job, if they're lucky
9 enough to have a job in today's job
10 environment, it is, I think, a
11 challenge to take off from work, to
12 put their kid in day-care and to come
13 down here to contest the pay for
14 parking and to contest a parking
15 violation.

16 I think other cities across
17 the country, especially on the East
18 Coast here, have many ways of being
19 friendly accessible and means of
20 contesting their parking violations.
21 So this has nothing to do with the
22 violations. This has everything to
23 do with people's ability to due
24 process in a more accessible and
25 convenient way that doesn't disturb

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2 their lives and the lives of the
3 family and have their voice be heard.

4 So as a friendly city as we
5 are, you know, it is my hope to
6 co-introduce this bill with Chairman
7 Green and to move it out of Committee
8 today and to give people the due
9 process that they deserve in a more
10 open, transparent and convenient way
11 without disrupting their lives.

12 Thank you very much.

13 COUNCILMAN GREEN: Thank
14 you, Councilman. I note for the
15 record on the screen to our left is a
16 Power Point presentation which has
17 the instructions and actual online
18 sign-in page for cities such as New
19 York, San Diego, Boston and others
20 that permit an online appeals
21 process, as do Temple, University of
22 Pennsylvania, Villanova, et cetera,
23 for parking tickets.

24 With that Power Point
25 running in the background,

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2 Mr. Connors, please proceed.

3 MR. CONNORS: Good

4 afternoon, Chairman Green, Vice

5 Chairwoman Tasco and distinguished

6 Committee Members. My name is

7 Jeremiah Connors, and I serve as the

8 director of the Bureau of

9 Administrative Adjudication in the

10 City's Finance Department which

11 handles parking ticket appeals.

12 Thank you for the opportunity to

13 offer testimony in response to Bill

14 No. 120106.

15 Bill 120106 proposes

16 amendments to Chapter 12-2800 of the

17 Philadelphia Code to provide to

18 recipients of parking violations the

19 opportunity for a means to appeal

20 parking tickets by methods in

21 addition to in-person hearings, such

22 as the written submission of evidence

23 and through telephone hearings.

24 Although we would be

25 prepared to support formalizing

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2 appeals based on the submission of
3 written evidence, telephone appeals
4 would require additional expense that
5 would not prove effective for either
6 us or appellants. Nor are we
7 prepared at this time to formalize
8 the receipt of written submissions
9 electronically. We have suggested to
10 the Sponsor amendments to modify the
11 bill to limit changes to the appeals
12 system that we could support. We
13 cannot support the bill without those
14 amendments.

15 Thus far in FY12 (through
16 March 31st) there have been 1,136,134
17 parking tickets issued. Under the
18 provisions of the Code, the appeal
19 process for Philadelphia parking
20 tickets is tightly prescribed by law.
21 Once properly issued, a parking
22 ticket is prima facie evidence of a
23 violation. And to be overturned upon
24 appeal, there must be evidence and/or
25 testimony presented to prove that the

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2 ticket was not valid.

3 Drivers issued violations
4 have not been shy about pursuing
5 appeals. There is no filing fee now
6 or any impediment now to request a
7 hearing in order to contest a ticket,
8 and doing so simply delays payment
9 for those who never intend to
10 actually pursue an appeal.

11 Through March 31, 145,019
12 tickets have been scheduled or
13 rescheduled for hearings this fiscal
14 year. Though not a direct connection
15 in terms of the time frame for
16 evaluation of ticket issuance, just
17 as a matter of scale, about 13
18 percent of tickets issued are
19 appealed. About half of those
20 scheduled for a hearing never appear
21 or follow through with their appeal.

22 In addition to those
23 scheduled for hearings, under certain
24 conditions (vehicle impoundment,
25 condition of employment, registration

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2 suspension, permit renewal)

3 respondents are heard on a walk-in or

4 "on demand" basis. We are also

5 generally willing to consider

6 evidence submitted in writing,

7 although it is not preferred, as

8 written evidence does not provide the

9 opportunity for the full exchange of

10 information necessary to develop the

11 factual record.

12 We work extremely hard to

13 provide timely and responsive

14 hearings for appellants. The Bureau

15 of Administrative Adjudication makes

16 appeal decisions on roughly 16,000

17 parking tickets each month.

18 Thus far in FY12, 12.3

19 percent of ticket appeals resulted in

20 dismissal. 15.7 percent have

21 resulted in findings of liable for

22 the ticket itself but with reduction

23 of one or more late penalties and 72

24 percent resulted in liable findings.

25 In other words, most appellants, even

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2 those who actually follow through on
3 their appeals, do not prevail.

4 It is important that those
5 contesting a parking ticket be
6 required to demonstrate some level of
7 commitment to appeal the ticket.
8 Meritless appeals are not only a
9 waste of municipal resources but the
10 volume of meritless appeals can
11 impact our ability to fairly resolve
12 legitimate disputes.

13 We recognize, however, that
14 for those who legitimately want to
15 pursue an appeal, the requirement of
16 an in-person hearing presents an
17 impediment for some who have
18 difficulty with the time, or
19 sometimes the physical effort,
20 associated with attending a hearing.
21 There must be a balance between our
22 concerns about making it easier to
23 appeal, therefore allowing violators
24 to delay payment, and clog up the
25 system, through the filing of

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2 meritless appeals, and giving
3 alternate opportunities to present
4 evidence of legitimate claims.

5 The most readily accessible
6 of alternative appeals is written
7 appeals, which the BAA has accepted
8 informally in appropriate cases.

9 There are some drawbacks regarding
10 the opportunity to submit written
11 evidence. In my experience, the
12 opportunity of an in-person
13 presentation, with the greater
14 opportunity of give and take between
15 the hearing officer and presumptive
16 offender, often proves more
17 satisfying to members of the public
18 than determinations based solely on a
19 written record.

20 We would be prepared,
21 however, to support a bill that
22 simply formalized the submission of
23 written evidence on appeal. We
24 would, of course want to evaluate how
25 formalization of written evidence

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2 works going forward and would ask
3 that you be open to the possibility
4 of reconsidering this change
5 depending on what we find in that
6 evaluation.

7 We have discussed several
8 concerns about the bill with the
9 Chairman's staff, however, and have
10 proposed amendments to remove certain
11 aspects of the bill that in our view
12 would be unworkable. More
13 specifically, we are particularly
14 concerned about the provision of
15 telephone hearings, which present a
16 number of logistical problems and
17 practical problems, both for us and
18 for appellants. We also have
19 requested amendments to make the
20 submission of evidence electronically
21 depending on rules the Finance
22 Department would establish by
23 regulation, as we are not prepared at
24 this moment to move forward with
25 electronic appeals. We are not

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2 prepared to support the bill without
3 the adoption of the amendments we
4 have proposed.

5 Thank you again for the
6 opportunity to present this testimony
7 on behalf of the Administration. I
8 will be pleased to answer any
9 questions.

10 COUNCILMAN GREEN: Thank
11 you, Mr. Connors. I have a press
12 release from the City of New York,
13 Office of the Mayor dated March 21,
14 2011, "Mayor Bloomberg and Speaker
15 Quinn Announce New Program to Allow
16 New Yorkers to Contest Tickets
17 Online." Speaker Quinn, who I guess
18 is the equivalent of our City Council
19 president, said: "Once again, we are
20 making the City more customer-service
21 oriented," by allowing New Yorkers
22 and small business owners to contest
23 a violation online -- whether it be
24 sanitation, health or otherwise --
25 it'll save them time and money,

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2 traveling to city offices and waiting
3 their turn to make their case to an
4 administrative judge. My Council
5 colleagues and I are proud that both
6 our bill and the Regulatory Review
7 panel resulted in this great step in
8 making the lives of New Yorkers
9 easier."

10 As I have mentioned, there
11 are a bunch of other cities and
12 institutions that already permit
13 electronic ticketing. And I would
14 like to specifically focus in on that
15 statement versus the statement in
16 your testimony that in your
17 experience the opportunity of an
18 in-person presentation with give and
19 take between the hearing officer and
20 offender proves more satisfying to
21 members of the public.

22 There are in people's
23 packages here lots of articles about
24 the hours of time that people have to
25 wait. "It's Our Money" is a piece

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2 after this bill and Councilman's
3 Henon's other bill was introduced,
4 that described waiting for three
5 hours even when you have an
6 appointment, et cetera. And I'm just
7 wondering why it is that we want to
8 say what customer service the public
9 wants and limit it because we think
10 they'll be more satisfied with a
11 particular process, rather than
12 allowing the public to make a
13 determination as to how they would
14 like us to serve them, either in
15 person if you feel that's needed,
16 online, et cetera.

17 Why not make us as customer
18 service friendly as we can be and
19 leave the choice as to the public
20 wants to be satisfied up to them.

21 MR. CONNORS: The
22 presentation of written testimony and
23 physical evidence in an online
24 fashion is not what we are against.
25 If the idea is for a hearing

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2 essentially to be performed in a
3 Skype-type of a format, we just think
4 that's extremely problematic from a
5 practical standpoint in terms of
6 trying to execute that. So online
7 can be many things these days.

8 To my knowledge, at
9 least -- I don't pretend to know
10 every cite that's in the Power Point.
11 But the cities I have been in touch
12 with online is the written submission
13 along with photographic evidence,
14 photostatic copies of documentation
15 submitted for a then-later review by
16 a hearing examiner.

17 COUNCILMAN GREEN: Right.
18 And then people are usually notified
19 via email or mail about the results
20 of their hearing. And then you can
21 take those results and appeal the
22 BAA's decision in court if they feel
23 like they need to do so without
24 having to come to that first hearing.
25 Because as you have testified, there

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2 are, you know, most appeals, even
3 when they show up, are not granted.
4 Only 12 percent. And so you are
5 creating a record without having to
6 take time off from work or away from
7 your children or whatever that you
8 can then decide what to do with.

9 But in your testimony -- in
10 the actual amendment submitted to us,
11 you took away and in your testimony
12 you said you are not prepared to do
13 electronic submission today. And you
14 took away the opportunity for
15 electronic submission by having the
16 BAA at a time it finds convenient
17 issue its own regulations for
18 electronic submission which could be
19 fax only, for example, the way the
20 amendments were written.

21 So, you know, I think, I
22 don't see a reason not to proceed
23 with respect to telephonic hearings,
24 specifically that we sent around to
25 our Council colleagues. And I think

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2 it's part of the people's package,
3 freeconferencecall.com and 15 other
4 server providers that record
5 conference calls. And they could be
6 used for a record if there is an
7 appeal from there with a simple 800
8 number for people to call in at
9 scheduled times with pass codes, et
10 cetera. There are telephonic
11 hearings in different contexts other
12 than parking appeals in cities and
13 states. And I see no reason not to
14 make that an option.

15 Is there anybody -- I'm
16 sorry. Councilman Greenlee.

17 COUNCILMAN GREENLEE: Thank
18 you, Mr. Chairman. I just -- you
19 kind of asked the kind of questions I
20 was going to ask about the electronic
21 appeals. And just so I am clear, Mr.
22 Connors, you said you didn't have any
23 problem with electronic appeals that
24 just come in like written testimony.
25 You have seen that a problem just

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2 with the Skype idea? Maybe make that
3 a little clearer because I wasn't
4 really clear what you were saying.

5 MR. CONNORS: I'm sorry. I
6 think the first question was:

7 Something that could be in a work cue
8 that the next available hearing
9 examiner can take that case, do that
10 case, perform that case, make that
11 decision, issue findings, create a
12 notification back to the customer.

13 We have no philosophical problem with
14 that.

15 The idea -- you are using
16 Skype but I think we know what we
17 mean, some sort of a face-to-face
18 electronic -- we see that as user
19 problematic from a practical
20 standpoint in terms of scheduling, in
21 terms of being able to put a hearing
22 examiner up in front and at the same
23 time get the customer on the line.
24 It's just a logistical issue that the
25 benefit would so far outweigh the

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2 pain, it just doesn't seem at all
3 practical.

4 In terms of making it
5 easier -- I don't -- if the chairman
6 took that our proposed amendment was
7 a disingenuous way to limit this to
8 faxed appeals, that was certainly not
9 our intention at all and would not be
10 our intention.

11 We are principally opposed
12 to telephone hearings, anything in
13 the online venue that would be, you
14 know, call it live interactive. We
15 just see that's extremely
16 problematic.

17 COUNCILMAN GREENLEE: And
18 it's the problem that you mostly
19 refer to scheduling that you seem to
20 think that would be a problem?

21 MR. CONNORS: Yes, sir.
22 It's enormously problematic. We have
23 at the moment -- and I know it's easy
24 to hear as elected officials the
25 horror stories of the time that

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2 people wait, an exceedingly long
3 amount of time. No one is going to
4 call an elected official and say: I
5 was in and out of there in ten
6 minutes. I want you to know that.

7 COUNCILMAN GREENLEE: In
8 all fairness, in my opinion I have
9 heard many more complaints about the
10 time problem over the last year or so
11 than we used to. I thought at one
12 time, to be quite honest with you, it
13 worked pretty well then. But lately
14 I have been hearing when people come
15 in and they are told even before they
16 sit down: Well, you know, it's going
17 to be a long time. Maybe you better
18 reschedule.

19 MR. CONNORS: No. I'm
20 disagreeing with what they have been
21 told. People are given a reasonable
22 estimate based on when they are
23 signing in what it's going to look
24 like so that they can go to lunch and
25 come back. They are not going to be

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2 missed. But in other words, people
3 prefer to be told: Here's what the
4 wait looks like today.

5 We have boot and tow cases
6 that get thrust upon us. We don't
7 know how many of those there are
8 going to be. Those tend to be very
9 time-consuming. And we do our best
10 to take the scheduled people out of
11 turn and leave the boot and tows at
12 the end. I say boot and tow, any
13 on-demand categories of hearings.

14 COUNCILMAN GREENLEE:

15 Wouldn't it be reasonable, then, to
16 assume that a lot of those people
17 showing up now and being pushed back,
18 you know, taking a long time, they
19 would do it by written or electronic
20 or something like that? I mean, I
21 think that's one of the ideas behind
22 this whole thing, you know. It would
23 cut down on the people coming. And
24 then that's their choice. You are
25 giving them a choice.

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2 MR. CONNORS: And we are
3 not against that. But anything we do
4 that increases the volume of appeals
5 is more cases that have to be
6 addressed and they have to be heard.
7 Whether it's submitted in writing,
8 it's still a measure of work that has
9 to be done to provide that hearing.

10 COUNCILMAN GREENLEE: But
11 people have had to sit and wait, I
12 have heard, a couple of hours. I
13 have heard that many, many times from
14 people. Maybe some of them are
15 exaggerating, I don't know, but ...

16 MR. CONNORS: Trust me when
17 I tell you: We do not enjoy making
18 people wait, not even a little bit
19 more than they enjoy waiting.

20 COUNCILMAN GREENLEE: But
21 whether you enjoy it or not -- I'm
22 not saying you enjoy it. But I'm
23 sure they don't enjoy it.

24 MR. CONNORS: I'm sure they
25 don't.

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2 COUNCILMAN GREENLEE: Why
3 not try to take that away a little
4 bit, I guess is what I'm saying, you
5 know. I think that's what this bill
6 does, you know.

7 MR. CONNORS: We are not
8 against what we think are the poor
9 intentions of the bill. We are
10 against two specific aspects of it.
11 The rest of it is just a case of
12 mechanics how we pull it off. We are
13 not proposing to delay it or be
14 disingenuous. We would be happy to
15 do this on a time frame that I think
16 everybody agrees would be as
17 expeditious as we possibly can.

18 COUNCILMAN GREEN: Thank
19 you. I'm not sure we can agree on
20 what is as expeditious as we possibly
21 can in large measure, unless there's
22 legislation that's moving through
23 City Council.

24 MR. CONNORS: I'd be happy
25 to make a commitment to that effect,

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 if you'd like.

3 COUNCILMAN GREEN:

4 Councilwoman Brown.

5 COUNCILWOMAN BROWN: Thank
6 you. Good afternoon.

7 MR. CONNORS: Good
8 afternoon.

9 COUNCILWOMAN BROWN: I want
10 to get a handle on what aspects of
11 the bill that you believe are
12 reasonable. So can you share with us
13 the aspects of the bill that you
14 believe makes sense for us to proceed
15 as a City, given the fact that there
16 are a number of other municipalities
17 that have figured it out.

18 MR. CONNORS: We would be
19 more than happy to support
20 submissions by email. We would be
21 more than happy to support
22 submissions of written testimony
23 evidence to an upload or Web site or
24 filling out a form that some of the
25 cities utilize. We are happy to

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 support that.

3 COUNCILWOMAN BROWN: Okay.

4 And the one piece or the two or three
5 pieces you believe are onerous are?

6 MR. CONNORS: Telephone
7 hearings of anything online that is
8 on demand interactive, call it Skype
9 or anything of that nature.

10 COUNCILWOMAN BROWN: Okay.

11 And the reason for that is the
12 challenge you believe to be is
13 related to the capital investments
14 that would be needed to get the
15 proper equipment in place to ensure
16 an efficient operation of the
17 telephone process or what?

18 MR. CONNORS: There is that
19 aspect of it. But there is also the
20 number of hearing examiners we would
21 have to add to the mix to be able to
22 pull this off. In other words, as
23 bad as it is when people are
24 delayed --

25 COUNCILWOMAN BROWN: Yes.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 MR. CONNORS: -- they have
3 been in a waiting room. They see
4 everyone else is delayed. They see
5 that we are doing the best we can.
6 In a telephonic environment, you have
7 no context --

8 COUNCILWOMAN BROWN: Point
9 of information, Mr. Chairman. Are
10 there other municipalities that
11 actually use the telephone process in
12 the way that's being recommended in
13 this bill?

14 COUNCILMAN GREEN: Yes,
15 unemployment compensation appeals --

16 COUNCILWOMAN BROWN: No, of
17 the cities that are actually using
18 the telephone to handle appeals of
19 parking tickets.

20 COUNCILMAN GREEN: New York
21 City did allow telephonic appeals
22 until they just updated their whole
23 system to do Web sites, to do Web
24 site and online. Also, HEMAP allowed
25 telephonic appeals. I mean, the

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 issue here to me is -- it's my belief
3 based on our conversation with other
4 cities, that this will significantly
5 decrease the number of people who
6 come in.

7 And it is much quicker to
8 reject an online appeal after looking
9 at the evidence and not having to
10 engage with anybody, as opposed to
11 having a full 6, 12-minute, 18-minute
12 hearing with each person that comes
13 before you. So the workload can be
14 far more efficient. And that's my
15 belief as to what will happen when we
16 allow things to be more convenient
17 for citizens.

18 There will be an initial
19 uptick and then as people realize
20 they are just as likely to get a no
21 with that, that will slow down and
22 you will have less people in person
23 than you are dealing with.

24 COUNCILWOMAN BROWN: And so
25 the consumer or the citizen still has

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 the last option to come in and do a
3 face-to-face appeal. This doesn't
4 eliminate that option completely,
5 does it?

6 COUNCILMAN GREEN: If the
7 citizen chooses in advance whether
8 they want to come in or whether they
9 want the appeal. So it's either/or.
10 And then with respect -- I'm fairly
11 convinced that I can convince you
12 over time that the technology exists
13 today for people to schedule
14 hearings, even telephonically online
15 without any resources from the
16 Department other than letting people
17 know what day or what number of hours
18 would be available on a day for one
19 hearing examiner to hear appeals
20 online, that conference call notices
21 can go out automatically from a
22 conference call provider. That we
23 won't have to build any equipment in
24 our system whatsoever, those
25 conference calls can be recorded and

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 the record will exist for later
3 appeal through the use of modern
4 technology.

5 And if I can't convince you
6 of that, I will consider amending
7 that out of the bill at a later date,
8 the telephonic hearing requirement.
9 But I would like the opportunity to
10 demonstrate to you that it is not
11 going to cost us money or time or
12 anything other than convenience and
13 service to our citizens.

14 COUNCILWOMAN BROWN: My
15 last question, Mr. Chairman, is will
16 there be a period for training that
17 will allow you prior to, for lack of
18 a better word, city-wide effective
19 implementation?

20 COUNCILMAN GREEN: That's
21 up to the Department.

22 COUNCILWOMAN BROWN: Okay.
23 Thank you, Mr. Chairman.

24 COUNCILMAN GREEN: Thank
25 you. Councilman Johnson, did you

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 have any questions? I'm sorry.

3 Councilman Goode.

4 COUNCILMAN GOODE: Thank
5 you, Mr. Chairman. Good afternoon.
6 You said that 80 percent are denied
7 on average?

8 MR. CONNORS: No. 72
9 percent -- in the current fiscal
10 year, roughly 72 percent have been.

11 COUNCILMAN GOODE: Do you
12 have a study over a longer period of
13 time?

14 MR. CONNORS: I can go back
15 to the last fiscal year. But prior
16 to that time, the records that were
17 kept of appeal actions were not quite
18 reportable.

19 COUNCILMAN GOODE: So over
20 the last year, about 28 percent were
21 approved?

22 MR. CONNORS: Are you
23 talking about in the last fiscal
24 year?

25 COUNCILMAN GOODE: Yes.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 You said 72 percent were denied.

3 MR. CONNORS: No. There's
4 two categories of appeals that get
5 approved, if you will. One is where
6 the respondent is found liable for
7 the violation itself. One or more
8 late penalties are waived. And then
9 the other is an actual finding of
10 liable to both the violation and if
11 there are late penalties.

12 COUNCILMAN GOODE: But my
13 question is: What percentage of
14 appeals were won?

15 MR. CONNORS: Won in terms
16 of the exonerated? 72 -- I have it
17 here.

18 COUNCILMAN GOODE: 12
19 percent?

20 MR. CONNORS: I'm sorry,
21 sir. One second. 12.3 were
22 dismissed outright.

23 COUNCILMAN GOODE: Okay.
24 Do they fall in any specific
25 category, why the appeals were?

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 MR. CONNORS: That could be
3 anything from the issuing officer
4 reported the wrong plate numbers.

5 COUNCILMAN GOODE: But do
6 you know what they were? Do you know
7 why the appeals were won?

8 MR. CONNORS: Why they were
9 won is that there was evidence of
10 testimony that proved the ticket was
11 not valid.

12 COUNCILMAN GOODE: I get
13 that. I'm asking: Did you examine
14 specific cases and do you know how
15 the appeals were won? That's a
16 direct question.

17 MR. CONNORS: And a direct
18 answer is yes, but it's not
19 categorized in any format that I
20 could present to you today.

21 COUNCILMAN GOODE: Do you
22 know what evidence was presented that
23 won those appeals?

24 MR. CONNORS: In each case,
25 yes.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 COUNCILMAN GOODE: Can you
3 describe the evidence that was
4 presented or needed to win the
5 appeal?

6 MR. CONNORS: In the
7 thousand or so, whatever the number
8 is, cases per month where they
9 prevailed? Each case is different,
10 sir.

11 COUNCILMAN GOODE: I doubt
12 that very seriously.

13 MR. CONNORS: Oh, I can
14 assure you that it is.

15 COUNCILMAN GOODE: So
16 there's a thousand different types of
17 evidence that's presented?

18 MR. CONNORS: Easily.

19 COUNCILMAN GOODE: Thousand
20 different ways for a thousand
21 different reasons?

22 MR. CONNORS: Easily.

23 COUNCILMAN GOODE: That's
24 ridiculous. Thank you.

25 COUNCILMAN GREEN: Any

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 further questions? Council member
3 Johnson?

4 COUNCILMAN JOHNSON: Thank
5 you, Mr. Chairman. I just have a
6 couple small questions. And I do
7 applaud your efforts in trying to
8 make government life a little more
9 customer friendly and making sure in
10 this particular case the people of
11 Philadelphia have an opportunity to
12 interact more efficiently with that
13 particular agency. But I did have a
14 couple of additional questions.

15 People still have the
16 option to do the face-to-face
17 component? Okay. And I also looked
18 at the data from the various other
19 cities that have this system in
20 place. The statistical data talks
21 about how customers might have gone
22 from a five to a ten in terms of
23 those particular government agencies
24 as customer friendly: New York,
25 Boston. Any information that kind of

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 shows that?

3 COUNCILMAN GREEN:

4 Honestly, I'm not aware of customer
5 surveys in those cities.

6 COUNCILMAN JOHNSON: And
7 the other component was just on the
8 technology side, the system has to be
9 in place to make sure that those
10 folks who will be administering this
11 system, that they will be up to
12 speed, be able to use the computer,
13 some of them even customer friendly
14 on the telephone, how to interact
15 with people. You have a system in
16 place to get folks up to speed from
17 that component as well as on the
18 training side?

19 COUNCILMAN GREEN: We would
20 pass a law. The Department would be
21 responsible for doing that.

22 COUNCILMAN JOHNSON: Thank
23 you, Mr. Chairman.

24 COUNCILMAN GREEN: Thank
25 you. Any further questions for this

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 witness?

3 MR. CONNORS: Mr. Chairman,
4 could I just respond to one question
5 that you asked earlier and I never
6 got a chance to answer?

7 COUNCILMAN GREEN:
8 Certainly.

9 MR. CONNORS: You made a
10 statement that said that this will be
11 more expeditious. I want to point
12 out that, you know, face-to-face
13 setting, explain the decision,
14 explain the provisions of law, is
15 much more straightforward and less
16 time-consuming than writing that out
17 to the satisfaction of the recipient
18 of that decision. So it is more
19 actually time-consuming to do
20 something in a written submission
21 because you have to provide that back
22 or the person has no idea that they
23 would actually be doing.

24 COUNCILMAN GREEN:
25 Councilman Goode?

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 COUNCILMAN GOODE: Since I
3 don't believe that all appeals that
4 were won fall into a thousand
5 different categories and since they
6 may fall into the category of simply
7 the wrong license tag, someone doing
8 a job wrong on a consistent basis or
9 any number of other things. Maybe
10 because someone had access to
11 presenting a type of evidence in
12 terms of photographing something.
13 You don't know whether it's more
14 expeditious or not unless you
15 actually examine those 12 percent of
16 cases where people won. Thank you,
17 Mr. Chairman.

18 COUNCILMAN GREEN: Thank
19 you. And I think Councilman Squilla?

20 COUNCILMAN SQUILLA: Yes.
21 Thank you. Before, we used to have
22 evening hours to make that easier for
23 people to come in?

24 MR. CONNORS: Several years
25 ago they extended the hours to one

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2 night a week.

3 COUNCILMAN SQUILLA: And do
4 we still have that?

5 MR. CONNORS: We do not.

6 COUNCILMAN SQUILLA: So
7 there is no time for somebody after
8 work to go. So is it possible that
9 we have Saturday hours?

10 MR. CONNORS: We have
11 Saturday hours, sir.

12 COUNCILMAN SQUILLA: And
13 what are the Saturday hours?

14 MR. CONNORS: Nine to
15 twelve on Saturday.

16 COUNCILMAN SQUILLA: Nine
17 to twelve. Is there a possibility to
18 extend that or no?

19 MR. CONNORS: Not within
20 the current budget constraints that
21 we live in.

22 COUNCILMAN SQUILLA: If we
23 had -- well, like a person works -- I
24 guess they don't work one day during
25 the week so they would pick up a

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2 Saturday time. Is that a
3 possibility?

4 MR. CONNORS: We schedule
5 rotations on Saturdays for senior
6 hearing examiners than can perform
7 all of the functions that need to be
8 performed. It's a support staff
9 issue. It's not just a case of
10 putting a hearing examiner on. There
11 is more to it than that.

12 COUNCILMAN SQUILLA: All
13 right. How about as far as nighttime
14 hours? Is that something that you
15 are not able to do?

16 MR. CONNORS: It's not
17 something that we can support with
18 the existing resources that we have.

19 COUNCILMAN SQUILLA:
20 Wouldn't that make more sense, then,
21 to be able to allow it to be online?
22 I know you said it takes longer for a
23 person to write it out and send it in
24 or go on the computer and do it.
25 They might not be available for

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2 certain times so it would be easier
3 for them to actually do that than
4 having to go down to the hearing and
5 have it heard.

6 MR. CONNORS: I'm sorry. I
7 misunderstood your question.

8 COUNCILMAN SQUILLA: I know
9 you said it's longer for somebody to
10 have to write it out and give you all
11 the details of their ticket and then
12 submit that to -- it would actually
13 take the person a longer amount of
14 time. But if the times are not
15 available for them to go there or for
16 some reason somebody came in from
17 even out of town, they got a ticket
18 and wanted to fight it, would it not
19 behoove them to take a little more
20 time to submit that through the
21 online process?

22 MR. CONNORS: Yes. We do
23 that now in various forms,
24 attachments to emails submitted from
25 a Web site, US mail, we do all that

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2 now.

3 COUNCILMAN GREEN: I'm
4 sorry. You do that now? And the
5 public knows that?

6 MR. CONNORS: They
7 certainly do, based on the quantity
8 that we receive.

9 COUNCILMAN GREEN: The
10 information is available on your Web
11 site how to do that?

12 MR. CONNORS: We encourage
13 the in-person hearing.

14 COUNCILMAN GREEN:
15 Councilman Henon?

16 MR. HENON: Thank you, Mr.
17 Chairman. I'm just finding it hard
18 to believe, Mr. Connors. And this
19 is -- I'm just trying to figure out
20 when -- you are trying to explain
21 what the BAA can live with, you know,
22 when your money comes to scheduling,
23 uploading and sitting times and
24 electronic hearings. When you're
25 going through that type of process as

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2 opposed to what you're in opposition
3 to, I really don't see the difference
4 or that great of a difference when
5 you compare it to the kind of
6 customer service that we are trying
7 to provide to people.

8 And I agree with Mr. Green
9 when he says in the beginning of
10 anything that's new -- and that's
11 what we are trying to do here. We
12 are trying to offer new technical
13 opportunities, electronic resources
14 for people to adjudicate. You do it
15 by mail. And I'm sure that's only
16 for certain things. I think most of
17 the cases are material things.

18 MR. CONNORS. No. Most of
19 the cases people do not like the
20 fines and they do not have the money.
21 That's the predominant defense.

22 MR. HENON: They don't like
23 the fine and they don't have the
24 money. They are certainly going to
25 hate to pay for parking or taking off

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2 of work to come down here in person
3 without providing them another
4 opportunity to hear the contest.

5 I just think initially like
6 anything, there is going to be an
7 uptick. Then it certainly would
8 smooth off in a certain time frame or
9 a certain period. I just find it
10 hard to believe that it's going to be
11 that much different for what you can
12 support in this bill to what you
13 cannot support in this bill. And if,
14 you know -- if you could please
15 explain that to, you know, to the two
16 sponsors here today.

17 It doesn't have to be here
18 today. I would appreciate it. I'm
19 just having a hard time mentally
20 digesting it. Unless there really is
21 a thousand different excuses or
22 violations that you hear, you know,
23 on a monthly basis. I am really
24 trying to work together -- I know
25 it's not an easy job. Everybody

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2 comes and you hear complaints all
3 day, like we hear in our offices.

4 So we are trying to find
5 another opportunity for people to be
6 more efficient with the technology
7 that we have available. Either we
8 change or we don't change. If we
9 don't change, we go back to, you
10 know, everybody coming in, having
11 longer hours, hire more people to
12 stay during the night and extending
13 our Saturday hours or investing a
14 little more in change and, you know,
15 little better access and
16 transparency. So I hope you will
17 consider, you know, what it's all
18 about here today. Thank you.

19 COUNCILMAN GREEN: Thank
20 you. Council member Johnson.

21 MR. JOHNSON: Say your name
22 again, sir.

23 MR. CONNORS: Connors.

24 MR. JOHNSON: Mr. Connors.
25 Okay. So the issue of the bill is

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2 specifically what? There's two
3 components, telephone hearings. The
4 telephone interview. And the reason
5 why is?

6 MR. CONNORS: We believe it
7 would be unworkable.

8 MR. JOHNSON: And why would
9 it be unworkable?

10 MR. CONNORS: Because the
11 ability to get people available to
12 hear those cases on demand is going
13 to be a real challenge.

14 MR. JOHNSON: And those
15 people are people that work for --

16 MR. CONNORS: The people
17 that don't work there yet. We are
18 going to have to add hearing
19 examiners. Anything we do that
20 increases the volume of hearings --
21 we are overwhelmed as it is.

22 Anything we do that increases the
23 volume of hearings, we are going to
24 have to add staff.

25 MR. JOHNSON: I just want

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 to be clear. So the reason why we
3 don't want to use the telephone
4 interviewing component is because we
5 have to increase hearing examiners to
6 deal with the increase in the load of
7 people calling on the telephone to
8 appeal?

9 MR. CONNORS: That's one of
10 several reasons, yes, sir.

11 COUNCILMAN JOHNSON: That's
12 one of several reasons. Is that the
13 reason from a cost standpoint?

14 MR. CONNORS: I mean, costs
15 are not an insignificant factor.

16 COUNCILMAN JOHNSON: I'm
17 just trying to -- because on the flip
18 side -- this is something the public
19 thinks would be a great idea, just
20 from a convenience standpoint. So
21 I'm just trying to get clarity on --
22 what's the big deal -- I'm not trying
23 to give you a hard time. Again,
24 someone calling on the telephone. I
25 just want to be clear on the exact

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 reason for it, why the public could
3 not get a chance to call in on the
4 telephone to appeal their decision.

5 MR. CONNORS: I can give
6 you three essential reasons. The
7 first reason is we believe there
8 should be some threshold of
9 commitment in order to contest a
10 ticket. If you have nothing other
11 than the what have I got to lose
12 appeals, we get appealed on
13 everything. And we drown with the
14 frivolous appeals that outweigh or
15 overstep our ability to deal with
16 legitimate appeals.

17 Number two, is that the
18 timing to have a hearing examiner
19 available for telephone hearings at
20 the time frames that that would have
21 to happen is extremely problematic.
22 If someone is waiting on a telephone
23 for five minutes, they believe they
24 are waiting too long. If someone is
25 sitting in a hearing room, in a

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2 hearing/waiting area, they can see
3 the volume of activity. They can see
4 the people. I'm not saying they like
5 it better. But in that five minutes,
6 they can see what is happening.

7 It's not the same thing in
8 a telephone environment where you
9 have no visual cue as to what the
10 business is. Even if somebody is
11 telling you: It will be 5 minutes
12 before you get heard, et cetera, et
13 cetera, -- you are telling them: It
14 will be 40 minutes before you get
15 heard in some circumstances, and I
16 don't think anybody is going to think
17 that's good public service.

18 Last but not least, we
19 think that there are significant
20 problems with the informality of a
21 telephone exchange in terms of just
22 controlling the hearing and making it
23 meaningful, getting the testimony,
24 issuing a decision and bringing that
25 to close in a reasonable time frame.

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2 In a face-to-face environment, it can
3 be done. In a written environment,
4 it can be done. We think there are
5 significant problems in a telephone
6 environment.

7 We are not dealing with
8 attorneys here. We are dealing with
9 folks who have a wide range of skills
10 and abilities and a wide range of
11 understanding and misunderstanding of
12 the law. And we think those three
13 problems are pretty insurmountable.
14 Each and every one of them, not even
15 taken together.

16 COUNCILMAN JOHNSON: So
17 technically you are dealing with a
18 legal issue?

19 MR. CONNORS: I'm not sure
20 I'd call it a legal issue in terms of
21 being able to provide a meaningful
22 hearing.

23 COUNCILMAN JOHNSON: Are
24 these the same type of cases that you
25 can be arrested in?

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 MR. CONNORS: No. You
3 can't be arrested for a parking
4 ticket.

5 COUNCILMAN JOHNSON: You
6 can't be arrested for a parking
7 ticket?

8 MR. CONNORS: Not in
9 Philadelphia.

10 COUNCILMAN JOHNSON: So if
11 you have -- I'm aware of a situation
12 where people are arrested and they
13 cannot be released until they pay for
14 their tickets.

15 MR. CONNORS: Parking
16 tickets?

17 COUNCILMAN JOHNSON: Yeah.

18 MR. CONNORS: With all due
19 respect, sir, that's not the case.

20 COUNCIL: Okay.

21 MR. CONNORS: That may
22 refer to booting. The vehicle has
23 been impounded for overdue tickets
24 because of -- is that what you mean?

25 COUNCILMAN JOHNSON: Yes.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 MR. CONNORS: There's no
3 arrest there. Impoundment of the
4 vehicle, there is no arrest involved.

5 COUNCILMAN JOHNSON: No,
6 from a constituent standpoint. I
7 think if you have a certain amount of
8 tickets, if you are arrested for
9 something else, they will not release
10 you.

11 MR. CONNORS: Can I suggest
12 perhaps if someone gets pulled over
13 and gets arrested and their vehicle
14 is then live stopped -- then until
15 they go to traffic court and clear
16 the live stop and if they then have,
17 you know, they are eligible for
18 parking tickets, the vehicle could be
19 held. But you can't be arrested for
20 parking tickets. No.

21 We can hold your vehicle.
22 But we can't hold you personally for
23 a parking ticket.

24 COUNCILMAN JOHNSON: I
25 understand that. But this is where

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 you are under custody of the
3 Philadelphia Police Department and
4 held based upon you not getting your
5 tickets pulled up.

6 MR. CONNORS: Sir, with all
7 due respect, not parking tickets.

8 COUNCILMAN GREEN: Thank
9 you, Councilman. Just for the
10 record, what is the BAA rule about
11 allowing people to do mail-in
12 appeals?

13 MR. CONNORS: Mailed
14 appeals are entertained from anybody
15 from out of town. Out of towners is
16 tried to be described loosely as 30
17 miles from City Hall. There is some
18 degree of latitude to that. Anyone
19 who is elderly is able to submit --

20 COUNCILMAN GREEN: Mr.
21 Connors, I think you should have
22 mentioned that the first time because
23 we are trying to make it more
24 convenient for Philadelphians.

25 MR. CONNORS: I'm sorry.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 I'm trying to tell you what the
3 guidelines are. In reality, we
4 accept mailed appeals from anybody.

5 COUNCILMAN GREEN: But
6 nobody knows they can do it?

7 MR. CONNORS: A great many
8 people know they can do it.

9 COUNCILMAN GREEN: What
10 percentage of mail-in appeals are
11 city residents and what percentage of
12 all appeals are mailed in by city
13 residents?

14 MR. CONNORS: I would have
15 to do an analysis. I don't know
16 right now.

17 COUNCILMAN GREEN: If you
18 could provide that to the Chair, I
19 would appreciate it. Councilman
20 Squilla.

21 COUNCILMAN SQUILLA: Just
22 to follow up with that, with the
23 mail-in. Is there a certain time
24 frame? Because I know people and
25 even with the handicapped parking

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2 tickets, they could actually put
3 their placard, a copy of their
4 placard and mail that in. Is that
5 correct?

6 MR. CONNORS: Yeah, placard
7 and placard ID but it has to qualify
8 for a violation that that's going to
9 exempt them from. For example, if
10 they are parked in a no stopping
11 zone, handicapped credentials aren't
12 going to make any difference. But
13 presuming that it's something that
14 the HD credentials would make a
15 difference on.

16 COUNCILMAN SQUILLA: Is
17 there a time frame where you would
18 have to give an answer for their
19 mail-in ticket?

20 MR. CONNORS: Technically
21 once we have something, it goes on a
22 suspend until we get -- I mean, we
23 certainly try to get it out within
24 five or six weeks.

25 COUNCILMAN SQUILLA: And

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2 then isn't there a time frame again
3 where you start sending notices out
4 even though you didn't give them an
5 answer?

6 MR. CONNORS: No. That can
7 happen occasionally when a suspend
8 rolls off inadvertently. But that's
9 not the case.

10 COUNCILMAN SQUILLA: Well,
11 what happened at least in some of the
12 cases that we have where people
13 actually mailed them in, it was five,
14 six weeks. Didn't get an answer,
15 called back. Still don't have an
16 answer, called back again.

17 The next thing you know in
18 the mail they are getting that you
19 now have interest and penalties. So
20 you send it in again. You call and
21 they said, Well, that has expired.
22 The time frame expired. So now they
23 have to resubmit another hearing.
24 Why would that happen?

25 MR. CONNORS: No. That's

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2 not correct, sir.

3 COUNCILMAN SQUILLA: Well,
4 it is correct. I know it happened,
5 sir.

6 MR. CONNORS: I would be
7 happy to look at a specific case.
8 And I could walk you through it in
9 great detail, how exactly that
10 transaction might have occurred.

11 COUNCILMAN SQUILLA: It was
12 actually -- it was actually -- I
13 would say the time frame was about a
14 year and a half and there is still no
15 answer on this ticket.

16 MR. CONNORS: I would be
17 happy to take a look at it.

18 COUNCILMAN SQUILLA: Well,
19 these are some of the problems that
20 we are having.

21 MR. CONNORS: I would love
22 to take a look at the specifics
23 because I can show you exactly how it
24 went from Point A to Point B.

25 COUNCILMAN SQUILLA: The

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2 lady ended up paying a \$300 ticket
3 because it eventually kept getting
4 mailed. I can give you the name and
5 we can --

6 MR. CONNORS: We can go
7 through and look at it exactly what
8 happened.

9 COUNCILMAN SQUILLA: So you
10 are saying five, six weeks is a
11 normal time for a mail-in ticket to
12 get a response?

13 MR. CONNORS: Yes. And
14 again, I have to deal with people in
15 the lobby versus the mail. Sometimes
16 the mail gets pushed back.

17 COUNCILMAN SQUILLA: We
18 should be able to deal with both.

19 MR. CONNORS: I would love
20 nothing better than to be able to do
21 that.

22 COUNCILMAN SQUILLA: Only
23 because, too, like you said, you cut
24 your nighttimes and we cannot get
25 there. And now you said we can do it

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2 by mail if you live 30 miles outside
3 the city. And I know everybody can.
4 And we're going to get a number how
5 many people actually mailed in
6 tickets, correct?

7 MR. CONNORS: Yes, sir. I
8 mean, it's an analysis I have to do.
9 It's not like it's just a report I
10 haven't brought with me. It's an
11 analysis we have to do.

12 COUNCILMAN SQUILLA: And
13 then you also said they can submit it
14 online now?

15 MR. CONNORS: Yes, sir.

16 COUNCILMAN SQUILLA: And
17 can we find out how many people
18 submitted online appeals?

19 MR. CONNORS: I will do my
20 level best to figure out a way to
21 break that down, yes, sir. All of
22 those hearings go into a pile of --
23 we call them hearings by mail.

24 COUNCILMAN GREEN: Is that
25 a contest online or is that just to

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2 schedule the ticket online?

3 MR. CONNORS: Contest
4 online.

5 COUNCILMAN GREEN: I'm
6 sorry. Can you point -- your Web
7 site has an online form for appeal of
8 a ticket?

9 MR. CONNORS: Yes.

10 COUNCILMAN GREEN: Today?

11 MR. CONNORS: We would like
12 to do a much better job of it.

13 COUNCILMAN GREEN: The
14 parking authority has an online
15 complaint. They do not have an
16 online appeal system.

17 MR. CONNORS: The complaint
18 system winds up in appeals that go
19 before us.

20 COUNCILMAN GREEN: And
21 that's a formal appeal of your
22 parking ticket? And you don't
23 continue to get your notices of late
24 tickets?

25 MR. CONNORS: Once it goes

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2 into a cue, it's put on the suspend
3 and it gets worked in a cue along
4 with everything else. Came in US
5 mail.

6 COUNCILMAN GREEN: Okay.

7 At any rate, we have other witnesses
8 that are here to testify. So I would
9 like, if nobody has an objection, I
10 would like to let them go ahead and
11 testify.

12 COUNCILMAN JOHNSON: I have
13 one last comment if that's okay,
14 Mr. Chairman. The parking ticket
15 versus moving violations. It may be
16 the moving violations.

17 MR. CONNORS: Yes. You can
18 be arrested for moving violations.

19 MR. JOHNSON: Thank you,
20 Mr. Chair.

21 COUNCILMAN GREEN: Dr.
22 Horwitz, if you would like to
23 testify. While Dr. Horwitz is
24 getting prepared, we have written
25 testimony by people who couldn't make

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2 it in today because of their job or
3 other commitments. One is Judy
4 Walston. Another is from -- oh, I'm
5 sorry. Oh, okay. Thank you for
6 coming in today. We have your
7 testimony. Another is from the -- I
8 think it's the Greater Philadelphia
9 Association of Realtors, submitted
10 written testimony in favor of online
11 and not having to take the time from
12 work.

13 We also have written
14 testimony by Tracy Allen from the
15 Camden School District who works out
16 of town who can't be here during the
17 day and doesn't want to take her
18 Saturdays off to come in and appeal.
19 We also have testimony -- we'll be
20 submitting -- I think about ten
21 people tweeted in in response to our
22 request for electronic testimony in
23 that form and we will submit that
24 testimony for the record.

25 And I think everybody

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2 should have that in front of them.

3 And with that, Dr. Horwitz, please
4 proceed with your testimony.

5 DR. HORWITZ: Thank you,
6 Chairman Green, members of City
7 Council. A special thanks to my own
8 councilman, Bobby Henon. My name is
9 Ruth Horwitz, Dr. Ruth K. Horwitz. I
10 am a livelong resident of
11 Philadelphia currently residing in
12 the far Northeast on the Delaware
13 River. I formally served for over 38
14 years in the School District of
15 Philadelphia as a teacher,
16 administrator and principal of a
17 couple of vocational high schools.

18 I am also active in many
19 community organizations and
20 professional organizations where I am
21 involved with many concerned
22 citizens. At present I'm an elder
23 law attorney working with senior
24 citizens and families for the needs
25 of senior citizens like I am.

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2 As you can see, I'm 75
3 years old and must rely on a walker
4 or cane because I have several
5 problems with my hip and legs. I
6 found it very difficult to get into
7 town. I must rely on my husband
8 driving me and getting handicapped
9 parking where available.

10 However, I have never had a
11 parking authority problem where I
12 needed a hearing but I sympathize
13 with those who do. I strongly
14 support Council Bill No. 120106. It
15 is necessary for us as citizens (and
16 visitors) to be able to satisfy any
17 violations we might have by the best
18 means available.

19 The use of alternative
20 means of appealing any violations is
21 important in today's world, not only
22 in today's world, not only for people
23 like me but also professional and
24 employed people, visitors from
25 outside the city, students paying

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 tuition to be present in learning
3 environments and stay-at-home parents
4 or childcare providers.

5 People are simply too busy
6 to wait to contest parking
7 violations. As other cities have
8 shown by the videos that have already
9 been done, we advocate for
10 Philadelphia starting the use of
11 mail, electronic submission,
12 including email, Web site or
13 facsimile transmissions for
14 contesting traffic violations.

15 Whether a senior citizen or
16 not, as citizens we want to do what
17 is right, but need to do so in the
18 most expeditious manner available in
19 these modern times. This bill is a
20 step in the right direction for the
21 city's many busy people.

22 I thank you for my
23 opportunity to speak with you to
24 present testimony, and I want to
25 thank you all for the great stuff you

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 do for the City of Philadelphia.

3 COUNCILMAN GREEN: Thank
4 you. I will ask Judy Walston to join
5 you and testify. And then if there
6 are any questions, we will proceed.
7 Is there anyone else here to testify
8 on this bill or any other bill?

9 MS. WALSTON: Good
10 afternoon, Councilman Bill Green and
11 Members of the Council: My name is
12 Judy Walston. I live at 1423 South
13 Bouvier Street in Philadelphia. I'm
14 here in support of Bill 120106.

15 This bill is very important
16 to citizens. I would like to thank
17 you, Chairman Green, for taking the
18 initiative to draft the legislation,
19 this bill to require PPA to take
20 appeals on parking tickets via mail
21 and email and through other
22 electronic formats. This gives
23 citizens an added convenience.

24 For many people with a
25 disability like me or for those who

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2 have jobs and those who have young
3 children at home, coming into Center
4 City is a hassle. It is also an
5 enormous time sink when you have to
6 sit in an overcrowded waiting room
7 for hours and hours waiting for a
8 hearing that never starts on time,
9 especially for people with jobs,
10 doctors' appointments or people that
11 have to pick up their children.

12 It is also upsetting when
13 you have to bring your little ones
14 with you, to sit for such a long
15 time. It is so inconvenient and
16 frustrating with the long lines and
17 lengthy wait times that they do not
18 bother to contest parking tickets
19 that they never should have gotten in
20 the first place.

21 I have had my own
22 experience with PPA. A few years
23 ago, I had to go to PPA because when
24 I came out to put money in the meter
25 where I parked, I found a boot on my

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 car. I immediately called PPA and
3 they said that my car had been towed
4 because of unpaid parking tickets. I
5 went down there that same day to
6 speak to someone in person.

7 After waiting for about
8 three hours, I spoke to someone.
9 They did not even want to review the
10 tickets that I supposedly had gotten;
11 instead, they told me the amount that
12 I had to pay in order to get my car
13 back. It was not even the same
14 amount that they quoted to me on the
15 phone.

16 To make a very long story
17 short, if I had been able to go home
18 and get on my computer and go online
19 to look up these tickets and dispute
20 the ones that needed to be
21 challenged, it would have saved me
22 time and energy and, of course,
23 money; and I might not have lost my
24 car in the process. I think that
25 this is an important bill. It will

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2 benefit the community at large by
3 assisting them in resolving their PPA
4 problems in a more convenient way.

5 And also as I see it, this
6 bill goes a long way to help people
7 stand up for their rights. Your bill
8 is customer service friendly. It
9 makes it easy for people to have
10 their say in court without having to
11 give up a day of their life to appear
12 in person.

13 And if I may add something,
14 you tell me the telephone. I really
15 can't see why that's a problem either
16 because I know people that are on
17 public assistance. Their case
18 workers will give them a telephone
19 interview. They send them a letter
20 and tell them what time they are
21 going to call them. No added staff
22 because the same person that is their
23 case worker is the person that's
24 calling them.

25 That person knows they have

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2 to be available to answer a phone at
3 a certain time. So I don't see that
4 would be a problem to have a
5 telephone. You know, I'm thinking if
6 I can take my parking ticket or
7 whatever over the phone, you can put
8 your phone on speaker phone. And I
9 can still do things around the house.
10 Where if I have to wait ten minutes
11 but I'm at home in the convenience of
12 my home. My children are there. I
13 don't have to worry about somebody
14 watching them or picking them up from
15 school.

16 I can pick up the
17 speakerphone and say: Okay. I don't
18 mind doing that than sitting in, you
19 know, an overcrowded place where I
20 have to sit and wait. You can't use
21 your cell phone in there so you can't
22 call home and check on your children.
23 You have to go outside and use your
24 cell phone so then you might lose
25 your spot. So my thing is I think

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2 it's a great idea and I think a lot
3 of people in the community would love
4 for this go into effect immediately.

5 COUNCILMAN GREEN: Thank
6 you very much for your testimony.
7 Council member Henon.

8 COUNCIL MEMBER HENON:
9 Thank you, Mr. Chairman. Ms. Walston
10 and Dr. Ruth, I appreciate your
11 taking the time out here and coming
12 before the Committee to testify. I
13 think with your community service and
14 involvement with many people of the
15 City of Philadelphia, you have heard
16 a lot of complaints and issues
17 regarding the opportunity to come
18 into town, the hassle, the
19 inconvenience for many, many reasons.

20 Maybe there's a thousand
21 reasons, since a thousand seems to be
22 a consistent reason here today on why
23 people are looking for or could use
24 a little bit of 2012 technology and
25 change. And I think you brought up a

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 good point about, you know, having
3 other agencies, other governmental
4 agency hearings telephonically, you
5 know, by phone. And I don't think
6 there will ever be a dispute whether
7 if someone misses their call. If
8 they missed their call and they lost
9 their opportunity, they still have
10 their due process to come in and
11 appeal it in person.

12 And so I think it's very
13 good. I appreciate your taking the
14 time to come and visit with us today.
15 Dr. Ruth, it's always a pleasure.
16 And I have had the experience of
17 working with you in the community for
18 many, many years. And again, your
19 civic participation throughout the
20 city is reputable and I, too,
21 appreciate your coming in here and
22 testifying.

23 But over the many years, we
24 certainly can at no cost, I think.
25 Is that right, Mr. Chairman? So

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2 somebody electronically sets up a
3 telephonic hearing. I mean, are
4 there companies out there that do
5 this at a limited to no cost?

6 COUNCILMAN GREEN: Yes.

7 MR. HENON: All right. So
8 I think that would be helpful to take
9 that to our communities where we have
10 this opportunity. Thank you all for
11 coming in.

12 COUNCILMAN GREEN: Thank
13 you. Are there any further questions
14 for any of these witnesses?

15 (No response.)

16 COUNCILMAN GREEN: Seeing
17 none, is there anybody else here to
18 testify on Bill Nos. 120106 or
19 120138?

20 (No response.)

21 COUNCILMAN GREEN: Seeing
22 no one I will adjourn the hearing on
23 those bills and move to a meeting on
24 Bills 120106 and 120138. I would ask
25 the Vice Chairwoman, Councilwoman

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 Tasco, to please offer the amendments
3 to this bill.

4 COUNCILWOMAN TASCO:

5 Mr. Chairman, I move this amendment
6 to go, 120106 to be voted out of
7 committee with a favorable
8 recommendation.

9 (Duly seconded.)

10 COUNCILMAN GREEN: All
11 those in favor of the amendments?

12 (Aye).

13 COUNCILMAN GREEN: Opposed?

14 (No response.)

15 COUNCILMAN GREEN: Would
16 Councilwoman Tasco move Bill No.
17 120106 out of suspension.

18 COUNCILWOMAN TASCO: I move
19 that Bill No. 120106 as amended be
20 voted out of Committee with a
21 favorable recommendation.

22 (Duly seconded.)

23 COUNCILMAN GREEN: Thank
24 you. All those in favor?

25 (Aye.)

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 COUNCILMAN GREEN: All
3 those opposed?

4 (No response.)

5 COUNCILMAN GREEN: Seeing
6 none opposed, I will ask the Vice
7 Chair to move Bill No. 120138.

8 COUNCILWOMAN TASC0: Mr.
9 Chairman, I move Bill No. 120138 be
10 reported out of Committee with a
11 favorable recommendation and that the
12 Rules of Council be suspended so that
13 this bill can be heard at Council's
14 next session.

15 (Duly seconded.)

16 COUNCILMAN GREEN: All in
17 favor?

18 (Aye.)

19 COUNCILMAN GREEN: All
20 opposed?

21 (No response.)

22 COUNCILMAN GREEN: None
23 opposed, Bill No. 120138 is reported
24 favorably from this Committee, with a
25 suspension of the Rules.

1 4/25/12 - FINANCE - BILL 120106, ETC.

2 With that, this meeting is

3 adjourned. Thank you.

4 (Meeting adjourned at 3:44 p.m.)

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2
3 CERTIFICATE

4 I HEREBY CERTIFY that the
5 proceedings, evidence and objections are
6 stenographic notes taken by me upon the
7 foregoing matter on April 25, 2012, and that
8 this is a true and correct transcript of same.

9
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11
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14 _____
15 LYNDA C. VETTER
16 RPR-Notary Public

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