

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, March 25, 2013
10:30 a.m.

PRESENT:

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

BILLS 130178, 130179 and 130180
RESOLUTION 130190

- - -

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COUNCIL PRESIDENT CLARKE: Good

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morning, everyone. This is the public

4

hearing of the Committee of the Whole

5

regarding Bills No. 130178, 130179,

6

130180, and Resolution No. 130190.

7

I would ask Ms. Lewis to please

8

read the titles of the bills and

9

resolution.

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MS. LEWIS: Bill No. 130178, an

11

ordinance to adopt the Capital Program

12

for the six Fiscal Years 2014 to 2019

13

inclusive.

14

Bill No. 130179, an ordinance

15

to adopt a Fiscal 2014 Capital Budget.

16

Bill No. 130180, an ordinance

17

adopting of the Operating Budget for

18

Fiscal Year 2014.

19

And Resolution No. 130190,

20

providing for the approval by the Council

21

of the City of Philadelphia of a Revised

22

Five Year Financial Plan for the City of

23

Philadelphia covering Fiscal Years 2014

24

through 2018, and incorporating proposed

25

changes with respect to Fiscal Year 2013,

1 3/25/13 - WHOLE - BILL 130178, etc.
2 which is to be submitted by the Mayor to
3 the Pennsylvania Intergovernmental
4 Cooperation Authority (the "Authority")
5 pursuant to the Intergovernmental
6 Cooperation Agreement, authorized by an
7 ordinance of this Council approved by the
8 Mayor on January 3rd, 1992 (Bill No.
9 1563-A), by and between the City and the
10 Authority.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you.

13 Today we begin the public
14 hearing of the Committee of the Whole to
15 consider various bills read by the
16 secretary that constitute proposed
17 operating and capital spending measures
18 for Fiscal 2014, a Capital Program, and a
19 forward-looking Plan for 2014 through
20 Fiscal Year 2019.

21 To begin the process, we will
22 hear testimony from the Administration on
23 the Five Year Plan.

24 (Witnesses approached witness
25 table.)

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: Good
3 morning.

4 MR. GILLISON: Good morning.
5 Good morning, Council President Clarke
6 and members of City Council. I am
7 Everett Gillison, Chief of Staff in the
8 Office of the Mayor, Michael A. Nutter.
9 On behalf of the Mayor, I am pleased to
10 provide testimony on Fiscal Year '14
11 Proposed Operating Budget and the
12 Proposed Fiscal Year '14 through Fiscal
13 Year '18 Five Year Financial Plan. With
14 me today are Rob Dubow, the City's
15 Finance Director, and Rebecca Rhynhart,
16 the City's Budget Director. Also we have
17 a number of City officials are in the
18 audience.

19 In a time of continuing limited
20 resources, the Administration is faced
21 with important choices about how to
22 invest taxpayer dollars. This Five Year
23 Plan makes clear our priorities. Our
24 goal is to ensure that every resident
25 lives in a safe community and has

1 3/25/13 - WHOLE - BILL 130178, etc.
2 opportunities to obtain a quality
3 education and live a healthy life; that
4 Philadelphia becomes a place of choice
5 for businesses to start, stay, and grow;
6 that Philadelphia becomes the greenest
7 and most sustainable city in America; and
8 that our government makes efficient and
9 effective use of taxpayer dollars and
10 responds to the needs of residents and
11 businesses. This Plan makes investments
12 to fulfill these goals. It includes
13 modest funding increases for investments
14 in our neighborhoods, reduces wage and
15 business taxes to spur job growth, and
16 continues to invest in public safety and
17 higher education, which are essential to
18 the growth of the City. We understand
19 that our hard-working City employees are
20 central to the attainment of these goals.
21 This Plan sets aside funding for future
22 labor agreements that are fair to both
23 employees and taxpayers by pairing pay
24 raises with essential reforms that will
25 strengthen the City's pension system and

1 3/25/13 - WHOLE - BILL 130178, etc.
2 give the City needed flexibility in
3 personnel rules to weather future
4 financial distress.

5 While the City continues to
6 face severe economic challenges, after
7 several difficult years coming out of the
8 deep recession of 2007 through 2009, tax
9 revenues are growing moderately again.
10 In addition, the Administration has taken
11 actions to improve efficiencies in the
12 operations which are expected to yield
13 budget savings. The City worked with a
14 global business consulting firm over the
15 last year, and the report issued by FTI
16 Consulting estimated that the City can
17 make changes in operations to increase
18 revenues and avoid costs without
19 impacting personnel or implementing tax
20 increases. The proposed Fiscal Year '14
21 budget includes the majority of these
22 savings. As tax revenues increase and
23 savings from efficiencies are realized,
24 the Administration is able to make some
25 modest investments in the services that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the City provides, but even with just
3 these modest investments, fund balances
4 of \$80 million in Fiscal Year '14 and \$45
5 million in Fiscal '15 and Fiscal '16 are
6 very low compared to the GFOA minimum
7 fund balance recommendation of no less
8 than 5 percent of total obligations, or
9 roughly \$185 million.

10 These low fund balances remain
11 throughout the Five Year Plan even though
12 the Plan assumes that Philadelphia's
13 economy will continue to recover from the
14 recession. Tax revenue projections were
15 made in conjunction with a revenue
16 forecasting consultant and discussions
17 with leading economists at a meeting at
18 the Federal Reserve Bank of Philadelphia.
19 In Fiscal Year '14, growth is projected
20 for all major taxes, except the property
21 tax, for which no growth is assumed. The
22 proposed Five Year Plan projects wage tax
23 revenues to grow at a relatively moderate
24 pace of 3.6 percent in Fiscal '14 and
25 taper off to 2.95 percent in Fiscal '18.

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2 Sales tax is projected to grow at 5.03
3 percent in Fiscal '14 and 5.26 percent in
4 Fiscal '15 before tapering off to 2.97
5 percent by Fiscal '18. The stronger
6 growth of 5.26 in sales tax in Fiscal '15
7 is based on the expectation that consumer
8 spending has been restrained by a greater
9 amount than wages by lack of consumer
10 confidence, which will return after
11 several years of economic recovery and
12 lead to stronger sales growth. Business
13 income and receipts tax is anticipated to
14 increase 3 percent annually. Realty
15 transfer tax is expected to have growth
16 rates of 10 percent in Fiscal '14 and
17 Fiscal '15 before ramping down to 3
18 percent in Fiscal '18, which results in a
19 projection of transfer tax revenues of
20 \$186 million by Fiscal '18, still well
21 below the 236 million in transfer tax
22 revenue collected in Fiscal Year '06.

23 The City has reassessed every
24 property in the City under the Actual
25 Value Initiative to create a fair and

1 3/25/13 - WHOLE - BILL 130178, etc.

2 accurate assessment system upon which to
3 base property taxation. The Fiscal Year
4 '14 budget assumes that under AVI, the
5 same amount of current year property tax
6 revenue will be collected in Fiscal '14
7 as projected for Fiscal '13. The
8 Administration has also proposed
9 homestead relief of \$15,000 of assessed
10 value per property for all property
11 owners and \$30 million of additional
12 relief measures aimed at severely
13 impacted property owners. Taking into
14 consideration these relief measures, the
15 new proposed tax rate for the City and
16 School District combined is 1.32 percent,
17 down from 9.77 percent.

18 The proposed Five Year Plan
19 includes tax reform to make Philadelphia
20 more business friendly and encourage
21 businesses to locate and expand in
22 Philadelphia, increasing jobs over time.
23 The Fiscal '14 budget includes the
24 resumption of wage tax cuts, which were
25 halted during the recession. Cuts to the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 wage tax will begin in Fiscal '14 and
3 bring the wage tax down from 3.2980
4 percent in Fiscal '13 to 3.2568 percent
5 in Fiscal '18 for residents and from
6 3.4985 percent in Fiscal '13 to 3.3460
7 percent in Fiscal Year '18 for
8 non-residents. Additionally, tax cuts
9 will be made to the net income portion of
10 the business income and receipts tax to
11 bring the tax rate on net income down
12 from 6.45 percent currently to 6.30
13 percent by Fiscal '18. Finally, the Five
14 Year Plan also assumes that consistent
15 with state law, the City portion of the
16 sales tax rate will be reduced from 2
17 percent to 1 percent in Fiscal '15.

18 A series of structural tax
19 reforms sponsored by City Council will
20 also lessen the tax burden for
21 particularly new and small businesses.
22 These reforms include provisions to make
23 qualifying new businesses exempt from the
24 business income and receipts tax for the
25 first two years of operation and the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 first 100,000 of gross receipts and
3 50,000 of net income exempt from tax.
4 The reforms waive license and
5 registration fees for new businesses,
6 create credits for each qualifying new
7 job and for certified sustainable
8 businesses, and limit the net income tax
9 to just Philadelphia-based sales rather
10 than a business's sales, property, and
11 payroll. Together, these tax cuts and
12 reforms will help to make Philadelphia a
13 place of choice for businesses to start,
14 stay, and grow.

15 The Five Year Plan reflects
16 roughly \$63 million in estimated savings
17 over five years from implementing the
18 recommendations made by FTI Consulting.
19 These recommendations include reducing
20 charges on the City's phone bills,
21 hedging fuel costs instead of solely
22 buying on the spot market, and improving
23 collections on non-tax revenues.

24 Total tax revenues in Fiscal
25 '14 are estimated at 2.75 billion, an

1 3/25/13 - WHOLE - BILL 130178, etc.
2 increase of \$83 million, or only 3.1
3 percent, over Fiscal Year '13's
4 projections. Total general revenues are
5 estimated to increase \$82 million, or 2.3
6 percent, largely due to the combination
7 of the tax growth described above
8 together with a \$20 million decrease in
9 revenue from other governments, a \$10
10 million increase in local non-tax
11 revenues, and a \$9 million increase in
12 revenues from other funds of the City.
13 The main reason for the decline in
14 revenue from other governments was the
15 elimination of one-time General Fund
16 reimbursement revenue for the Department
17 of Human Services which was received in
18 Fiscal Year '13. The \$10 million
19 projected increase in non-tax revenues is
20 partially the result of FTI Consulting
21 recommendations for billing and
22 collection strategies for the Fire
23 Department's emergency medical services
24 fee and for the Streets Department's
25 commercial property collection fee.

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2 The proposed Fiscal Year '14
3 expenditures total 3.755 billion, a \$99
4 million, 2.7 percent, increase from
5 Fiscal Year '13 estimates. Rising
6 pension costs account for \$49 million of
7 this increase; debt service makes up \$11
8 million; and an additional \$20 million is
9 due to a salary increase awarded to the
10 Fraternal Order of Police. The remaining
11 \$19 million represents a 0.5 percent
12 increase. In addition to the total
13 expenditures of 3.755 billion, the
14 Administration has set aside \$26 million
15 of reserved fund balance as a provision
16 for future labor obligations related to
17 District Council 33, District Council 47,
18 and IAFF 22, Local 22. These funds are
19 being set aside to fund future labor
20 agreements. In addition to including
21 raises, any collective bargaining
22 agreements must include essential reforms
23 to help the pension fund make commonsense
24 changes to overtime rules and allow the
25 City to furlough employees to provide

1 3/25/13 - WHOLE - BILL 130178, etc.
2 options in addition to layoffs during
3 times of fiscal distress.

4 The Administration is committed
5 to having reasonable collective
6 bargaining agreements that are fair to
7 both workers and taxpayers. The largest
8 and fastest growing expenditures in the
9 City's budget include employee health and
10 pension benefits. In Fiscal '14,
11 employee benefits, including pensions,
12 will comprise 31 percent of the proposed
13 budget expenditures.

14 In order to address the
15 challenges these long-term structural
16 costs present, the City has made cost
17 saving changes in the City-administered
18 benefit programs and sought changes to
19 its labor contracts in the area of health
20 and pension benefits to reduce costs and
21 risks to the General Fund. These changes
22 include introducing combination pension
23 plans with defined benefit and defined
24 contribution components, increasing
25 employee contributions to pensions,

1 3/25/13 - WHOLE - BILL 130178, etc.
2 moving to self-insurance for health
3 benefits, and increasing co-pays. In
4 order to reduce or eliminate the need for
5 layoffs in future economic downturns, the
6 City has also sought the right to
7 furlough employees, when the economic
8 circumstances warrant, and mitigate
9 overtime costs through changes in
10 overtime rules.

11 The Fiscal '14 budget assumes
12 about \$18 million of investments in
13 addition to the provision for future
14 labor obligations discussed above. It
15 allocates \$4.7 million for the Fire
16 Department to fund new self-contained
17 breathing apparatus equipment, which is
18 about \$4 million, air bottles, and 35 new
19 jaws of life.

20 As the City is working
21 tirelessly to ensure property taxes are
22 fair and accurate, the Fiscal '14 budget
23 also includes \$1.7 million for the Office
24 of Property Assessment to fully fund the
25 department's complete overhaul of the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 City's property assessment function and
3 \$1.2 million investments for the Revenue
4 Department to improve collection of
5 delinquent taxes. This is part of a
6 robust tax collection strategy that will
7 use new technology, greatly improve
8 analytical capabilities, new expert
9 staff, and new legislative authority to
10 dramatically increase tax collections
11 over the next five years. As part of
12 this strategy, we are establishing a
13 Chief Revenue Collections Officer who
14 will oversee all City collection efforts
15 and craft a more efficient method for
16 collecting revenue.

17 The budget includes important
18 investments in communities throughout the
19 City, including \$1 million for the Free
20 Library largely to expand hours in its
21 neighborhood branches, \$624,000 in the
22 KEYSPOTS program, which was previously
23 funded by the federal American
24 Reinvestment and Recovery Act, and to
25 address Philadelphia's digital divide by

1 3/25/13 - WHOLE - BILL 130178, etc.
2 providing computer access in underserved
3 neighborhoods throughout the City, also
4 \$1 million to the Community College of
5 Philadelphia to help keep higher
6 education affordable.

7 Other key investments include
8 2.5 million for the Office of Information
9 and Technology to fund several items,
10 including increased maintenance and
11 departmental application costs, new
12 positions necessary to implement court
13 mandates related to public safety, and to
14 fund positions previously funded through
15 grants. An additional 781,000 is
16 proposed for License and Inspection to
17 hire additional code enforcement
18 inspectors and building inspectors.
19 Finally, the Plan proposes \$622,000 for
20 Public Property to increase funding for
21 the maintenance team to prevent deferring
22 maintenance on City-owned facilities.
23 This funding, in addition to the \$734,000
24 added in Fiscal '13, will bring the
25 department's funding for this purpose up

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to industry standards.

3 Before concluding, I just want
4 to highlight a few changes in this year's
5 Five Year Strategic and Financial Plan.
6 Key among them were, first, discussing
7 operating budget trends for 36
8 departments and performance trends for 24
9 departments compared to only 12
10 departments in last year's Five Year Plan
11 and, second, focusing on total operating
12 expenses for each department rather than
13 just the General Fund appropriation to
14 each department. These changes were made
15 in anticipation of a move towards
16 program-based budgeting, which will hold
17 departments accountable for delivering
18 against the total resources they receive
19 and more closely tie budgeting decisions
20 to performance. We look forward to
21 working with Council as we implement
22 program-based budgeting.

23 The proposed budget and Five
24 Year Plan seeks to preserve the City's
25 core services while making Philadelphia a

1 3/25/13 - WHOLE - BILL 130178, etc.
2 safer, smarter, healthier, greener city
3 where people want to live and do business
4 while operating efficiently and
5 effectively as a first-class city.

6 Thank you for the opportunity
7 to testify on behalf of the
8 Administration regarding the Fiscal Year
9 '14 Proposed Operating Budget and
10 Proposed Fiscal Year '14 through '18 Five
11 Year Financial/Strategic Plan. I have
12 with me the senior officials of the
13 Administration, and with their
14 assistance, as necessary, we will be
15 happy to answer any questions you may
16 have.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, sir.

19 I'm going to start out with
20 Page 2 of your testimony talks about the
21 City expecting to realize cost savings
22 through improved operations and improved
23 revenue collections. Can you detail the
24 amount of the savings the City is
25 expecting to realize in FY14 and programs

1 3/25/13 - WHOLE - BILL 130178, etc.

2 that will be specifically implemented to
3 achieve these savings?

4 MS. RHYNHART: Rebecca
5 Rhyhart, Budget Director.

6 COUNCIL PRESIDENT CLARKE: Good
7 morning.

8 MS. RHYNHART: Page 2 refers to
9 the FTI Consulting report, and there's
10 about \$13 million in Fiscal '14, which is
11 a combination of cost avoidance as well
12 as increased revenues from FTI
13 Consulting's recommendations.

14 COUNCIL PRESIDENT CLARKE: Can
15 you give a little more detail.

16 MS. RHYNHART: Sure. A few of
17 the recommendations on the revenue side
18 had to do with some changes to Fire's EMS
19 collections, the ambulance transport
20 collections and how to improve those
21 collections. Some of the recommendations
22 had to do with the Street's commercial
23 trash fee and improving collections on
24 that. Collections of some of our non-tax
25 revenues are below 50 percent. So they

1 3/25/13 - WHOLE - BILL 130178, etc.
2 had collections in that way that we took
3 some -- we show increased revenues coming
4 in as a result of implementing some of
5 the changes that they recommended.

6 I mean, I can go into more
7 detail. I mean, some of the
8 recommendations --

9 COUNCIL PRESIDENT CLARKE:
10 Well, either that or maybe give us a
11 copy. You're talking about improving
12 those collections. Is there specific
13 ways? Because, as you know, that's kind
14 of the conversation of the day about
15 improving collections.

16 MS. RHYNHART: Sure.

17 COUNCIL PRESIDENT CLARKE: So
18 is there some specific recommendations
19 that you're prepared to discuss right
20 now?

21 MS. RHYNHART: Yes. I'm happy
22 to talk about the recommendations, and
23 the report is online publicly available,
24 and I'm also happy to give you a copy. I
25 know a few have asked for one, but --

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: Do
3 you want to give us a couple right now?

4 MS. RHYNHART: Sure. I'm happy
5 to give you a couple, and I also offered
6 to meet with you -- and that offer still
7 stands -- to go through those
8 recommendations.

9 So on the Streets --

10 COUNCIL PRESIDENT CLARKE: Just
11 give me a couple. I'm not asking you to
12 talk about the entire report.

13 MS. RHYNHART: So on Fire, they
14 made the recommendations that we don't
15 collect all of the revenue that the
16 insurance companies owe us, for example.
17 So there are ways that we can train our
18 paramedics to fill out the form more
19 completely in order to get the
20 reimbursement from the insurance
21 companies. It's not just about going
22 after the self-pay uninsured population.
23 It's about getting the money that we
24 deserve to be paid from the insurance
25 companies. So they made recommendations

1 3/25/13 - WHOLE - BILL 130178, etc.
2 on that front, on having more regular
3 dialogue with the company that collects
4 to make sure that they have the
5 relationships with the hospitals, that --
6 because the hospitals can also give the
7 information in terms of what the
8 transport was for in order for the
9 insurance company to bill, because -- I'm
10 sorry; the insurance company to pay us.
11 If the insurance company sees something
12 missing from the form, they don't have to
13 pay us. So it's an easy out in that way.

14 And then they also recommend
15 using collection agencies and several
16 other steps to doing outbound calling,
17 meaning that actually calling people that
18 are past due.

19 So overall our collection rate
20 is 12 percent. The national average is
21 45 to 50 percent. So they had several
22 recommendations in that regard in terms
23 of getting more money.

24 COUNCIL PRESIDENT CLARKE: So
25 the collection agencies, not specifically

1 3/25/13 - WHOLE - BILL 130178, etc.
2 those particular agencies, but we use
3 collection agencies for real estate tax
4 collections, delinquencies. We would use
5 similar types of methods in terms of
6 hiring private entities or contracting
7 with private companies that go
8 specifically after those particular
9 delinquencies relating to uncollected
10 fees for --

11 MS. RHYNHART: Right. That's
12 right. My understanding is that the
13 companies that do the initial billing
14 aren't the same companies that are the
15 collection agencies, and that we should
16 be using some collection agencies to more
17 aggressively go after the accounts
18 receivable, the past due amounts.

19 COUNCIL PRESIDENT CLARKE:
20 Okay. And if you could just forward
21 through the Chair a copy of the report.

22 MS. RHYNHART: The report? Be
23 happy to.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Again, on Page 2, the fund
3 balance projected for FY14 and '15, 45
4 million, well below 5 percent reserve
5 level. Can you tell me what the primary
6 factors contributing to this dip in fund
7 balance?

8 MS. RHYNHART: The primary
9 factors contributing to the dip in fund
10 balance from the Fiscal '13 level of 128
11 million down to 45 million are a
12 combination of the sales tax increase,
13 which it's the state -- the state 1
14 percent increase in the sales tax goes
15 away in Fiscal '15. So we lose about
16 \$140 million in revenue, in annual
17 revenues, starting in Fiscal '15, and
18 that's coupled with that our costs, the
19 pension and other employee benefit costs,
20 continue to increase. So there is --
21 that low point in Fiscal '15 and '16 is
22 due to that. Again, then it gets a
23 little bit better by Fiscal '18 because
24 of the continued economic recovery, but
25 we're still at about 90 million, which is

1 3/25/13 - WHOLE - BILL 130178, etc.

2 low.

3 COUNCIL PRESIDENT CLARKE:

4 Okay. Page 7, in your reference to the
5 Five Year Plan, you talk about the Chief
6 Collection Officer, and we had that
7 conversation with the Revenue
8 Commissioner the other day. He didn't
9 have any real knowledge about the details
10 of that. Can you kind of talk to me
11 about the Chief Collection Officer, what
12 the role will be beyond hopefully
13 collecting more delinquent taxes, but the
14 hierarchy within the Administration, who
15 do they report to, who reports to that
16 particular person, if you can.

17 MR. DUBOW: So the Chief
18 Collection Officer will have a dual
19 report to the Finance Director and the
20 Mayor. Every agency that's responsible
21 for collections will report up through
22 the Chief Collections Officer. And the
23 rationale for establishing the position
24 is you have a number of departments that
25 have revenue-generating functions, but

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that don't have any particular expertise
3 in collections. Rebecca talked a little
4 bit about EMS. That's an area that we
5 need to put a lot more focus on. So the
6 Chief Collections Officer would focus on
7 that, for example.

8 COUNCIL PRESIDENT CLARKE: Give
9 me a little more detail. Can you expand?
10 I mean, as an example, the Revenue
11 Commissioner sat here the other day, and
12 when asked, he essentially said, I'm not
13 familiar with who the Chief Collections
14 Officer -- where they will stand, whether
15 or not that person reports to the Revenue
16 Commissioner or the Revenue Commissioner
17 reports to the Chief Collection Officer.
18 It was real spotty in terms of the
19 Revenue Commissioner, and I think that's
20 a significant position. So if you can
21 give me a little more detail.

22 MR. DUBOW: The Chief
23 Collection Officer will have a dual
24 report to the Mayor and the Finance
25 Director.

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2 COUNCIL PRESIDENT CLARKE: You
3 said that.

4 MR. DUBOW: Yeah. So it would
5 be fairly high up. The Revenue
6 Commissioner then would still report to
7 the Finance Director, but would also
8 report to the Chief Collection Officer,
9 because the Chief Collection Officer is
10 going to have to coordinate everything
11 across all of our collections and be the
12 person who is really making sure that the
13 Fire Department, that the commercial
14 trash fee is being collected, that -- in
15 our area we have the Office of
16 Administrative Review. There are
17 collections related to that. All of
18 those agencies that have any collections
19 responsibility will have a reporting
20 relationship with the Collections
21 Officer.

22 COUNCIL PRESIDENT CLARKE:
23 Directly to the Chief Collection Officer?

24 MR. DUBOW: Yeah.

25 COUNCIL PRESIDENT CLARKE: Will

1 3/25/13 - WHOLE - BILL 130178, etc.

2 that officer have a staff or will it be
3 staffed by existing personnel?

4 MR. DUBOW: Primarily staffed
5 by existing personnel. We built a couple
6 of positions in analytical support and
7 administrative support, but that office
8 itself would be really small. We don't
9 want to create a new bureaucracy. So it
10 mostly would be the people in the
11 department, and the Chief Collections
12 Officer would be working with them to
13 enhance the way they do their
14 collections.

15 COUNCIL PRESIDENT CLARKE:
16 Okay. All right. Real quick, and I know
17 we have a long list of my colleagues who
18 are interested in asking you questions.
19 Let me shift over to the Department of
20 Public Property for the maintenance team
21 that you recommend preventing deferring
22 maintenance, and I want to thank the
23 Administration for agreeing and working
24 with Council to fund the particular
25 Recreation Department.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Will this be a similar
3 component within the Public Property for
4 all municipally owned buildings in terms
5 of deferred maintenance strategies?

6 MR. GILLISON: Yes. Thank you.
7 And, yes, we have tried to work with
8 Council on a number of things. This is
9 one of the things that came out as a
10 result of our discussions, and we're
11 making the investment. This will help
12 with our Police, Fire, and City Hall
13 primarily in order to get it up to
14 industry standards. I mean, the
15 investment is sorely needed, and it's
16 worked with the smaller unit before. So
17 by enhancing and putting this money in,
18 we'll be able to bring those up to
19 industry standards.

20 COUNCIL PRESIDENT CLARKE: And
21 it will be a similar composition of
22 individual skilled tradespeople and will
23 be civil service employees?

24 MR. GILLISON: Yes.

25 COUNCIL PRESIDENT CLARKE: And

1 3/25/13 - WHOLE - BILL 130178, etc.
2 they will be taken from existing and
3 possible new hires?

4 MS. RHYNHART: Sure. Public
5 Property I know already hired about 14
6 people. There were about 16 positions
7 added in the Fiscal '13 budget, and then
8 they are hiring civil service off of
9 lists, tradespeople, to be assisting,
10 similar to the Parks and Rec.
11 Definitely.

12 COUNCIL PRESIDENT CLARKE:
13 Okay. One last question, and I promise
14 I'll go to the next Councilmember.

15 Page 19 and 20 in the Five Year
16 Plan, you state that the real property
17 tax revenues is projected to be about 500
18 million in FY14, which you project to be
19 the same amount that would be projected
20 to be collected in FY13 for current
21 collections.

22 Can you tell me what the target
23 revenue for the property tax collections
24 for FY14 and what is the projected
25 revenue to be generated from delinquent

1 3/25/13 - WHOLE - BILL 130178, etc.
2 taxes in '13 and '14? And, again, part
3 of that is a followup of earlier
4 conversations with the Revenue
5 Commissioner and this issue with respect
6 to the level of collections that we are
7 achieving. There was several numbers
8 thrown out there. The Revenue
9 Commissioner, I think he said it was 91
10 percent.

11 MR. DUBOW: Right. So the
12 budget assumes for the current portion
13 500 million. For delinquent, it shows a
14 slight increase from 35 to 36 million.
15 The 91 percent that the Revenue
16 Commissioner was talking about is the
17 percent that's collected within a year of
18 the due date.

19 COUNCIL PRESIDENT CLARKE: The
20 year of what?

21 MR. DUBOW: The year of the due
22 date. So for taxes that were due by the
23 end of March 2012, we've collected 91
24 percent by the end of March 2013.

25 COUNCIL PRESIDENT CLARKE: So

1 3/25/13 - WHOLE - BILL 130178, etc.
2 not necessarily taxes that were due 2010?

3 MR. DUBOW: No. But if you
4 look -- each year when you look earlier,
5 it goes up more. So if you looked five
6 years back, I think it's more like 95
7 percent have been collected.

8 COUNCIL PRESIDENT CLARKE:
9 Okay. Thank you.

10 The Chair recognizes Councilman
11 Goode.

12 COUNCILMAN GOODE: Thank you,
13 Mr. President.

14 Good morning to the panel.
15 (Good morning.)

16 COUNCILMAN GOODE: On February
17 20th, we had a Fiscal Stability hearing
18 and discussed the Five Year Plan, and,
19 Mr. Dubow, at that time I asked whether
20 PICA had any concerns about the current
21 Plan, and you stated that PICA was
22 concerned with labor contracts and
23 whether labor costs were accounted for
24 within the Plan.

25 Has PICA received the new Plan?

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. DUBOW: PICA has received a
3 copy of the new Plan. There was a PICA
4 Board meeting yesterday, at which we --
5 not yesterday; last week, at which we
6 briefly discussed the Plan, but they
7 haven't really had time to look through
8 it yet.

9 COUNCILMAN GOODE: What was the
10 response to the Plan?

11 MR. DUBOW: I think really they
12 want to look through it. They haven't
13 given us any real response yet.

14 COUNCILMAN GOODE: Are there
15 continued concerns about labor costs?

16 MR. DUBOW: I haven't had that
17 discussion with them yet, but I -- so --

18 COUNCILMAN GOODE: Well, has
19 the Plan changed with regard to labor
20 costs?

21 MR. DUBOW: It has. What we've
22 added this year that we didn't have last
23 year is a funding for potential future
24 labor costs. We have -- if you include
25 FY13, there's about \$95 million in the

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Plan for labor costs.

3 COUNCILMAN GOODE: We had a
4 budget briefing the week before that on
5 March 13th and I asked for some specific
6 information. What's the cost for DC 33
7 and 47 over five years by year?

8 MR. DUBOW: One second. We'll
9 get you that.

10 MS. RHYNHART: We have it
11 broken down as part of the provision for
12 future obligations. It's in two places,
13 because we also removed the savings that
14 we were anticipating from those.

15 COUNCILMAN GOODE: What's the
16 cost of DC 33 and 47 by year over the
17 next five years?

18 MS. RHYNHART: It's 12.2
19 million -- for 47, 12.2 million in '14;
20 6.3 million in '15; 955,000; 758,00 in
21 '17; and 758,000 in '18.

22 COUNCILMAN GOODE: Okay. 33?

23 MS. RHYNHART: It's
24 front-loaded because of the contributions
25 to the healthcare.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GOODE: 33.

3 MS. RHYNHART: 33 is 9.1
4 million in Fiscal '14; 4.3 million in
5 '15; 3.9 million in '16; 3.5 million in
6 '17; and 3.5 million in '18.

7 COUNCILMAN GOODE: Police?

8 MS. RHYNHART: Police is
9 about -- the wage re-opener is about \$35
10 million a year.

11 COUNCILMAN GOODE: So it's 35
12 in each year?

13 MS. RHYNHART: Right.

14 COUNCILMAN GOODE: And Fire?

15 MS. RHYNHART: For Fire for
16 the -- we're about to start --

17 COUNCILMAN GOODE: I'm asking
18 what's in the Plan.

19 MS. RHYNHART: What's in the
20 Plan? Fire is 4.2 million for '14; 8.5
21 million for '15; and actually 8.5 million
22 each year through '18.

23 COUNCILMAN GOODE: On Page 6 of
24 the written testimony, it says the
25 largest and fastest growing expenditures

1 3/25/13 - WHOLE - BILL 130178, etc.
2 include health and pension costs. On
3 Page 5, it says any collective bargaining
4 agreements must allow furloughs. Why
5 does it say that?

6 MS. RHYNHART: I'm sorry?

7 COUNCILMAN GOODE: The question
8 actually wasn't necessarily for you.

9 MS. RHYNHART: Wasn't for me?
10 Okay.

11 MR. GILLISON: Furloughs is one
12 of the matters that we are trying to make
13 sure that we put in as a way of dealing
14 with economic downturn. So that's --

15 COUNCILMAN GOODE: That's not
16 one of the major financial concerns.

17 MR. GILLISON: It is not one of
18 the major financial concerns. It is one
19 of the major ways that we would like to
20 make sure that we can keep people working
21 as opposed to laying them off should we
22 experience what we've experienced over
23 the last number of years.

24 COUNCILMAN GOODE: What if the
25 municipal unions prefer layoff to

1 3/25/13 - WHOLE - BILL 130178, etc.
2 furloughs?

3 MR. GILLISON: Well, that's
4 what we've been talking about for the
5 last number of years, and I'm hoping that
6 we will come to conclusion on that rather
7 soon.

8 COUNCILMAN GOODE: The issue
9 is, if health and pension costs are the
10 major financial concerns, why must there
11 be furloughs if that's a sticking point?

12 MR. GILLISON: Well, I don't
13 know whether that's the sticking point.
14 I think from where we have been able to
15 look at things with the union, we look at
16 it in total, and we have put forward that
17 we thought that this was a better way to
18 manage in economic matters the issue of
19 how we dealt with it when we had the
20 recession and I had to sign a lot of
21 layoff notices. That put us in a really
22 bad position, knowing that we needed to
23 do something else.

24 The economics of this are that
25 if we can get the things that we need in

1 3/25/13 - WHOLE - BILL 130178, etc.
2 health and pension reform, we'll talk
3 about the matter, but furloughs becomes
4 one of the tools that we would like to
5 see reflect our values, that people
6 working is better than laying them off.

7 COUNCILMAN GOODE: But it's not
8 a major financial concern.

9 MR. GILLISON: It's not in
10 the -- we don't anticipate using
11 furloughs. It's not in our Five Year
12 Plan at all. So you're correct.

13 COUNCILMAN GOODE: Can you
14 forward the breakdown of labor costs by
15 union over the five years through the
16 Chair?

17 MR. GILLISON: Yes, we can.

18 COUNCILMAN GOODE: Thank you.

19 Thank you, Mr. President.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, Councilman.

22 Before I call on the next
23 Councilmember, I just want to follow up
24 on that line of questioning.

25 The conversation that we've had

1 3/25/13 - WHOLE - BILL 130178, etc.
2 is that the furloughs -- the ability to
3 have furloughs have no reflection on the
4 budget this year and the next several
5 fiscal years. The issue with respect to
6 the unions, their preference is layoffs
7 versus furloughs, and apparently there's
8 some trigger with respect to layoffs and
9 you want to use the same trigger for
10 furloughs.

11 MR. GILLISON: As we do with
12 layoffs.

13 COUNCIL PRESIDENT CLARKE: As
14 with layoffs.

15 MR. GILLISON: So there's
16 nothing new. The only thing that would
17 happen is that persons would, in
18 essence -- whatever we would normally do
19 in order to force a layoff, we would use
20 the exact same conditions going forward
21 and we'd use the exact same way, except
22 that instead of laying someone off and
23 having them lose their job, we would have
24 the right to bring them back without an
25 impact on service and everything else to

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the City.

3 COUNCIL PRESIDENT CLARKE: But
4 the furloughs -- the difference between
5 the furloughs -- and correct me if I'm
6 wrong -- versus layoffs, if you get laid
7 off in this particular state, you have
8 the ability to get unemployment, but if
9 you get furloughed, you do not.

10 MR. GILLISON: That's correct,
11 I believe. Yes.

12 COUNCIL PRESIDENT CLARKE: So
13 there is --

14 MR. GILLISON: But you'd have
15 your job back. You'd still have your
16 job. You wouldn't need to get
17 unemployment.

18 COUNCIL PRESIDENT CLARKE: I
19 understand that, but that's a difference.

20 MR. GILLISON: Yes. Oh,
21 absolutely.

22 COUNCIL PRESIDENT CLARKE: The
23 question, I mean, that I have -- and I've
24 said this to you. In all due respect, I
25 just don't understand given the improving

1 3/25/13 - WHOLE - BILL 130178, etc.
2 fiscal conditions -- and, again, we never
3 want to negotiate contracts in a public
4 way -- if you're saying that it has no
5 impact on the current fiscal situation or
6 the foreseeable fiscal situation with
7 respect to your Five Year Plan and the
8 unions' preference is layoff versus
9 furloughs, then I don't understand why
10 that continues to be a sticking point in
11 this conversation.

12 MR. GILLISON: Well, I --

13 COUNCIL PRESIDENT CLARKE: One,
14 we don't need them. Two, the preference
15 from the unions is if you want to lay me
16 off, lay me off. And, three, we need to
17 get some conclusion to this whole
18 municipal contract.

19 MR. GILLISON: Well, I mean, we
20 agree, as you know, because we've talked
21 about this outside of this matter. We
22 agree that we think that it's time and
23 well past time for this to happen. I
24 don't believe that this is the only
25 sticking point, quite frankly.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: I
3 didn't say the only one. I know
4 there's --

5 MR. GILLISON: But like
6 everything else, there has to be -- the
7 give and take has to occur. At this
8 point there's been no give, no take.
9 It's just been pretty much nothing.
10 That's why we are where we are.

11 We are continuing to insist on
12 sitting down, talking. And basically
13 where talk goes to be fruitless, that's
14 why we're literally in court now.

15 But, no, I don't want to
16 negotiate this thing in public. I just
17 want to be able to state what our values
18 are so that people are clear. We prefer
19 that as a tool in an economic crisis, we
20 don't want to lay people off. We want to
21 have the ability to do what happened with
22 the exempts. I mean, we all took
23 furloughs, and the impact of furloughs,
24 we took five days as a way of making sure
25 we could bridge without bringing people

1 3/25/13 - WHOLE - BILL 130178, etc.
2 back.

3 Whenever you lay somebody off,
4 not only do you lose the ability of that
5 person working and what they bring to the
6 matter, but you actually lose quite a bit
7 of knowledge of how to get things done.
8 And we do value our employees, we
9 believe, by saying if in a time that
10 we've just had everybody takes a little
11 less or a unit takes a little less but we
12 bring them back, it's an easier way of
13 handling it.

14 COUNCIL PRESIDENT CLARKE: So
15 do you anticipate laying people off?

16 MR. GILLISON: Do we anticipate
17 laying people off? If there is another
18 economic crisis that we just went
19 through, I mean, we just -- the only
20 reason why we didn't --

21 COUNCIL PRESIDENT CLARKE: No.
22 Do you anticipate laying people off? Do
23 you anticipate --

24 MR. GILLISON: In this Five
25 Year Plan?

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: Yes.

3 MR. DUBOW: No.

4 MR. GILLISON: No.

5 MR. DUBOW: It doesn't assume
6 layoffs.

7 MR. GILLISON: It doesn't
8 assume layoffs.

9 COUNCIL PRESIDENT CLARKE: So
10 it is unlikely that you'll need layoffs
11 based on this Five Year Plan?

12 MR. DUBOW: Well, we would have
13 said in 2008 before the downturn that it
14 was unlikely that we would have needed
15 layoffs or furloughs in that Five Year
16 Plan. So what we really want them for is
17 something that's unanticipated. So we
18 wouldn't build them into the Plan.

19 COUNCIL PRESIDENT CLARKE: In
20 the last downturn, you went through the
21 process of establishing a significant
22 layoff policy and we figured out a way
23 around that, where you didn't have to lay
24 off any significant, if any, number of
25 members.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. DUBOW: We did some
3 layoffs.

4 COUNCIL PRESIDENT CLARKE: I
5 said significant.

6 MR. DUBOW: But we didn't have
7 to do 3,000 layoffs because the
8 legislation passed in Harrisburg. But
9 all the notices were actually written up.
10 I mean, we were going to have to do that
11 if that legislation didn't pass.

12 COUNCIL PRESIDENT CLARKE: One
13 last question on this, and I apologize to
14 the next Councilmember.

15 Acknowledging that furloughs
16 are somewhat different than layoffs,
17 because people don't get paid, and the
18 issue with respect to the trigger on
19 layoffs currently is essentially the
20 Finance Director saying, We're at a
21 certain financial condition that requires
22 that we have to lay people off, and there
23 would be similar -- there's a similar
24 proposal with respect to furloughs, but
25 there is a difference, as I've said and

1 3/25/13 - WHOLE - BILL 130178, etc.
2 you've acknowledged. Should there
3 possibly be a different trigger or a
4 trigger -- because most people with
5 respect to the union conversation don't
6 believe that it's a fair process where
7 the Finance Director who works for the
8 Mayor can trigger the furlough process.
9 If there were a third-party strategy that
10 would acknowledge or concur that there
11 was a financial condition that warranted
12 a furlough policy, is that something
13 that's been discussed?

14 MR. GILLISON: I can only say
15 that --

16 COUNCIL PRESIDENT CLARKE: A
17 neutral, so to speak.

18 MR. GILLISON: The only thing I
19 can say is, there's been a variety of
20 discussions and that we maintain the
21 continued right to continue discussing
22 it. We've come up with a lot of
23 different scenarios, different triggers,
24 but they really haven't gone anywhere. I
25 mean, so literally we've actually talked

1 3/25/13 - WHOLE - BILL 130178, etc.
2 about a lot. And, again, I don't want to
3 put -- this is not the -- I'm not sitting
4 across from my union counterparts.

5 COUNCIL PRESIDENT CLARKE: I
6 have no ability to sign a contract. I
7 fully acknowledge that.

8 MR. GILLISON: All I'm saying
9 is that we have been open to a variety of
10 different ways. I reminded -- I remind
11 everyone who asks me, when we had our
12 discussion, Council President, is that
13 we're using the exact same language that
14 has been agreed to, in essence, for the
15 last number of years.

16 COUNCIL PRESIDENT CLARKE: It
17 was agreed to for layoffs, not furloughs.

18 MR. GILLISON: Right. That's
19 very true, but that's why we wanted to
20 make sure it wasn't anything new.

21 COUNCIL PRESIDENT CLARKE: And
22 it is a difference. There's a difference
23 between a furlough and a layoff.

24 MR. GILLISON: Well --

25 COUNCIL PRESIDENT CLARKE: It's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 more challenging for you administratively
3 to lay people off versus furloughs.

4 MR. GILLISON: Absolutely.
5 Much more challenging.

6 COUNCIL PRESIDENT CLARKE: But
7 it is more challenging to that employee
8 who doesn't get a paycheck.

9 MR. GILLISON: Well, it's not
10 even that they would not get a paycheck.
11 It was that they would get a diminished
12 paycheck, if that should occur. I mean,
13 again, I'm speaking from one that had
14 experience. My paycheck was diminished
15 when we had to go through this in order
16 to help the bridge. It was a five-day
17 matter. We're not talking about putting
18 off people and permanently letting them
19 go.

20 COUNCIL PRESIDENT CLARKE: But
21 you're an exempt employee. You're not a
22 bargaining unit employee.

23 MR. GILLISON: And that's why
24 we --

25 COUNCIL PRESIDENT CLARKE: That

1 3/25/13 - WHOLE - BILL 130178, etc.

2 reference -- nor am I.

3 MR. GILLISON: That's right.

4 And that's why we've had --

5 COUNCIL PRESIDENT CLARKE:

6 That's apples and oranges.

7 MR. GILLISON: That's why we've
8 continued having these discussions and
9 we've continued to be there looking for
10 different ways of handling the issue.
11 Quite frankly, I hope that we'll have
12 conclusions to this. I do not believe
13 that this is the be-all and end-all,
14 quite frankly. I think there's other
15 issues that continue to kind of deal with
16 this particular issue on contracts, but
17 we are trying to be balanced in what
18 we're doing, and this is our approach.

19 COUNCIL PRESIDENT CLARKE:

20 Okay. Thank you.

21 Councilman Jones, I apologize.

22 You're up.

23 COUNCILMAN JONES:

24 Mr. President, as long as I get an extra
25 minute, it's all right with me.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: We
3 probably need you at the bargaining
4 table, sir.

5 COUNCILMAN JONES: Well, first
6 of all, good morning. Let me get the
7 good stuff out the way so it doesn't take
8 too much of my time.

9 Thank you so much for the
10 City's response to the AVI information
11 session that we had Saturday. We had
12 commissioners taking applications for
13 appeal, particularly Commissioner Angela
14 Dowd-Burton and yourself and others. Rob
15 Dubow was out there. So we appreciate
16 it, and the 400 people that came out also
17 appreciate it. They were from every part
18 of the City, by the way. So we're
19 expecting one tonight at the library in
20 Overbrook Park on 75th and Haverford. So
21 Councilman Kenney said we hope they're
22 taking appeals. And many of them did
23 appeal.

24 So thank you for that amount of
25 resource going out to the public who

1 3/25/13 - WHOLE - BILL 130178, etc.
2 needs it. That's number one.

3 Now, first of all, I read the
4 actual report by FTI.

5 I have a copy of it for you,
6 Mr. President.

7 It goes by department on cost
8 savings up to projected approximately \$18
9 million in savings, and these are
10 practical savings that many members of
11 this body have recommended over the
12 years, and it was good to see it
13 reaffirmed in writing.

14 One that is not there by way of
15 revenue creation is outdoor municipal
16 advertising, which I would only say
17 should be added to that calculation.
18 Whether you agree with it or not, it
19 should at least be a factor.

20 So it was a good document that
21 I will share with my colleagues.

22 If you've noticed, there's been
23 a theme and each one of us have asked
24 about the municipal contract. I will
25 follow that line of questioning and ask

1 3/25/13 - WHOLE - BILL 130178, etc.
2 about pensions.

3 How many pensions are offered
4 to municipal workers in District Council
5 33 and District Council 47? How many
6 different variations of the pension plan
7 are there?

8 MR. DUBOW: So there's --

9 COUNCILMAN JONES: There's a J,
10 there's a Y.

11 MR. DUBOW: Yeah. Depending on
12 when you were hired, there's a Plan '67,
13 Plan '87. A new employee in either one
14 of those unions is really offered one
15 pension plan.

16 COUNCILMAN JONES: Okay. So
17 how many are there we're funding? I'll
18 rephrase the question.

19 So going back to the older J
20 Plan, I would guess -- how many of them,
21 renditions, are there?

22 MR. DUBOW: So for -- there are
23 really two basic plans for non-uniformed
24 workers and two basic plans for uniformed
25 workers, and then there's an elected.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Those are the primary.

3 COUNCILMAN JONES: Are any of
4 them more solvent or less solvent than
5 the other?

6 MR. DUBOW: Sure. The newer
7 plan, Plan '87, has a higher funding
8 percent than the old plan.

9 COUNCILMAN JONES: What is the
10 funding percentage for the new plan?

11 MR. DUBOW: I believe it's
12 roughly in the 80's. It's in the 80's.

13 COUNCILMAN JONES: And how many
14 workers does that new plan represent
15 within the municipal workforce of the
16 City?

17 MR. DUBOW: I can get you that.
18 It's in the valuation report, but let me
19 see where I can find it.

20 COUNCILMAN JONES: So is it
21 safe to say that that plan, the new plan,
22 is 80 percent funded and is not in
23 jeopardy?

24 MR. DUBOW: Well, not really,
25 because you have to -- well, let me tell

1 3/25/13 - WHOLE - BILL 130178, etc.

2 you, I don't think any of the plans are
3 in jeopardy. But you really have to look
4 at the system as a whole, because we have
5 to fund the whole system.

6 COUNCILMAN JONES: I just want
7 the specifics. In the new plan, it's 80
8 percent funded. How much of the
9 municipal workforce is represented under
10 that plan?

11 MR. DUBOW: Let me get back to
12 you on that.

13 COUNCILMAN JONES: All right.
14 You can get back to me, because my clock
15 is ticking.

16 And I need to know then to what
17 degree is -- segregate out the J Plan.
18 Is that the one that is in most jeopardy?

19 MR. DUBOW: That's the one that
20 has the lowest funding percent.

21 COUNCILMAN JONES: So if we
22 were to segregate that out and fix that
23 one, what would be the difficulty factor
24 in fixing or bring it up to an acceptable
25 amount of funding?

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE: You
3 got another minute.

4 COUNCILMAN JONES: Thank you.

5 You can get back to us on that.
6 I want you to know that we are going to
7 ask those kinds of questions, because at
8 the end of the day, we're five years in,
9 and we don't want to negotiate contracts,
10 but we want this to end.

11 MR. DUBOW: We do too.

12 COUNCILMAN JONES: So we're
13 going to ask specific questions as to
14 what some of the sticklers are within
15 that. And I don't want to get in the
16 union business, but it falls in our
17 court. It fell in our court, so we have
18 to deal with it.

19 MR. DUBOW: Right. But so to
20 your question, the old plan, there are no
21 new members going into it.

22 COUNCILMAN JONES: Correct.

23 MR. DUBOW: People are already
24 in it.

25 COUNCILMAN JONES: So how

1 3/25/13 - WHOLE - BILL 130178, etc.
2 insolvent is it? What would it take to
3 fix it, is the question.

4 MR. DUBOW: So you can't make
5 changes there to people's benefits,
6 because they're already in, and I think
7 everyone in that plan is already vested.

8 COUNCILMAN JONES: Okay.

9 MR. DUBOW: And really you only
10 have a couple of ways to improve health
11 of a plan. One is --

12 COUNCILMAN JONES: Let's speak
13 to that. If we were to sell -- do
14 advertising or dedicate the outdoor
15 advertising to funding that plan, what
16 would it take to fix it so that it is no
17 longer the sort of Damocles hanging over
18 the negotiations, is the question.

19 MR. DUBOW: So we have a gap
20 that's probably over \$4 billion between
21 our assets and our liabilities.

22 COUNCILMAN JONES: Say that
23 again.

24 MR. DUBOW: Our gap between our
25 assets and our liabilities is about \$4

1 3/25/13 - WHOLE - BILL 130178, etc.

2 billion. So municipal advertising --

3 COUNCILMAN JONES: I got that.

4 MR. DUBOW: -- won't
5 generate anything close to that.

6 COUNCILMAN JONES: That's
7 funny, but here's my point --

8 MR. DUBOW: No. I'm not trying
9 to be funny.

10 COUNCILMAN JONES: We missed a
11 lot of payments in that timeframe; is
12 that correct?

13 MR. DUBOW: We haven't missed a
14 payment in -- I don't know when we missed
15 a payment. We haven't missed a payment
16 in decades.

17 COUNCILMAN JONES: So we were
18 given a pass on payments during the
19 fiscal crisis, correct?

20 MR. DUBOW: We were given a
21 deferral, which has been repaid with
22 interest.

23 COUNCILMAN JONES: Okay. So --

24 MR. DUBOW: So that has no
25 impact on the funding percent at this

1 3/25/13 - WHOLE - BILL 130178, etc.

2 point, because it's been repaid.

3 COUNCILMAN JONES: So we're \$4
4 billion down. So you're saying that it
5 is an insurmountable fix?

6 MR. DUBOW: I'm not saying it's
7 insurmountable. I'm saying it's a hard
8 fix. It's not something that will be
9 fixed overnight, but we do need to look,
10 and we said, at things like if we sell
11 PGW, putting those --

12 COUNCILMAN JONES: Hold on.
13 Let me go on record with saying that,
14 before someone misconstrues that.

15 MR. DUBOW: To the extent that
16 we sell assets, that it makes sense to
17 put them into the pension fund. We did a
18 refunding where we put about 20 million
19 in, but that alone is not going to fix
20 the problem. We need something on the
21 benefits side too. We've already gone
22 from pension costs being about 6 percent
23 of our budget to 16 percent. So it's
24 eating --

25 COUNCILMAN JONES: And how does

1 3/25/13 - WHOLE - BILL 130178, etc.

2 that compare to other major cities?

3 MR. DUBOW: I think other
4 cities have seen big increases too.

5 COUNCILMAN JONES: So we're not
6 different from them.

7 MR. DUBOW: We are in that if
8 you look at cities across the country, we
9 have one of the lowest funding percents.
10 So we're in worse shape. Other cities
11 have seen increases in expenses, reduced
12 funding percents, but we're at the low
13 end of funding percent. Our challenge is
14 bigger than other cities.

15 COUNCILMAN JONES: Okay. I
16 guess at the end of the day, I'm going to
17 need to know how we got in that shape,
18 and it always comes out to it was the
19 workers' fault, or at least that's the
20 perception of it, and not how it was
21 contributed to. And I just need to know
22 if it was broken, how did it get broke
23 and what are the processes by which we
24 can fix it. And I think that's a fair
25 question. I'll wait until the next round

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to ask about -- in your Five Year Plan I
3 see one line about poverty. It might
4 even be two lines. And if we're at 28
5 percent at a poverty rate, there needs to
6 be a little more meat to an anti-poverty
7 plan over the next five years, unless
8 we're just saying that we're going to
9 concede the poverty issue in the City.
10 So I need --

11 MR. DUBOW: You want to do that
12 next time?

13 COUNCILMAN JONES: Thank you,
14 Mr. President.

15 COUNCIL PRESIDENT CLARKE:
16 Thank you, sir.

17 The Chair recognizes Councilman
18 Green.

19 COUNCILMAN GREEN: Thank you,
20 Mr. President. I would like the new time
21 standard applied to my questioning,
22 please. We timed that. It was 11
23 minutes and 33 seconds.

24 I'm just teasing.

25 COUNCIL PRESIDENT CLARKE: No,

1 3/25/13 - WHOLE - BILL 130178, etc.

2 you're not.

3 COUNCILMAN GREEN: I didn't
4 time it. Just whatever it was, that's
5 what I want.

6 In 2012, I proposed \$28 million
7 in cuts to the City budget, which I
8 shared with the Administration and others
9 with this spreadsheet. The green outline
10 is the cuts that I was proposing. Most
11 of these cuts were not taken. In the
12 Administration's testimony, they talk
13 about -- or you all talk about \$18
14 million from, quote/unquote, efficiencies
15 and savings, but then you go on to talk
16 about the savings.

17 And so what I'd like to know
18 is, compared to last year's expenditures,
19 what are the savings? The Budget
20 Director testified with respect to
21 collecting additional revenue, which I
22 don't count as savings, but on Page 2 of
23 your testimony, you emphasize savings.
24 And so what are the savings dollar
25 amounts that we have in this year's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 budget compared to previous years'
3 expenditures?

4 MS. RHYNHART: In terms of the
5 FTI recommendations on --

6 COUNCILMAN GREEN: No; just all
7 savings. You can include those if you
8 want.

9 MS. RHYNHART: Okay.

10 COUNCILMAN GREEN: Savings over
11 previous years.

12 MS. RHYNHART: Okay. I'll go
13 through just on the FTI cost side. We've
14 taken 3 million a year in savings in
15 Fleet's budget for -- we're going to be
16 implementing a fuel hedging program.

17 COUNCILMAN GREEN: That's not
18 savings.

19 MS. RHYNHART: Well, it is.
20 It's cost avoidance. It's savings.

21 COUNCILMAN GREEN: I'll give
22 you fuel hedging. All right.

23 MS. RHYNHART: Thank you.

24 There are savings, over a
25 million dollars of savings, related to IT

1 3/25/13 - WHOLE - BILL 130178, etc.
2 on the phone bill side from the FTI
3 report. There's two and a half million
4 dollars a year of savings in health costs
5 in Prison's budget. Those are the main.
6 In Fiscal '14 --

7 COUNCILMAN GREEN: I appreciate
8 that. That sort of makes my point. What
9 you're basically saying is that in a
10 budget of \$3.7 billion, the
11 Administration could only find \$3 million
12 of savings in programs that it spent last
13 year compared to what it's projecting to
14 spend this year. In other words, in the
15 entire budget, less than 0.001 percent is
16 actual savings compared to what was spent
17 last year. Isn't that a problem?

18 MS. RHYNHART: Well, just to
19 back up a minute, the majority of the
20 budget is fixed costs and out of our
21 control in terms of pension, employee
22 benefits, contributions, debt service
23 payments. So only about a third of the
24 budget is truly under our control to make
25 cuts.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 I'm going to answer your
3 question. I hear your question.

4 So it's become increasingly
5 difficult to find places to cut after the
6 few years of cuts we've gone through.
7 One of -- I mean, we've taken cuts of 10
8 percent, 5 percent, 5 certain, and 4
9 percent going through Fiscal '12. So it
10 has made it increasingly difficult to
11 find places to cut.

12 But to that end, in terms of
13 efficiencies, one of the things that
14 we've been working with you on actually
15 is moving to performance and
16 program-based budgeting, which hopefully
17 will show which programs are most
18 effective and which aren't.

19 COUNCILMAN GREEN: But, I mean,
20 once we have -- well, the program-based
21 budgeting bill we passed included a zero
22 base for the first year, or the goal is
23 just to approach that with a zero base in
24 the first year in terms of the way the
25 legislative language works. Is there a

1 3/25/13 - WHOLE - BILL 130178, etc.

2 hope that shifting the budgeting system
3 will result in the actual shutting down
4 of programs that don't work or are you
5 saying that there are no programs in the
6 City of Philadelphia that don't work?

7 MS. RHYNHART: Right. If we
8 find that programs really -- certain
9 programs aren't working, then, yeah, we'd
10 definitely be prepared to shut them down.

11 COUNCILMAN GREEN: But based on
12 our current budgeting system, there's
13 only \$3 million of programs that don't
14 work in the entire City of Philadelphia.

15 MS. RHYNHART: Well, actually,
16 detailed 7 million, but to your point, I
17 get your point, and I think that one of
18 the hindrances to our current process is
19 that we haven't had the technology in
20 place to go towards program-based
21 budgeting to see all of the costs
22 associated with any specific program,
23 because we have fleet costs and
24 electricity costs separately from
25 departmental budgets, and that by

1 3/25/13 - WHOLE - BILL 130178, etc.
2 establishing performance measures for
3 departments and then we'll drill down to
4 the program level, we'll be able to link
5 the full budgetary cost of a program with
6 the outcomes.

7 So I fully agree that there is
8 work to be done, and we're moving towards
9 that. I mean, we have an RFP on the
10 street right now and we're moving towards
11 that.

12 COUNCILMAN GREEN: Does 7
13 million represent all of the efficiencies
14 that the Administration believes exist
15 within our budget?

16 MS. RHYNHART: I think that
17 there are more efficiencies that we're
18 working towards that are hard to
19 quantify; for example, the Chief Revenue
20 Collection Officer and others.

21 COUNCILMAN GREEN: But that's
22 not savings. You're spending more money
23 there. That's revenue enhancement.

24 MS. RHYNHART: I'm saying --
25 right. What we've taken in the budget

1 3/25/13 - WHOLE - BILL 130178, etc.

2 for Fiscal '14 is the 7 million, yes.

3 COUNCILMAN GREEN: And does
4 that represent your best effort, that is
5 your belief as in the Administration that
6 that is the only savings available to the
7 taxpayers of the City of Philadelphia in
8 terms of efficiencies, cost cutting?

9 MS. RHYNHART: I think at this
10 point, after the few years of cuts we've
11 had, yes.

12 COUNCILMAN GREEN: Thank you.

13 COUNCIL PRESIDENT CLARKE:

14 Thank you, Councilman.

15 The Chair recognizes Councilman

16 Oh.

17 COUNCILMAN OH: Thank you very
18 much, Mr. President.

19 Good morning.

20 (Good morning.)

21 COUNCILMAN OH: Could you
22 explain to me what your plan is
23 concerning the funds that are contested
24 right now with the firefighters? In
25 particular, you've lost two binding

1 3/25/13 - WHOLE - BILL 130178, etc.
2 arbitrations and a Common Pleas Court
3 decision, and to my knowledge, no funds
4 have been set aside even in this budget
5 to address that issue.

6 MR. GILLISON: Good morning,
7 Councilman.

8 COUNCILMAN OH: Good morning.

9 MR. GILLISON: As of right now,
10 the appeal is still pending, and once the
11 appeal is decided, we will end up acting
12 accordingly. I mean, that's the easiest
13 way to answer the question.

14 COUNCILMAN OH: Okay. So I do
15 understand that's the answer, and the
16 problem I have with it is that these
17 appeals could continue, but at some point
18 in time, they do end and then the City is
19 going to have to come up with this money,
20 whatever the amount is. At that time, we
21 would be challenged to come up with this
22 money to fulfill a court order if we have
23 not set anything aside. And unlike other
24 contract negotiations that may be
25 ongoing, this matter has been decided in

1 3/25/13 - WHOLE - BILL 130178, etc.
2 two arbitrations as well as a Common
3 Pleas Court decision, and I'm not clear
4 on the basis of the appeal moving
5 forward. So it would seem wise to set
6 aside some funds.

7 MR. GILLISON: Well, the basis
8 of the appeal, as you know, Councilman,
9 is the fact that the value of the award
10 is something that we have indicated and I
11 think is pretty -- you can see from the
12 information before you, can't be
13 afforded. There are ways that we have
14 discussed and tried to meet that, and
15 obviously we are trying to balance what
16 our current obligations are, what our
17 current expenses are.

18 The only thing that I would
19 differ with you on is that having a
20 judgment by the arbitration panel and
21 that we take our rights to appeal doesn't
22 mean that we've lost. It basically means
23 that the issues get clarified to the next
24 level.

25 Right now it's pending before

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the Commonwealth Court. When they have
3 their decision, we will always be able to
4 deal with what we can deal with. We've
5 told both PICA and I think we've had
6 informal discussions with Council as we
7 brief everyone to say that obviously
8 whenever awards come down, that will
9 necessitate us adjusting our budget.
10 There are ways to adjust the budget.
11 It's not going to really be on the tax
12 side, quite frankly, so it will have to
13 be on the cut side, and we've seen the
14 various levels of cuts that we would have
15 to do, which is why we've appealed the
16 matter, because we don't think that the
17 citizenry can actually afford that kind
18 of level of cuts.

19 So we're waiting the decisions
20 that will come from the Commonwealth
21 Court. When it happens, we will be in
22 the position to respond, and we're
23 prepared to do so.

24 COUNCILMAN OH: So what you're
25 saying is that, as I'm taking it, my

1 3/25/13 - WHOLE - BILL 130178, etc.
2 interpretation, is that disputed amount
3 of funds between 66 million or 200
4 million, that you're not going to set
5 aside in this budget any money whatsoever
6 to anticipate the payment of it and you
7 will go ahead and spend that money in
8 other ways, which means we will not be
9 prepared to pay those funds. That's my
10 concern.

11 MS. RHYNHART: We expect to
12 win, first of all, and we don't have the
13 money to pay that. I mean, that's the
14 basis of the award, is it's over \$200
15 million.

16 COUNCILMAN OH: I have to
17 interrupt, because that's not a good
18 answer. You cannot expect to win and at
19 the same time not be able to afford. The
20 issue is, in responsible budgeting, given
21 the situation that you're in currently,
22 having lost two mandatory arbitrations
23 and in front of the Common Pleas Court
24 judge, who stated that the binding
25 arbitration did account for the City's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 ability to pay, that some monies should
3 be set aside for the benefit of the City
4 and the taxpayers to start paying that
5 down rather than to spend it on other
6 things.

7 MR. GILLISON: So, I mean, I
8 hear you. I thank you for that
9 observation. Obviously we are preparing
10 for all contingencies, and as we have
11 indicated, there's only -- there's not
12 any additional monies anywhere. If it
13 comes out that we have to deal with it,
14 we'll take the appropriate steps to deal
15 with it. But we're not spending any of
16 that, quote/unquote, money. It's not
17 segregated in some hidden spot. All of
18 the money is in front of you. You see
19 how we're spending it. And if it comes
20 out that we have to take a \$200 million
21 hit, we've detailed at least in general,
22 I believe, where we would go to look at
23 making up some of those funds.

24 So it's not hidden what we're
25 doing. We're just trying to stay the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 course, and we will prove our point to
3 the appeals court. Appellate courts, as
4 you know, Councilman, always sometimes
5 see things differently, taking a step
6 away from trial courts. We both have
7 enjoyed that matter, whether positive or
8 negative. But we always adjust and we
9 continue. It's not going to be the end
10 of the world, but it will significantly
11 alter what we're getting done in this
12 situation. So, I mean, that's all I can
13 say.

14 COUNCILMAN OH: Thank you.
15 I'll finish my questioning later. Thank
16 you.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilman.
19 The Chair recognizes Councilman
20 Squilla.

21 COUNCILMAN SQUILLA: Thank you,
22 Mr. President, and thank you guys for
23 being here this morning.

24 My question is basically on the
25 collection of real estate taxes. What is

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the percentage of the collection this
3 year of the real estate taxes that is
4 going to be inserted into the budget?

5 MR. DUBOW: We collect about 91
6 percent of the amount due within 12
7 months.

8 COUNCILMAN SQUILLA: So that 91
9 percent will be in the budget this year?

10 MR. DUBOW: That's right.

11 COUNCILMAN SQUILLA: What's
12 that amount?

13 MR. DUBOW: It's the \$500
14 million that's shown in the budget. It's
15 500 million.

16 COUNCILMAN SQUILLA: So 500
17 million --

18 MR. DUBOW: For the City side.

19 COUNCILMAN SQUILLA: For the
20 City side.

21 MR. DUBOW: Yeah.

22 COUNCILMAN SQUILLA: Last year
23 what did we include into the budget as
24 far as collections?

25 MR. DUBOW: We use a five-year

1 3/25/13 - WHOLE - BILL 130178, etc.
2 average, and the percentage collected has
3 gone up each year. So it was probably a
4 little lower.

5 COUNCILMAN SQUILLA: Was it
6 like 87 percent?

7 MR. DUBOW: Well, you have to
8 kind of get into the model. There are
9 two components. One is the eight months
10 portion, which is about that 87 percent,
11 and then there's a four-month portion
12 from, was it, the prior year?

13 MS. RHYNHART: Right.

14 MR. DUBOW: The prior year, the
15 prior calendar year that's part of the
16 fiscal year, and that's kind of -- you
17 have to do that 87 percent plus that stub
18 portion. That gets you close to the 91.

19 COUNCILMAN SQUILLA: So you're
20 taking the 4 percent from last year,
21 you're going to take -- whatever we
22 collected in the last part of this year
23 for last year's taxes will be added into
24 this budget, plus --

25 MR. DUBOW: We show what's

1 3/25/13 - WHOLE - BILL 130178, etc.

2 collected during the fiscal year.

3 COUNCILMAN SQUILLA: During the
4 fiscal year.

5 MR. DUBOW: Yeah.

6 COUNCILMAN SQUILLA: So it's
7 not included in the next year's budget?

8 MR. DUBOW: You lost me.

9 COUNCILMAN SQUILLA: You're
10 saying that it's two separate collections
11 that you go by. You go through an
12 eight-month collection that's around 87
13 percent.

14 MR. DUBOW: The tax rate is by
15 calendar year and the budget is by a
16 fiscal year.

17 COUNCILMAN SQUILLA: Right.

18 MR. DUBOW: So there's a
19 portion of the collection that's for the
20 prior calendar year, which is at a
21 different rate. So it's the full fiscal
22 year collection, and that's what's shown
23 in the budget for that year.

24 COUNCILMAN SQUILLA: So that's
25 what I'm trying to get at. This year,

1 3/25/13 - WHOLE - BILL 130178, etc.

2 2013, we collected how much?

3 MR. DUBOW: In 2013 -- so
4 collections are due by the end of March.
5 So it's still a projection. So for '13
6 we're projecting 500 million, and we
7 project the same amount for '14.

8 COUNCILMAN SQUILLA: And so
9 there won't be no increase in
10 projections, even if the assessments go
11 up? I mean, we know that there's major
12 issues with how the assessments are being
13 done. And so you're projecting the same
14 amount every year moving forward?

15 MR. DUBOW: We built -- no, not
16 every year going forward. In '14. In
17 '14 we project -- we tried to set a rate
18 with the relief that we're proposing and
19 an assumption that there'll be an
20 increase in the appeal loss in the first
21 year of the new system. We tried to get
22 to a rate that would give us the same
23 amount of collections. What we actually
24 get will probably depend on things like
25 where appeal losses actually wind up.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN SQUILLA: And how
3 much have you included into the budget
4 for appeal losses?

5 MR. DUBOW: I think it's about
6 32 million, and in the typical year it's
7 about 20, 21. So we've projected about a
8 50 percent increase.

9 MS. RHYNHART: And that's City
10 and School District.

11 COUNCILMAN SQUILLA: So last
12 year how much did we see in appeal
13 losses?

14 MS. RHYNHART: It was about 20
15 million in '12. It's appeal losses and
16 there's also some losses from TIFs, tax
17 increment financing. But it's about 20
18 million, and then we had --

19 COUNCILMAN SQUILLA: You're
20 counting TIFs as tax losses?

21 MS. RHYNHART: There's a little
22 bit of that, yes. There is some amount
23 that's included in Revenue's estimate,
24 yes.

25 COUNCILMAN SQUILLA: Why would

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that be in your real estate tax appeal?

3 MS. RHYNHART: It's the
4 subtraction of the total assessments.
5 So, I mean, I could detail this out.

6 COUNCILMAN SQUILLA: I
7 understand what you're saying, but that's
8 something that's already projected. We
9 know what TIFs is already projecting.
10 I'm talking about --

11 MS. RHYNHART: The appeals.

12 COUNCILMAN SQUILLA: -- the
13 appeals.

14 MS. RHYNHART: So it's about 20
15 million, and then we have a 50 percent
16 increase, as Rob said. So it goes up to
17 about 30.

18 COUNCILMAN SQUILLA: What is
19 the appeal losses for last year? No TIFs
20 included, nothing added to it. What were
21 the appeal losses?

22 MR. DUBOW: We'll get back to
23 you with that number.

24 COUNCILMAN SQUILLA: Okay. If
25 you could get that number to the Chair.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 And then the 30 million that
3 you're included -- or 32 million, is that
4 including TIFs?

5 MR. DUBOW: Yeah. So we'll
6 give you the breakout by each year of
7 what's just appeal losses.

8 COUNCILMAN SQUILLA: That would
9 make a lot more sense. And I'll ask more
10 questions the next round.

11 COUNCIL PRESIDENT CLARKE:
12 Thank you, Councilman.

13 The Chair recognizes
14 Councilwoman Sanchez.

15 COUNCILWOMAN SANCHEZ: Thank
16 you.

17 Do we know when we're getting
18 the budget binders?

19 MS. RHYNHART: This Thursday.

20 COUNCILWOMAN SANCHEZ: This
21 Thursday?

22 MS. RHYNHART: That's right.
23 They're at the printer right now.

24 COUNCILWOMAN SANCHEZ: It kind
25 of makes it hard to ask questions when

1 3/25/13 - WHOLE - BILL 130178, etc.

2 you don't have the budget detail.

3 MS. RHYNHART: We delivered it
4 to the printer on Friday. It just takes
5 them a few days to do it.

6 COUNCILWOMAN SANCHEZ: In
7 Mr. Gillison's testimony, he talks about
8 the business tax reductions and he
9 mentions a \$50,000 net income as part of
10 the Five Year Plan. That was a bill that
11 we sponsored. It was 100,000. Is that a
12 typo or is --

13 MR. DUBOW: No. It's getting
14 phased in.

15 COUNCILWOMAN SANCHEZ: I know,
16 but it should be phased in in the Five
17 Year Plan.

18 MR. DUBOW: Yeah. I think it
19 gets to 100 by '17. It gets to 100.

20 COUNCILWOMAN SANCHEZ: That's
21 not what his testimony says. I just want
22 to be clear.

23 MR. DUBOW: You're correct. It
24 gets up to 100,000.

25 COUNCILWOMAN SANCHEZ: So

1 3/25/13 - WHOLE - BILL 130178, etc.

2 that's a typo, misstatement?

3 MS. RHYNHART: What page?

4 COUNCILWOMAN SANCHEZ: Page 4.

5 MS. RHYNHART: Okay. Oh, the
6 dollar value of the net income exemption?

7 COUNCILWOMAN SANCHEZ: Yes.

8 MS. RHYNHART: I would have to
9 double-check on that.

10 MR. DUBOW: We'll make a
11 hundred percent sure, but I think it does
12 go up to a hundred. We'll confirm that.

13 COUNCILWOMAN SANCHEZ: I just
14 want to be sure. I wasn't sure you snuck
15 a bill on me.

16 MR. DUBOW: We did not sneak
17 another bill in on you.

18 COUNCILWOMAN SANCHEZ: All
19 right. Thanks.

20 Question. And, again, we
21 don't -- in terms of some of this pension
22 fund, some of the questioning by my
23 colleague Councilman Jones, can the
24 Administration provide to us -- in their
25 proposal to the union, is the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 Administration proposing a different plan
3 than J and Y?

4 MR. DUBOW: Yes.

5 COUNCILWOMAN SANCHEZ: As you
6 submit what Councilman Jones is
7 requesting, can you give us a comparison
8 to what this Y Plan -- I mean the new
9 plan would do, whatever you want to call
10 it, give it another initial?

11 MR. DUBOW: Yes.

12 COUNCILWOMAN SANCHEZ: That
13 would be helpful to all of us. And,
14 again, none of us want to totally get
15 into this, but I think it's important
16 that we all understand when we're making
17 these types of reforms what it means,
18 because reform sounds pretty and sexy,
19 but ultimately it is about the dollar
20 amount that we should be concerned about.
21 And so I've never seen yet from the
22 Administration an articulation of what
23 this new plan would be, and it would be
24 helpful.

25 MR. DUBOW: We can give you

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that in writing or we can do it right
3 now.

4 COUNCILWOMAN SANCHEZ: No. We
5 want that as part of that comparison so
6 folks know it's in the context of the J
7 Plan underfunding, the Y Plan's funding
8 and how you would fund this new one.
9 That would be helpful for us to
10 understand.

11 I wanted to talk a little bit
12 around some of the revenue enhancement
13 pieces, and President Clarke was alluding
14 to this. If there is an official plan
15 for the \$40 million phase-in, if there's
16 something in writing preliminarily, it
17 would be great if you could share it.

18 MR. DUBOW: We'll get you that.

19 COUNCILWOMAN SANCHEZ: I know
20 that, again, it's a huge investment and
21 includes us creating an internal
22 infrastructure to long-term support this.
23 We'd like to be able to see it.

24 Did we receive our state
25 certification numbers so that we're

1 3/25/13 - WHOLE - BILL 130178, etc.
2 planning our state budget? Do we foresee
3 any state cuts coming in as it relates to
4 some of our human services needs?

5 MR. DUBOW: I don't think we
6 got the certified number yet. I mean,
7 the state budget itself didn't have --

8 COUNCILWOMAN SANCHEZ: Any
9 major cuts?

10 MR. DUBOW: -- reductions in
11 child welfare.

12 So I can stop guessing and Anne
13 Marie can actually give you the answer.

14 COUNCILWOMAN SANCHEZ: Again, I
15 don't have the budget documents.

16 MR. DUBOW: We don't think
17 there will be any real impact from the
18 state budget on our services.

19 COUNCILWOMAN SANCHEZ: Okay.
20 We had hearings on Friday about the
21 healthcare, Medicaid, and Corbett not
22 opting in, and at that point, Dr. Schwarz
23 listed some residual costs to the City.
24 Have we factored in in this Plan if in
25 fact we don't get Medicaid some

1 3/25/13 - WHOLE - BILL 130178, etc.
2 additional cost? We talked a little bit
3 about that, about what it does to our
4 health centers.

5 MS. RHYNHART: No, we haven't
6 factored in additional costs related if
7 Corbett makes that decision.

8 COUNCILWOMAN SANCHEZ: Are we
9 projecting some federal cuts and do we
10 have an idea what that is?

11 MS. RHYNHART: In terms of in
12 the General Fund, we get limited federal
13 funding. It's mostly for the
14 Philadelphia Nursing Home, but we haven't
15 built cuts to the federal budget. I
16 mean, there will be -- one of the risks
17 to City funding on some of the
18 grant-funded side is that cuts that we've
19 seen over the past few years in CDBG and
20 CSBG funding, and that's something that
21 it has not been finalized yet at the
22 federal level but we'll have to react to,
23 if necessary.

24 COUNCILWOMAN SANCHEZ: Okay.
25 Mr. President, I don't know if you want

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to move forward. I know we're supposed
3 to be brief.

4 COUNCIL PRESIDENT CLARKE:
5 Thank you.

6 The Chair recognizes
7 Councilwoman Brown.

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

10 Good morning.

11 (Good morning.)

12 COUNCILWOMAN BROWN: I want to
13 seize the moment to put on the record at
14 the top of these budget hearings that we
15 do expect the custom to continue, and,
16 that is, to make sure that all department
17 heads come with written testimony around
18 MBE/WBE participation broken down over
19 the last five years so that we can see
20 what the progress has been.

21 MS. RHYNHART: Okay. Sure.

22 COUNCILWOMAN BROWN: I want to
23 follow up on Councilman Goode's
24 questioning regarding PIDC.

25 What's the standard practice

1 3/25/13 - WHOLE - BILL 130178, etc.

2 with regards to seeking comment or input
3 from PIDC as it relates to the Five Year
4 Plan?

5 MS. RHYNHART: Do you mean PIDC
6 or PICA?

7 COUNCILWOMAN BROWN: I mean
8 PICA. Forgive me.

9 MS. RHYNHART: Oh, okay.

10 MR. DUBOW: So the way that the
11 process works, we talk to PICA as we're
12 developing the Plan. So, for example, in
13 Mr. Gillison's testimony, he talked about
14 a meeting at the Federal Reserve Bank.
15 PICA actually hosts that meeting. So we
16 go through our assumptions with them
17 beforehand with the staff and then they
18 communicate that to the Board. We also
19 have a process where they have a series
20 of meetings. They'll meet with
21 departments to kind of talk about their
22 budgets. So they'll do a thorough
23 review. Their review is often not
24 simultaneous with Council, but kind of
25 after Council has a department in, that's

1 3/25/13 - WHOLE - BILL 130178, etc.

2 usually when they'll meet with them.

3 COUNCILWOMAN BROWN: So give me
4 a sense of timeframe. Does that
5 kick-start in November in preparation for
6 where we are now? Give me a framework.

7 MR. DUBOW: I think probably
8 the first discussions are probably kind
9 of early in the calendar year, probably
10 January-ish. They get real intense,
11 though, once the budget is passed,
12 because that's when PICA's real review of
13 the Plan goes into effect, because after
14 the budget is passed, we officially
15 submit the Plan to them. Then they go
16 through their review period and either
17 approve it or reject it. So that really
18 starts once this process is done.

19 COUNCILWOMAN BROWN: Okay.
20 Followup to Councilman Jones' question
21 around employees --

22 MR. DUBOW: Around what? I'm
23 sorry.

24 COUNCILWOMAN BROWN: A followup
25 with regards to Councilman Jones'

1 3/25/13 - WHOLE - BILL 130178, etc.
2 question around employees. And you said
3 new employees. So "new" means what? New
4 as of when?

5 MR. DUBOW: For new employees,
6 you mean going into -- what pension fund
7 they go into?

8 COUNCILWOMAN BROWN: Yes.

9 MR. DUBOW: So for Plan '87 was
10 the plan he talked about, you know, the
11 name is '87. I think new employees
12 started going in around 1990. So I think
13 employees after that went into Plan '87.

14 For our proposed new plan, it
15 would be employees hired after the plan
16 went into effect. So whatever timing
17 that was.

18 COUNCILWOMAN BROWN: Okay.

19 Thank you, Mr. Chairman.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, Councilwoman.

22 The Chair recognizes Councilman
23 Henon.

24 COUNCILMAN HENON: Thank you,
25 Mr. Chairman.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Good morning.

3 (Good morning.)

4 COUNCILMAN HENON: Thank you
5 for coming in here. There's been a lot
6 of conversation. I just want to --
7 regarding the lack of contracts and where
8 we stand with binding arbitration with
9 the firefighters moving forward, and I
10 think that although I'm not quite sure
11 where this body stands or what kind of
12 standing we have with contract
13 negotiations, but as you could tell,
14 we're going to be involved using this
15 process and asking some poignant
16 questions as we move forward in hopes
17 that, as you stated, Mr. Everett, we can
18 quickly or soon come to a resolve in the
19 contract.

20 So I have a couple questions
21 just to sort of reiterate or echo some of
22 my colleagues.

23 Property tax collections. So
24 this year it would be revenue neutral, is
25 that correct, for collections of property

1 3/25/13 - WHOLE - BILL 130178, etc.

2 tax?

3 MR. DUBOW: You're talking
4 about the rate for FY14?

5 COUNCILMAN HENON: Correct.

6 MR. DUBOW: It's designed to
7 collect the same amount in '14 as in '13.

8 COUNCILMAN HENON: And moving
9 forward, '15, '16, '17, and '18, you do
10 not anticipate any rise in the
11 collections of property values moving
12 forward?

13 MR. DUBOW: No. The Plan
14 assumes that there will be increases in
15 values going forward and that we capture
16 those values in increased revenue.

17 COUNCILMAN HENON: We would
18 capture those values. So there will be
19 an increase of collections?

20 MR. DUBOW: That's the
21 projection in the Plan.

22 COUNCILMAN HENON: It is in the
23 Plan?

24 MR. DUBOW: It would be in '15,
25 '16, '17, and '18.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN HENON: Maybe I
3 misread Mr. Everett's testimony where it
4 says there will be no increase in
5 property --

6 MR. DUBOW: It gives the
7 projection for '14.

8 COUNCILMAN HENON: For '14?
9 But '15, '16, and '17 you do see
10 increases?

11 MR. DUBOW: Yes.

12 COUNCILMAN HENON: Okay. So
13 I'll take a look at that.

14 And you also stated that there
15 will be increases in collections of
16 wages, sales tax, business tax, and
17 transfer taxes?

18 MR. DUBOW: Right. For each of
19 the taxes, we assume that the economy
20 will get slightly stronger over the next
21 couple of years, and that will result in
22 increased revenues.

23 COUNCILMAN HENON: Without a
24 doubt, and I guess everybody would like
25 to see a robust economy so our

1 3/25/13 - WHOLE - BILL 130178, etc.
2 collections can keep coming in, which
3 leads me to some of the municipal
4 contracts. And with the increase of
5 revenues that we have projected and
6 anticipate, my one question, Mr. Everett,
7 is the DC 33, had they indicated that
8 they would like a similar fair contract
9 as the police? Has that --

10 MR. GILLISON: I want --

11 COUNCILMAN HENON: Which -- I
12 just want to add to that. Which I
13 believe was, I think, touted as a very
14 good, fair, and cost-saving contract.

15 MR. GILLISON: One of the
16 things that I will unfortunately have to
17 do is mind what I've been told about
18 characterizing what negotiations are in
19 public. I've been told by my counsel to
20 be wary of any specific matters. I will
21 tell you, Councilman, however, that we
22 have tried to talk about a variety of
23 different means and a variety of
24 different offers, and we're just -- we're
25 still in that process of trying to put

1 3/25/13 - WHOLE - BILL 130178, etc.
2 something together that everybody can
3 live with.

4 COUNCILMAN HENON: And I
5 understand collective bargaining.

6 MR. GILLISON: I'm sure you do.
7 That's why I smiled when I heard it come
8 from you.

9 COUNCILMAN HENON: Well, I'm
10 trying to see where -- we have seen some
11 reports in this body to healthcare
12 pension reforms that the municipal unions
13 have taken steps moving forward and cost
14 savings, \$25 million. And I think that's
15 actually on the record somewhere moving
16 forward, and it's part of your testimony
17 where 31 percent is a large cost, but I
18 think that's typical when you have this
19 amount of employees for a large city like
20 that. So I think steps have been made
21 moving forward saving money.

22 So I'm hoping with the
23 increases of revenue being collected and
24 some offers on the table and some
25 suggestions and some history of

1 3/25/13 - WHOLE - BILL 130178, etc.
2 healthcare savings, we could come to a
3 resolve. And we'll get into that, I
4 guess, as this budget moves forward.

5 My last question -- and I'll
6 heed, if I may, Mr. President -- is
7 furloughs, and that seems to be a
8 sticking point with a lot of people.
9 One, people not understanding. I mean, I
10 understand it. It can kind of get a
11 little complicated with furloughs, and it
12 not being a major financial impact moving
13 forward, they are more discretionary, I
14 think, in how selective furloughs can be
15 used or implemented. So policy is
16 extremely important as opposed to layoffs
17 where there's a layoff policy with the
18 Civil Service and Human Resources.

19 My concern regarding furloughs
20 and the distinction between layoffs and
21 selective discretionary use of furloughs
22 is, why are we taking the sanctity of
23 collective bargaining into the courts and
24 incurring more costs legally, at the same
25 time changing work rules for collective

1 3/25/13 - WHOLE - BILL 130178, etc.
2 bargaining without a real honest
3 conversation and discussion with the
4 labor management team?

5 MR. GILLISON: I would only --
6 and I hear your question, I believe, and
7 I just -- my response would be that the
8 reason why we're in the courts is because
9 we don't have any other options. That's
10 the only reason why we're there.

11 We are always, and have been
12 over four years, trying to resolve this
13 matter, but when you get to a certain
14 point, and as everyone I think will
15 agree, we need to get this resolved, and
16 we have tried to say that over and over
17 and over again. And, quite frankly,
18 sometimes you need to be pushed in order
19 to get that thing done and get -- when
20 you get to the end.

21 Hopefully, you know, there'll
22 be some opportunity to do that. It's not
23 over until it's over, I always say, and
24 I'm an eternal optimist. I keep telling
25 people what we just have to do is finally

1 3/25/13 - WHOLE - BILL 130178, etc.
2 wrestle with the issues that are truly
3 before us. Our pensions need to have a
4 different matter. Our health and welfare
5 need to have a different way of dealing
6 with it. Everybody has got to have
7 something in this game, because just on
8 the pension piece, going from 6 percent
9 to 16 percent over the last ten years is
10 squeezing out the ability of this city to
11 do anything going forward. We have to be
12 able to have some ability to control
13 that, and that's going to take give and
14 take on both sides. We've said that from
15 the beginning. The Mayor has made that
16 clear from the beginning to his labor
17 team, get in there and make sure that
18 everybody understands the risk that's
19 going on. And if we can control that,
20 then a lot of the things that this body
21 wants us to invest in, we would have the
22 ability to do.

23 COUNCILMAN HENON: I understand
24 that. The question was more to
25 furloughs. If it's not having a

1 3/25/13 - WHOLE - BILL 130178, etc.
2 significant financial impact to the
3 budget, why are we taking it into court
4 and changing work rules if it doesn't
5 have that kind of impact? I'm just
6 trying to understand the philosophy and
7 the mentality on why are we taking
8 furloughs and making furloughs a major
9 focus --

10 MR. GILLISON: It is one
11 focus --

12 COUNCILMAN HENON: -- in this
13 moving forward when it doesn't have a
14 significant or major impact.

15 MR. GILLISON: It is one aspect
16 and it's not the only aspect. Quite
17 frankly, it is just -- you always have to
18 look at things in totality. We are
19 trying to make sure that we can manage
20 going forward. And I still would just
21 remind you -- and I don't know whether or
22 not I misheard you, but it seemed from
23 your question that you indicated that you
24 felt that this was a discretionary tool
25 that we could use in helping to

1 3/25/13 - WHOLE - BILL 130178, etc.
2 discipline people or almost on a "I don't
3 like you and we're going to end up
4 furloughing you" and using that as a way
5 of holding things against someone.

6 COUNCILMAN HENON: No.

7 MR. GILLISON: We don't do that
8 at all. That's not what the proposal is.

9 COUNCILMAN HENON: No. I
10 wasn't inferring that sort of --

11 COUNCIL PRESIDENT CLARKE:
12 Councilman.

13 COUNCILMAN HENON: But it
14 leaves the door open for a discretionary
15 use of furloughs.

16 MR. GILLISON: Only, only --
17 and I want to make sure it's clear. The
18 only time it can actually be used is if
19 we end up experiencing the type of
20 matters that the union has agreed to in
21 the past that where we have an economic
22 downturn that allows for people to be
23 laid off, instead of laying them off, we
24 would be able to furlough them. And
25 that's the triggering mechanism, and

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that's a pretty high standard. That's
3 not a willy-nilly kind of response that
4 the Finance Director just says, We're
5 going to have a deficit, let's furlough
6 people. That's not what we're talking
7 about. We're talking about what we've
8 just gone through. And, quite frankly,
9 even given what we've heard at the
10 Federal Reserve and everything else, the
11 economy is coming around. We're all
12 trying to push it and going forward, but
13 if it doesn't and we have to get back to
14 this again and we end up back here
15 talking about Plan C, Plan D, and Plan E,
16 we need to have something other than just
17 lay people off, and that's why we have
18 that as part of our values.

19 COUNCIL PRESIDENT CLARKE:
20 Councilman, I'm sure you have a response
21 to that, but we got two more colleagues
22 that need to speak and then we have an
23 appointment outside of City Hall.

24 So I would recognize Councilman
25 Kenney and then Tasco, and then we'll go

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to recess.

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

5 I'm curious as to the
6 Administration's assessment of the
7 management of PGW. How do you think
8 they're doing?

9 MR. DUBOW: I think they're
10 doing a good job.

11 COUNCILMAN KENNEY: They're
12 about -- I think Mr. White testified last
13 week and said 96, 97 percent collection
14 rate.

15 MR. DUBOW: Yeah.

16 COUNCILMAN KENNEY: And we own
17 the company, right?

18 MR. DUBOW: We do.

19 COUNCILMAN KENNEY: The City
20 owns the company.

21 We get paid \$18 million a year
22 from PGW, correct?

23 MR. DUBOW: That's correct.

24 COUNCILMAN KENNEY: How long
25 has that payment been made and at that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 level?

3 MR. DUBOW: I think three or
4 four years. There was a break.

5 COUNCILMAN KENNEY: No, no. I
6 know there was a break when we forgave
7 them the time payment, but how long back
8 have we been getting, I guess you call
9 it -- I would refer to it as a dividend.

10 MR. DUBOW: It's been decades,
11 I think.

12 MS. RHYNHART: Right. But
13 there was a big -- there was a
14 significant number of years where we
15 didn't get it before two years ago.

16 COUNCILMAN KENNEY: But it's
17 been at the \$18 million level for
18 decades.

19 MR. DUBOW: It has.

20 COUNCILMAN KENNEY: What's
21 their fund balance?

22 MR. DUBOW: I'm not sure. They
23 have a positive fund balance.

24 COUNCILMAN KENNEY: They're not
25 cash poor.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. DUBOW: They are not cash
3 poor.

4 COUNCILMAN KENNEY: Why would
5 we not then as the owners of the company
6 get more of a dividend from a company
7 that's being managed well, that has a
8 significant fund balance, and hasn't had
9 an increased dividend payment in 30
10 years? Wouldn't that be a way to get
11 another stream of revenue or at least
12 increase a stream of revenue that has not
13 been tapped or increased for three
14 decades?

15 MR. DUBOW: I'm not sure -- I
16 can't give you a good answer to that
17 because I'm not sure how the 18 million
18 was devised, kind of what's behind it.
19 So I'd like to look at that before
20 answering your question.

21 COUNCILMAN KENNEY: Even adjust
22 it for inflation over 30 years, \$18
23 million would be significantly more.

24 MR. DUBOW: Like I said, I'd
25 have to kind of understand how that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 number was derived, what the basis of it
3 is.

4 COUNCILMAN KENNEY: I guess
5 what I'm asking is that we look at a
6 company that we own that's doing well and
7 try to at least reasonably maximize the
8 revenue stream that's coming from it as
9 opposed to simply accepting \$18 million.
10 I mean, I think they've done a really
11 terrific job in turning that company
12 around, and I give them all the credit
13 and the Gas Commission and everyone has
14 worked together to get this where it
15 needs to be. And while I won't get into
16 the discussion relative to sale or not
17 sale, that's another discussion we'll
18 have at some point or we won't, but just
19 as an additional revenue source in a very
20 strapped revenue situation, I would
21 suggest we look at that.

22 MR. DUBOW: I understand the
23 question. We'll look at it.

24 COUNCILMAN KENNEY: And see
25 what we can do. Thank you.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Thank you, Mr. President.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilman.

5 The Chair recognizes

6 Councilwoman Tasco.

7 COUNCILWOMAN TASCO: Thank you.

8 When we were in the briefing,
9 there was some discussion about hiring
10 employees for the Managing Director for a
11 section called Center for Excellence. I
12 don't see it in your testimony.

13 MS. RHYNHART: It's not in the
14 testimony. Not every investment is
15 included in the testimony, but you are
16 correct. The budget does include 500,000
17 for that Center of Excellence.

18 COUNCILWOMAN TASCO: So could
19 you tell me again what that is for? What
20 will they do? How many employees?

21 MS. RHYNHART: Well, it's a
22 \$250,000 -- oh, okay. Jackie can talk
23 about it.

24 (Witness approached witness
25 table.)

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MS. LINTON: Good morning.

3 COUNCIL PRESIDENT CLARKE: Good
4 morning.

5 MS. LINTON: I'm Jackie Linton
6 and I'm the Director of the Center of
7 Excellence. And this is a new function
8 that was derived to bring more efficient
9 operations to City employees. There's
10 really three areas. It's around
11 organizational development, performance
12 management, and project management. And
13 the reason why this is needed now is
14 because we have a number of employees who
15 will be leaving the organization over the
16 next three to four years, retiring, and
17 there's going to be left a great
18 knowledge deficit as these employees are
19 retiring. So there's a real burning
20 platform to develop some processes and
21 systems to help maintain that knowledge
22 and to make sure that the City can
23 operate once these long-term employees
24 have left.

25 We also have a very high need

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to be more efficient in managing
3 projects, small projects, process
4 improvements that go on in the City all
5 the time, and we have very inconsistent
6 results with those, to build processes
7 and systems to help make that more
8 effective.

9 And then, thirdly, around the
10 performance management system, which
11 gives us a way to measure how well we're
12 doing and so that we can have some real
13 qualitative and quantitative results so
14 we'll know if we're getting better or
15 not. So those are the three major areas
16 for the Center of Excellence.

17 COUNCILWOMAN TASC0: Well, let
18 me ask you a question. Are these
19 positions civil service positions?

20 MS. LINTON: We have a very
21 small team.

22 COUNCILWOMAN TASC0: No, no,
23 not your department. The jobs that
24 you're training --

25 MS. LINTON: Yes. They're

1 3/25/13 - WHOLE - BILL 130178, etc.

2 across the board, both civil service and
3 non-civil service.

4 COUNCILWOMAN TASC0: So if folk
5 are leaving and you have to train people
6 to take their place, who are you training
7 if you have to give a test and let
8 them --

9 MS. LINTON: Well, a lot of it
10 is about transferring the knowledge. So
11 when people leave, we need to make sure
12 we have documented processes to make sure
13 that we can transfer the knowledge, and
14 there are different ways to approach
15 that. Some of them is like reorganizing
16 the department to spread the work out a
17 little differently. Sometimes it's
18 training employees who are already there
19 to do more of the work. But the real
20 issue is is that we need to have a way to
21 consistently look at it so that we don't
22 wait until someone gets ready to leave
23 before we start to act.

24 COUNCILWOMAN TASC0: Is this
25 every department?

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MS. LINTON: No, it's not.

3 We're a small group, so there's no way
4 that we could address all of them. So
5 what we're really doing is working with
6 the deputy mayors to identify those
7 critical areas where we need the help the
8 most.

9 COUNCILWOMAN TASC0:

10 Okey-dokey. We'll talk about that later.

11 Thank you. Thank you.

12 Mr. Gillison, tell me, where is
13 the problem with the pension plan? Is
14 the problem that the employees are not
15 paying their fair share, which I believe
16 they do every two weeks. You know, they
17 have their pension taken out of their
18 paycheck and contributed. Or does it
19 come from your side where you don't put
20 enough money away to match the pension
21 fund?

22 MR. DUBOW: So we actually put
23 in the amount that's required by state
24 law. So this is a problem that we
25 inherited that was made worse by the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 fiscal downturn, because when the market
3 collapsed, that also affected the pension
4 fund's investments. But this is a
5 longstanding issue.

6 COUNCILWOMAN TASC0: That goes
7 back to?

8 MR. DUBOW: It goes back
9 decades. I mean, really basically we
10 have a pension plan that we can't really
11 afford without sacrificing other
12 services. It's not really anybody's
13 fault. It's just where we are.

14 COUNCILWOMAN TASC0: So you're
15 saying you can't meet your match --

16 MR. DUBOW: I'm sorry. We can
17 meet our match, and we meet our match.
18 It just takes up more and more of our
19 budget. That's why it was 6 percent of
20 the budget ten years ago and now it's 16
21 percent.

22 COUNCILWOMAN TASC0: Okay. So
23 why is it 16 percent? Aren't you losing
24 employees? You haven't filled a lot of
25 positions. So how do you cost it all out

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that you are increasing? I'm kind of
3 slow at this stuff.

4 MR. DUBOW: I don't think
5 you're slow at all.

6 COUNCILWOMAN TASCOW: I am kind
7 of slow at this.

8 MR. DUBOW: So the problem is,
9 we have to fund a certain level of
10 guaranteed benefits. So that's, in
11 essence, the pension fund's liability.
12 And we have assets that are supposed to
13 pay that off. The assets are much
14 smaller than liabilities. There are only
15 a couple of ways that can be made up.
16 One is through investment earnings. One
17 is through contributions from the City.
18 Another is through contributions from the
19 employees.

20 So what's happened over time
21 is, the amount that we've had to put
22 in -- we've had to pay to help close that
23 gap -- has gotten larger and larger.

24 COUNCILWOMAN TASCOW: So
25 employees who worked for the City for a

1 3/25/13 - WHOLE - BILL 130178, etc.
2 number of years have paid their fair
3 share into the pension plan, and because
4 maybe market conditions or maybe the
5 mayors just decided they would put the
6 money some place else and not really fund
7 the plan that year and leave it to the
8 next mayor, which I think has happened,
9 so the employees have to end up making
10 the sacrifice to make the fund whole.

11 MR. DUBOW: We actually -- our
12 proposal doesn't affect benefits of any
13 current employees or retirees. We're
14 only talking about changing benefits for
15 new employees. So current employees
16 would get the same benefits as they get
17 now. That would not change under our
18 proposal.

19 COUNCILWOMAN TASC0: So what's
20 the struggle with the union?

21 MR. DUBOW: There are two. One
22 part -- there were two proposals. One is
23 to increase contributions from current
24 employees and the other is that all new
25 employees go into this new combination

1 3/25/13 - WHOLE - BILL 130178, etc.
2 plan that the Chief of Staff described.
3 And those are the areas -- they don't --
4 so far, they haven't wanted to do either
5 of those.

6 COUNCILWOMAN TASC0: So an
7 employee who is contributing to the
8 pension plan may be at one rate; you're
9 asking them to increase the amount
10 that's --

11 MR. DUBOW: Right. So for
12 non-uniformed employees, basically from
13 going at around 2 percent of pay to about
14 3 percent of pay.

15 COUNCILWOMAN TASC0: So what do
16 they get for that?

17 MR. DUBOW: They get their
18 pension. They get a healthier pension
19 fund that is a pension fund from what
20 they'll be getting their pension.

21 COUNCILWOMAN TASC0: But
22 they're paying for it.

23 Thank you.

24 MR. DUBOW: Sure.

25 COUNCIL PRESIDENT CLARKE:

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Thank you, Councilwoman.

3 We're going to stand in recess.

4 The Committee of the Whole will be in
5 recess until 2:00 p.m. today.

6 Thank you.

7 (Recess.)

8 COUNCIL PRESIDENT CLARKE: Good
9 afternoon. Thank you. This is a
10 continuation of the Committee of the
11 Whole and the FY14 budget.

12 At this time, I'd like to
13 recognize Councilman Goode.

14 COUNCILMAN GOODE: Thank you,
15 Mr. President.

16 Good afternoon. Going back to
17 the conversation we had this morning, can
18 you refresh my memory for the record how
19 much were you intending to spend on new
20 labor costs during the Five Year Plan.

21 MR. DUBOW: On the supplemental
22 line, from '14 through '18, it's 84
23 million.

24 COUNCILMAN GOODE: It's 84
25 million. And we had this conversation on

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the 13th. What do we intend to spend on
3 tax cuts over the Five Year Plan?

4 MR. DUBOW: I think it's about
5 \$320 million, but a lot of that is
6 back-loaded, so a lot is in the last
7 couple of years.

8 COUNCILMAN GOODE: Can you
9 break that out by year?

10 MR. DUBOW: I think
11 Ms. Rhyhart is about to do that.

12 MS. RHYNHART: I have it. Just
13 bear with me for a minute.

14 The annual value of the tax
15 reductions in -- this is the wage tax
16 reduction and the BIRT?

17 COUNCILMAN GOODE: I want
18 everything.

19 MS. RHYNHART: Right, all
20 together. Okay. 3.9 million Fiscal '14;
21 24 million '15; 70.6 million in '16; 100
22 million in '17; and 129 million in '18.

23 COUNCILMAN GOODE: Now can we
24 break it out first by wage?

25 MS. RHYNHART: 1.7 million in

1 3/25/13 - WHOLE - BILL 130178, etc.
2 '14; 3.5 million in '15; 26 million in
3 '16, 53 million in '17; and 82 million in
4 '18.

5 COUNCILMAN GOODE: And business
6 tax cuts?

7 MS. RHYNHART: 2.2 million in
8 '14; 20.5 million in '15; 44.5 million in
9 '16; 47.5 million in '17; and 47.5
10 million in '18.

11 COUNCILMAN GOODE: And sales
12 tax?

13 MS. RHYNHART: The sales tax is
14 the reduction in state -- it's about 135
15 to 140 million we lose in Fiscal '15
16 annually.

17 COUNCILMAN GOODE: Okay. What
18 I've asked for is a chart that shows all
19 three, hopefully on one page, so we can
20 show over five years labor costs, then
21 show tax cuts and then show fund balance.
22 So can you run through the fund balances
23 over the next five years?

24 MS. RHYNHART: Sure. In Fiscal
25 '14, the projection is 80 million; '15 is

1 3/25/13 - WHOLE - BILL 130178, etc.
2 44.8; '16 is 45 million; Fiscal '17 is 62
3 million; and Fiscal '18 is 89.7 million.

4 COUNCILMAN GOODE: So we end up
5 with an \$89 million fund balance after
6 labor costs of 84 million and tax cuts of
7 320 million?

8 MS. RHYNHART: Right.

9 COUNCILMAN GOODE: And you're
10 going to send that through the Chair?

11 MS. RHYNHART: Sure.

12 COUNCILMAN GOODE: Thank you.

13 Thank you, Mr. President.

14 COUNCIL PRESIDENT CLARKE:

15 Thank you, Councilman.

16 The Chair recognizes Councilman
17 Green.

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

20 Given that, as you've testified
21 previously, the budget is done on 2,000
22 different spreadsheets, I'm very
23 impressed that you know which spreadsheet
24 to go to when you are asked a question.

25 So who is your revenue

1 3/25/13 - WHOLE - BILL 130178, etc.
2 forecaster?

3 MS. RHYNHART: IHS Global
4 Insight is the company we have under
5 contract.

6 COUNCILMAN GREEN: Can you
7 provide us with a copy of their report?

8 MS. RHYNHART: Sure. They do a
9 memo, and we will provide that.

10 COUNCILMAN GREEN: Thank you.

11 You've testified or the Finance
12 Director has testified that there's no
13 growth in the property tax. Can you tell
14 me how much property tax we're going to
15 collect on the City side in 2013 and how
16 much property tax we're going to collect
17 on the City side in 2014?

18 MR. DUBOW: Just to be clear,
19 there would be no growth in '14. In the
20 out years in the Plan, there is growth.

21 COUNCILMAN GREEN: Can you
22 just -- the question is not how much is
23 available to us after relief measures
24 that haven't passed yet, just the gross
25 number that we are going to collect in

1 3/25/13 - WHOLE - BILL 130178, etc.
2 property tax in 2013 and the gross number
3 that we collect in 2014.

4 MR. DUBOW: Our projection for
5 each year is 500 million for current.

6 COUNCILMAN GREEN: There are
7 no -- there's no \$30 million in relief
8 measures this year. So how can the 1.324
9 rate which has 30 million in relief
10 measures in 2014 --

11 MR. DUBOW: Oh, you're asking
12 what the 1.324 would generate without any
13 relief measures?

14 COUNCILMAN GREEN: I'm asking
15 what the gross amount of property tax
16 collected by the City is in 2013 and 2014
17 collected. Oh, I'm sorry. You're
18 assuming relief measures means they're
19 not collected.

20 MS. RHYNHART: Right.

21 MR. DUBOW: Right. Because if
22 we didn't have relief measures, we would
23 have a different rate.

24 COUNCILMAN GREEN: Okay. So --

25 MS. RHYNHART: We're not going

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to collect --

3 COUNCILMAN GREEN: -- at a
4 1.324 rate, what would we collect in
5 2014?

6 MR. DUBOW: I'd actually have
7 to go back and look at what the gross is.
8 I mean, it won't take long, but I have to
9 go back and look at that. But I just
10 want to be clear, we would propose a
11 different rate then. We wouldn't -- it's
12 not like if we didn't have relief
13 measures, we would think we would
14 generate more. We would propose a lower
15 rate.

16 COUNCILMAN GREEN: Well, let's
17 just talk about those 30 million in
18 relief measures. Does that assume
19 gentrification is means tested?

20 MR. DUBOW: What we have put
21 into the budget is an assumption that
22 will give that much in relief and that we
23 will work with Council to figure out the
24 best way to do that. We would favor
25 means-based gentrification. If that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 doesn't pass in the state, we still think
3 we should do gentrification relief.

4 COUNCILMAN GREEN: Well, I'm
5 fairly confident we're going to get
6 means-tested gentrification relief. What
7 I'm trying to express here is that if in
8 fact we have a 1.324 rate and pass less
9 than, because we have means-tested
10 gentrification relief, for example, \$30
11 million in relief measures, which I think
12 is a very high number, it's very unlikely
13 on top of homestead that we get the 30
14 million, that in fact the City would have
15 that additional revenue. So another way
16 to say that is, for each 12 million we
17 don't have in that 30 million undefined
18 relief bucket, it's 0.01 percent --

19 MR. DUBOW: Got it. So I
20 think -- can I try to phrase it a
21 different way? Because I think I know
22 what you're getting at. If we provide a
23 1.32 percent rate but don't wind up
24 giving 30 million in relief, what would
25 we collect.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GREEN: Is it the
3 Administration's --

4 MR. DUBOW: Is that what you're
5 trying to get at?

6 COUNCILMAN GREEN: Yes. Well,
7 the question is what we collect, but the
8 real question is, is it the
9 Administration's position that the rate
10 should reflect the relief actually
11 granted such that it is revenue neutral
12 to 2013 or do you want to build in 30
13 million and hopefully have less relief
14 measures passed?

15 MR. DUBOW: No. We want to
16 have \$30 million in relief granted.

17 COUNCILMAN GREEN: We don't
18 know that there's \$30 million in relief
19 necessary.

20 MR. DUBOW: And I guess we're
21 jumping ahead a little bit to tomorrow,
22 but when we look at kind of the
23 significant impacts on the residential
24 side and particularly on the stores with
25 dwellings, do we think that there is a

1 3/25/13 - WHOLE - BILL 130178, etc.
2 significant amount of relief that we
3 should give. If as we go through this
4 process we come to a consensus that 30
5 million is the wrong number and that it
6 should be 20 million or 15 million, we
7 would want to adjust the rate.

8 COUNCILMAN GREEN: You would
9 lower the rate?

10 MR. DUBOW: Yes.

11 COUNCILMAN GREEN: Okay. I
12 have a similar question with respect to
13 the -- what is the baseline before we had
14 all the STEB lawsuits of the tax appeal
15 losses?

16 MR. DUBOW: I think Councilman
17 Squilla asked that this morning. We said
18 we'd get back to him, because the number
19 we have, which is about 20 million,
20 includes some TIF losses. So we want to
21 break that out and get you just the
22 appeal number.

23 COUNCILMAN GREEN: I'm asking
24 specifically what's the baseline before
25 we had STEB lawsuits.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. DUBOW: So you want to go
3 back to, I guess, 2010 and see what the
4 appeal --

5 COUNCILMAN GREEN: Because we
6 won't have STEB lawsuits when we go to
7 AVI.

8 MR. DUBOW: Okay. We can get
9 you that.

10 COUNCILMAN GREEN: You
11 understand the point of what I'm saying?

12 MR. DUBOW: I completely
13 understand.

14 COUNCILMAN GREEN: If we have
15 30 million here and 30 million here,
16 we're really collecting \$60 million more
17 that makes the rate higher than it
18 otherwise has to be, unless it is the
19 Administration's intention to lower the
20 rate to reflect reality, to reflect what
21 we've actually passed here in City
22 Council.

23 MR. DUBOW: Yeah.

24 COUNCILMAN GREEN: In other
25 words, you're artificially setting a

1 3/25/13 - WHOLE - BILL 130178, etc.

2 higher rate which --

3 MR. DUBOW: We don't want to do
4 that. So if through this conversation we
5 come to that conclusion, then we would
6 want to change the rate.

7 COUNCILMAN GREEN: So there was
8 talk about spending an additional \$15,
9 \$40 million on revenue collection. I've
10 talked to the Revenue Commissioner about
11 it and experience he's had in various
12 places where he worked where they were
13 able to significantly increase collection
14 by having call centers and people
15 calling, and where I was very opposed to
16 the idea, after speaking with the Revenue
17 Commissioner, I think there may be some
18 merit to that.

19 In an annualized year basis,
20 you saw the recent report in the Inquirer
21 that had most major cities our size have
22 a 95 to 99 percent collection rate. The
23 purpose of this is to have a 95 to 99
24 percent collection rate. So the question
25 once again is, what is the Administration

1 3/25/13 - WHOLE - BILL 130178, etc.
2 assuming in the out years of the Plan in
3 terms of increased revenue as a result of
4 the collection efforts that are going to
5 be undertaken by the Revenue Department
6 with respect to this new call center and
7 other activities that you're planning to
8 put in place?

9 MR. DUBOW: And because these
10 are new for us and we don't know what
11 they might net, we've looked at other
12 jurisdictions, mostly states, to see what
13 happened there. We've really put in the
14 Plan basically enough to cover our cost
15 in terms of revenue. We haven't built in
16 more than that.

17 COUNCILMAN GREEN: So really
18 what you're saying is -- let's just say
19 we went from 87 percent collected in the
20 12-month period of a fiscal year to 95
21 percent. How much of a difference is
22 that in terms of dollars to the City?

23 MR. DUBOW: Well, we're at 91
24 percent.

25 COUNCILMAN GREEN: We're at 91

1 3/25/13 - WHOLE - BILL 130178, etc.
2 percent, including previous year
3 collections.

4 MR. DUBOW: No. For a 12-month
5 period we're at 91 percent.

6 COUNCILMAN GREEN: For this
7 year and previous year collections.

8 MR. DUBOW: For a 12-month
9 period, we're at 91 percent. When you
10 look at other places and you look at 95
11 percent, they're looking at 12 months
12 also. So if you want to do kind of
13 apples to apples, it's 91 versus whatever
14 we get.

15 COUNCILMAN GREEN: But I
16 thought 4 percent of that amount was
17 actually from tax years prior to --

18 MR. DUBOW: It's for the four
19 months from the year before. So you get
20 eight months of the current year, four
21 months of the year before. It's 12
22 months total.

23 COUNCILMAN GREEN: It's no old
24 taxes?

25 MR. DUBOW: It's not the old

1 3/25/13 - WHOLE - BILL 130178, etc.

2 taxes. That's in the "prior year" line.

3 COUNCILMAN GREEN: Okay. I'm

4 sorry. So 91 percent to 95 percent.

5 MR. DUBOW: So if we

6 collected -- it would be 4 percent of the

7 500 million. So that would be, what, 20

8 million, 20, 25 million.

9 COUNCILMAN GREEN: Okay.

10 That's all for now,

11 Mr. President. Thank you.

12 COUNCIL PRESIDENT CLARKE:

13 Thank you, Councilman.

14 The Chair recognizes Councilman

15 Oh.

16 COUNCILMAN OH: Thank you very

17 much, Mr. President.

18 On Page 6 in the second

19 paragraph you note that there's going to

20 be also included in the FY14 budget 1.7

21 million for the Office of Property

22 Assessment to fully fund the department's

23 complete overhaul of the City's property

24 assessment function.

25 Could you explain what the 1.7

1 3/25/13 - WHOLE - BILL 130178, etc.
2 million will be used for? How do you see
3 that as being used at this point in time?

4 MS. RHYNHART: It's for a
5 variety of costs, including funding for
6 the first-level appeals, for mailings, a
7 million dollars for a consultant to come
8 in to fine-tune the assessments in the
9 future year. So there's a variety of
10 different expenses, and Richie could give
11 more information if you want more
12 information.

13 COUNCILMAN OH: Okay. So a
14 million dollars to fine-tune. What do
15 you anticipate fine-tuning?

16 MS. RHYNHART: That would be
17 Richie.

18 (Witness approached witness
19 table.)

20 MR. McKEITHEN: I'm Richie
21 McKeithen, the Chief Assessment Officer.

22 The funds described would be to
23 get a vendor to help measure and sketch
24 some of our most difficult properties.
25 We have some properties that are

1 3/25/13 - WHOLE - BILL 130178, etc.
2 extremely hard to measure, and I'd like
3 to get a measurement and a sketch for
4 each of those types of properties to sort
5 of better help serve in the assessment
6 process.

7 COUNCILMAN OH: Assessments
8 have already gone out; is that correct?

9 MR. McKEITHEN: Yes, sir.

10 COUNCILMAN OH: So are you
11 anticipating in addition to the appeals
12 that there will be necessary some
13 revisiting of wholesale assessments done
14 in certain neighborhoods?

15 MR. McKEITHEN: Well, I'd
16 anticipate that we'll learn a lot from
17 some of the things that were mentioned
18 earlier, such as appeals, but the actual
19 measure and the sketching will help not
20 just us but the taxpayer as well, because
21 these are some of the things that I would
22 like to share with the public, what each
23 property -- each of these more difficult
24 properties look like in a sketch format.
25 Eventually the entire City, it's my

1 3/25/13 - WHOLE - BILL 130178, etc.
2 vision that the entire City would be
3 measured and sketched for the public to
4 view, but initially I wanted to start off
5 with more difficult properties.

6 COUNCILMAN OH: So in addition
7 to the more difficult properties, there
8 are other properties?

9 MR. McKEITHEN: Sure. My goal
10 eventually is to have every real parcel,
11 with the exception of vacant land, have a
12 measurement and a sketch regardless of
13 how difficult it is or not.

14 COUNCILMAN OH: When will this
15 process be completed, do you estimate?

16 MR. McKEITHEN: Well, I can get
17 the more difficult ones done within, I'd
18 estimate, a 12-month period. And as we
19 spread out across the City and continue,
20 I would anticipate within the next three
21 years or so.

22 COUNCILMAN OH: In your mind,
23 then, since there is an effort to
24 implement AVI now based on the
25 assessments that were done, if it takes a

1 3/25/13 - WHOLE - BILL 130178, etc.
2 year to three years, for example, to
3 complete this sketch and assessment
4 process for more difficult neighborhoods,
5 does that mean that it would take that
6 period of time to come to a comfort level
7 that all the assessments are accurate?

8 MR. McKEITHEN: Well, we have
9 dimensions for these properties, let me
10 be clear on that. So we have as accurate
11 as possible of measurements. I just
12 wanted to have them sketched so -- in any
13 well-thought-out assessment program, you
14 have things that the public can see like
15 sketches for each parcel.

16 So we have information on these
17 parcels. I'm quite confident -- now,
18 there needs to be some tweaking here and
19 there, sure, and that's one of the things
20 that would help to cure this process, the
21 measurements and sketch. The tweaking
22 would be done more readily than years
23 out.

24 COUNCILMAN OH: So I'm curious
25 about this, if you could give me the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 information. It seems like a lot of
3 money, the tweaking, which it seems like
4 the money should have been in hand prior
5 to next year's budget.

6 MR. McKEITHEN: Well, no. We
7 didn't -- this is an enhancement. This
8 is clearly an enhancement, but it's
9 something that will go a long way
10 instilling confidence with the public
11 about the assessments, I believe.

12 COUNCILMAN OH: Okay. Thank
13 you very much. I certainly don't have
14 the depth of knowledge that I need to
15 further this conversation, but I would
16 like to do that.

17 MR. McKEITHEN: I welcome it.
18 Thank you, sir.

19 COUNCILMAN OH: Okay.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Councilman.

22 Mr. McKeithen, before you go,
23 one quick question. You may not know the
24 answer to this, and I'll understand.
25 With respect to the early appeals, where

1 3/25/13 - WHOLE - BILL 130178, etc.
2 do you think your office stands in being
3 able to adequately deal with the number
4 of early appeal requests -- and I
5 anticipate it's probably a lot based on
6 the meetings that I've gone to -- and
7 being able to come to some reasonable
8 conclusion within a reasonable timeline?

9 MR. McKEITHEN: Our goal is to
10 have as many of them as possible answered
11 and responded to by mid August, because
12 we want to give the taxpayer ample enough
13 time to file with the Board of Revision
14 of Taxes if they feel as though they want
15 to. So our plan is to, once the deadline
16 date has elapsed and we know what we have
17 in, to take appeals that have occurred in
18 some of our more vocal areas and work
19 them all at one time, and then that way,
20 we can alleviate some of the issues that
21 we may have come across during the
22 reassessment.

23 COUNCIL PRESIDENT CLARKE: Have
24 you received what you believe to be more
25 than the anticipated number of early

1 3/25/13 - WHOLE - BILL 130178, etc.
2 appeals?

3 MR. McKEITHEN: Well, I don't
4 want to say so far, sir, but so far, we
5 have approximately 16,500. I'll have
6 another number tomorrow when I testify.
7 But that's well within industry standard,
8 yes. But you never want to say until
9 you've gotten everything in, because a
10 lot --

11 COUNCIL PRESIDENT CLARKE:
12 Well, the reason why I asked you that
13 question, because I'm a little concerned
14 about the potential overlap with the BRT
15 process. Some people, if they don't get
16 a response by August and, worst case,
17 maybe beyond that, that they won't go to
18 the BRT process for appeals and then --
19 and I'm not sure where they are with
20 respect to being able to respond, the
21 BRT's ability to respond, to a
22 significant number of appeals at a later
23 timeframe, because people -- they're
24 still waiting for you to conclude your
25 analysis, then they are going to wait.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. McKEITHEN: Right. Well,
3 we recommend our recommendation by mid
4 August to the taxpayers, if you have not
5 received anything from us by then, to
6 file with the Board of Revision of Taxes,
7 which their date is, I believe, October
8 the 7th. So part of what we will
9 normally do is to reconcile what has been
10 settled with the taxpayers with the BRT.
11 And so a lot of those individuals may not
12 want to go any further than our
13 first-level process. But our official
14 recommendation would be if you have not
15 heard anything from us by mid August,
16 that we encourage you to file with the
17 Board of Revision of Taxes, and we will
18 continue to work through our caseload
19 clear up until their deadline date.

20 COUNCIL PRESIDENT CLARKE:
21 Okay. I just wanted a little followup,
22 because I know you have a whole day
23 tomorrow, more than ample time to ask you
24 a lot of questions.

25 So in terms of that timeline, I

1 3/25/13 - WHOLE - BILL 130178, etc.
2 guess my concern is that our ability to
3 have a BRT process. And we haven't had
4 conversation with them about their
5 resources. If we intimate to those
6 people that they can also start that
7 process prior to your August deadline, is
8 that something that --

9 MR. McKEITHEN: Yes. I
10 believe --

11 COUNCIL PRESIDENT CLARKE: --
12 you're suggesting or are we telling them
13 to wait until August?

14 MR. McKEITHEN: I think that
15 the -- and you'll be talking to the BRT,
16 I'm sure, but I think it was their plan
17 to make their appeal applications
18 available after our deadline date.

19 COUNCIL PRESIDENT CLARKE:
20 Deadline for submission?

21 MR. McKEITHEN: Right, for
22 first level. So I believe that theirs
23 will be available sometime in April. So
24 individuals can file. Because you don't
25 have to file with OPA. You can go right

1 3/25/13 - WHOLE - BILL 130178, etc.
2 to -- so I think that theirs will be
3 available to the public sometime in early
4 April.

5 COUNCIL PRESIDENT CLARKE: I'm
6 just a little concerned it might create a
7 small level of confusion if you're
8 telling people, Well, if you don't hear
9 from us until August -- and that's
10 potentially the outside date, and a lot
11 of people are going to pay attention to
12 what you say. They could, frankly
13 speaking, appeal much earlier than
14 August. So it's just a somewhat
15 confusing message coming from the
16 government, because the average person,
17 BRT, OPA, whatever, it's an alphabet
18 government. We don't really care. But
19 we want to, I guess, simultaneously
20 encourage people if they don't want to
21 wait or if they're extremely concerned --

22 MR. McKEITHEN: File both.

23 COUNCIL PRESIDENT CLARKE: --
24 possibly dual filings.

25 MR. McKEITHEN: Exactly.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCIL PRESIDENT CLARKE:

3 Okay.

4 COUNCILMAN GREEN: Point of
5 information, Mr. President.

6 COUNCIL PRESIDENT CLARKE:

7 Councilman Green.

8 COUNCILMAN GREEN: Thank you,
9 Mr. President.

10 Are you aware that the
11 Philadelphia Water Department, with
12 respect to these difficult properties you
13 discussed, has complete surveys of
14 pervious versus impervious surfaces so
15 that they have completely accurate
16 records throughout the City of every
17 single commercial and industrial property
18 that exists in terms of the footage that
19 it has, et cetera?

20 MR. McKEITHEN: Right. Before
21 we started this process, we talked to
22 several departments to see exactly what
23 they had. We just needed to make sure
24 that the way they measured things are
25 according to our industry standard. For

1 3/25/13 - WHOLE - BILL 130178, etc.
2 example, they may have different rules
3 and regulations on how they can measure
4 something versus how we measure
5 something. For example, commercial
6 property, large office buildings, net
7 leasable area is very important to us
8 versus gross building area might be
9 important to them. So we just had to
10 sort of reconcile and pump out what they
11 use and how they got to it versus what we
12 can use and how we use it in our
13 industry.

14 COUNCILMAN GREEN: You have
15 used that resource?

16 MR. McKEITHEN: Yes. We
17 used --

18 COUNCILMAN GREEN: Thank you.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, sir.

21 MR. McKEITHEN: Thank you.

22 COUNCIL PRESIDENT CLARKE: The
23 Chair recognizes Councilman Jones.

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

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Good afternoon. A couple of
3 quick questions, and I'm going to ask
4 this question of each individual
5 department, but I wanted to get a bird's
6 eye view from the top.

7 What is the impact of attrition
8 through DROP on the workforce and how are
9 we dealing with succession planning, not
10 just in the management end but in rank
11 and file?

12 MS. RHYNHART: I believe the
13 figure to be that the next five years,
14 we're close to losing about 35 percent of
15 the City's workforce.

16 COUNCILMAN JONES: I see that
17 in your testimony.

18 MS. RHYNHART: Okay. And we
19 have added to the budget this year
20 500,000 in MDO's budget for what is
21 called the Center of Excellence, which
22 250,000 is going to be used for
23 succession planning, which is being, I
24 believe, developed now, and 250,000 is
25 going to be used to hire civil service

1 3/25/13 - WHOLE - BILL 130178, etc.
2 workers to speed up the tests -- the
3 making of lists in HR so that the hiring
4 can be done quicker. Because one of the
5 things that we don't want to happen is
6 for people to retire and then the
7 departments to be slowed down in terms of
8 making new hires because the lists aren't
9 available.

10 COUNCILMAN JONES: So when you
11 say 36, it actually says 36 percent of
12 the eligible workforce. What bottom-line
13 impact is that going to be on our
14 personnel line item by way of replacing a
15 new person with a step five series? Have
16 we done any analysis of what that will do
17 to our bottom line?

18 MS. RHYNHART: That's an
19 interesting question. What you're asking
20 is replacing a step five person with a
21 step one and that there's savings
22 associated with that. In certain
23 departments we've looked at that. Police
24 we've done some analysis over the next
25 five years and built that in to the cost

1 3/25/13 - WHOLE - BILL 130178, etc.
2 estimates in terms of ramping up the
3 police force to 6,525 officers, but at
4 the same time, the more junior officers
5 are paid at the lower step than the
6 retiring officers. So certain
7 departments we've looked at that. I'm
8 not sure if every department has looked
9 at that, but I think that's a good point
10 and something we should look at.

11 COUNCILMAN JONES: So we'll be
12 asking each department that question,
13 impact. And particularly for Water,
14 Streets, L&I, there's a general consensus
15 within management that there are fewer
16 skilled personnel to take the place of
17 experienced personnel. So your drain of
18 skill sets is very important, and one of
19 the aspects I'd like you to consider is a
20 build-in to our public school system. If
21 there is an opportunity in the Gas Works
22 to do pipe fitting and welding, then
23 there should be a feeder line that goes
24 to a Dobbins Tech or one of our technical
25 institutions to be able to fill that from

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2 within the City's graduates. I mean, I
3 don't want a chemist being filled with a
4 first-year chemistry student from some
5 high school, but there's a feeder group,
6 an entry-level position within
7 departments that the standard skills for
8 that particular employee can be traced
9 back and retro engineer a curriculum for
10 a junior or senior, so upon graduation,
11 making them eligible.

12 I think now is a perfect
13 opportunity to test that theory. We're
14 going through contraction. We're going
15 through some -- I always talk about a
16 trip out to the Lehigh trade school where
17 we came back and kids were being trained
18 in that kind of way.

19 So I'd like to see that
20 incorporated into that brain drain
21 planning on how we can plug into our kids
22 that are graduating from school and --

23 MS. RHYNHART: I think actually
24 the Fleet Department has a good program
25 in place with high school interns feeding

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2 into the department, but that's a good
3 point for other departments to look at
4 that as well.

5 COUNCILMAN JONES: We would
6 love to replicate that.

7 MS. RHYNHART: Okay.

8 COUNCILMAN JONES: The other
9 component is that we actually, within
10 this process, need to look at how these
11 savings and where they're going to be
12 applied to. So if we're actually saving
13 money through this attrition, where is
14 that going to be applied in the budget in
15 the Five Year Plan. So if we're saving
16 some money -- and I see there's some --
17 there's a bump here from 20,931 employees
18 up to 22,279. So what's the net impact
19 of the hiring of new people versus senior
20 people and moving forward. And also
21 training costs associated with it,
22 because there's probably an offsetting
23 training cost to bring someone up to a
24 skill set, and I don't know what it is by
25 department or by position. So that might

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2 be something that we need to plan for.

3 Thank you, Mr. President.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilman.

6 The Chair recognizes Councilman

7 Squilla.

8 COUNCILMAN SQUILLA: Thank you,

9 Mr. President.

10 Two questions. One is on the
11 collection of delinquent taxes, not this
12 year's taxes, but taxes that were
13 delinquent before this year. How much
14 did we collect of that this year?

15 MR. DUBOW: We include it in
16 the FY13 budget for -- let me give you by
17 tax. For the property tax, we have 35
18 million; for wage it's about 4.2 million;
19 net profits, about two and a half. We'll
20 have to actually -- we have to get you
21 the -- we don't have it broken out. We
22 have to get you the business tax number.

23 COUNCILMAN SQUILLA: Is that
24 the 2.5?

25 MR. DUBOW: No. That 2.5 was

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2 net profits. There's also the business
3 income and receipts portion. We'll have
4 to get you that.

5 COUNCILMAN SQUILLA: Now, this
6 was the amount of taxes that were
7 included in -- this was the projection in
8 last year's budget that you were going to
9 collect?

10 MR. DUBOW: The projection in
11 the current budget, the fiscal year we're
12 in now.

13 COUNCILMAN SQUILLA: What was
14 the previous projection?

15 MR. DUBOW: What was the year
16 before, you mean, '12?

17 COUNCILMAN SQUILLA: Yes.

18 MR. DUBOW: For property taxes,
19 it was 36; wage and earnings, 4.1; net
20 profits, 2.9.

21 COUNCILMAN SQUILLA: And they
22 were projections in the previous budget?

23 MR. DUBOW: Those are actuals.

24 COUNCILMAN SQUILLA: Oh,
25 they're actuals.

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2 MR. DUBOW: For '12.

3 COUNCILMAN SQUILLA: For '12,
4 okay. So '13 this was the projection
5 for --

6 MR. DUBOW: That's the current
7 estimate included in our Five Year Plan.

8 COUNCILMAN SQUILLA: And next
9 year does that estimate stay the same?

10 MR. DUBOW: The prior year for
11 property tax goes up to 36 million and
12 then the wage and earning and net profits
13 stay the same.

14 COUNCILMAN SQUILLA: And that's
15 even with the additional revenue being
16 spent on collections?

17 MR. DUBOW: Right. As I said
18 to Councilman Green, we're not -- we're
19 really just showing -- kind of covering
20 our costs, because we don't know what's
21 going to come out of that. We think it
22 will be successful based on what we've
23 seen in other jurisdictions.

24 COUNCILMAN SQUILLA: But you're
25 keeping it actually the same from, it

1 3/25/13 - WHOLE - BILL 130178, etc.
2 looks like, 36 down to 35 and then up to
3 36.

4 MR. DUBOW: 36 in '15; 37 and a
5 half in '16; 38 in '17 and '18.

6 COUNCILMAN SQUILLA: I mean,
7 we're raising a million dollars but
8 investing 10 million every year.

9 MR. DUBOW: I think what we did
10 is put in an amount to kind of cover our
11 costs, and we're obviously hoping that it
12 comes in higher than that.

13 COUNCILMAN SQUILLA: I would
14 hope so. I mean, if we don't have a
15 return on our investment of the
16 delinquent tax issues, it sort of goes
17 along the way -- obviously with AVI going
18 in, people are -- and you know people are
19 out there complaining that there's so
20 much delinquent taxes out there that
21 aren't being collected, why should they
22 be asked to pay more. So now we're
23 making an initial investment in the
24 delinquency, which sounds good, but
25 there's still not a major return. That

1 3/25/13 - WHOLE - BILL 130178, etc.
2 sounds like a problem.

3 MR. DUBOW: We're hoping that
4 there will be a return. We're just not
5 at the point where we're comfortable
6 putting it in the Plan. But I agree with
7 you, there should be a return.

8 COUNCILMAN SQUILLA: Okay.
9 Back to the collection of taxes, and
10 Councilman Green was also stating. Last
11 year when you put in the budget of how
12 much tax you collected, you said it was
13 \$500 million.

14 MR. DUBOW: For -- let me make
15 sure we're talking about the same thing.
16 For the fiscal year we're in, \$500
17 million.

18 COUNCILMAN SQUILLA: Right.
19 And we approved the budget last year with
20 that number in there. But last year you
21 came up with that number based on a
22 percentage rate of collection that was 87
23 percent.

24 MR. DUBOW: That 87 percent is
25 for the eight months and then there's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that four-month period. We can get
3 you -- what we'll get you is --

4 COUNCILMAN SQUILLA: What I'm
5 trying to get at is, that \$500 million,
6 so that includes money from the previous
7 year's collections that you throw into
8 the future budget?

9 MR. DUBOW: Two different
10 things.

11 COUNCILMAN SQUILLA: I know.
12 I'm just trying to figure it out.

13 MR. DUBOW: So there's a prior
14 year collections, which is everything
15 from earlier years. That's not in the
16 500 million.

17 COUNCILMAN SQUILLA: That's not
18 in there?

19 MR. DUBOW: That's not. That's
20 a separate line. That's the 35, 36
21 million we were talking about.

22 COUNCILMAN SQUILLA: Oh, so
23 that's not delinquent taxes?

24 MR. DUBOW: It is. The 35 and
25 36 is amounts that hadn't been collected

1 3/25/13 - WHOLE - BILL 130178, etc.
2 in prior years that are now being
3 collected.

4 COUNCILMAN SQUILLA: All right.
5 That doesn't then -- that even makes it a
6 little more confusing. But if you're
7 throwing that into there --

8 MR. DUBOW: Let me say, so the
9 total amount of property tax for the
10 year, current and prior, current and
11 delinquent, would be 535 million.

12 COUNCILMAN SQUILLA: Okay.

13 MR. DUBOW: So in the prior
14 year portion, which are delinquent --

15 COUNCILMAN SQUILLA: So that
16 extra 4 percent, that's where that 35
17 million comes in?

18 MR. DUBOW: No. So hold that
19 to the side. That's 35 million from
20 earlier years. The current year
21 number -- we're showing a fiscal year
22 number. The tax is levied on a calendar
23 year basis. So not all of that calendar
24 year in which -- the tax that we're
25 imposing, not all of that calendar year

1 3/25/13 - WHOLE - BILL 130178, etc.
2 is in this fiscal year.

3 COUNCILMAN SQUILLA: Right. So
4 that gets carried over to the next year,
5 and that 35 million then for next year
6 would get pushed into the following
7 year's budget.

8 MR. DUBOW: Here's what I want
9 to do. I want to do a little chart for
10 you and show all of this.

11 COUNCILMAN SQUILLA: That would
12 be great.

13 MR. DUBOW: Why don't we do
14 that, because we're going to talk for a
15 while and not understand each other. So
16 we'll put it in a little chart.

17 COUNCILMAN SQUILLA: Okay.
18 Because it just seems to say that we're
19 putting this 35 million in the budget.
20 You're saying that was for delinquent tax
21 collections?

22 MR. DUBOW: For property tax.

23 COUNCILMAN SQUILLA: For
24 property taxes. But really you're saying
25 from what -- maybe I'm wrong -- that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that's from the previous year?

3 MR. DUBOW: Let me do the
4 little chart.

5 COUNCILMAN SQUILLA: Okay. You
6 do the chart. All right. Thank you.
7 I'll ask more questions next.

8 COUNCIL PRESIDENT CLARKE:
9 Thank you.

10 The Chair recognizes Councilman
11 Kenney.

12 COUNCILMAN KENNEY: Thank you,
13 Mr. President.

14 Mr. Dubow, I guess last year we
15 had a meeting in my office with the
16 Revenue Commissioner, and basically what
17 the Revenue Commissioner said to me in
18 front of you was that there are no
19 problems collecting what's owed to us in
20 taxes, and I'm talking about non-property
21 taxes. I had -- do you recall that
22 differently? You're making a quizzical
23 face.

24 MR. DUBOW: I don't know
25 whether he said there were no problems.

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2 COUNCILMAN KENNEY: He said
3 everything that they had to do they were
4 doing.

5 MR. DUBOW: I don't --

6 COUNCILMAN KENNEY: The meeting
7 didn't last long, if you recall.

8 MR. DUBOW: I do remember it
9 was a short meeting.

10 COUNCILMAN KENNEY: It was a
11 very short meeting. But, I mean, do you
12 understand that differently than what --

13 MR. DUBOW: I don't --

14 COUNCILMAN KENNEY: Let me put
15 it this way: It didn't seem there was an
16 urgency.

17 MR. DUBOW: I'd say it was a
18 short meeting. I do think that we all,
19 if the Revenue Commissioner agrees, that
20 there's more we can do and should do on
21 the business tax side, and that's part of
22 why we have the plan that we have.

23 COUNCILMAN KENNEY: In that
24 regard, what are we planning to do?
25 Because I've thrown out a number of

1 3/25/13 - WHOLE - BILL 130178, etc.
2 different areas of sectors of business
3 activity that seemingly just slide by. I
4 mean, we've talked about large
5 construction projects where we had this
6 unlicensed issue, and I will say publicly
7 that our L&I Commissioner has been doing
8 a terrific job in putting together that
9 strike force of people to go out there
10 and address these complaints. But, I
11 mean -- and I've said this is -- this is
12 my 23rd budget. I can't believe it's
13 actually true -- where I've brought this
14 up before where we've had past L&I
15 Commissioners that would go down to Home
16 Depot at 6 o'clock in the morning with
17 people checking licenses, people from New
18 Jersey and from the suburbs, from
19 Philadelphia that are setting up small
20 home improvement businesses, aren't
21 licensed, don't pull permits, and are
22 taking water heaters and stuff out of
23 Home Depot and Lowe's to go work in the
24 neighborhoods in Philadelphia, and we
25 don't get a piece of any of that stuff.

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2 It doesn't seem people are very
3 fearful of us. I'm scared to death of
4 the IRS. Not personally, but, I mean, I
5 make sure I pay everything I got to pay.
6 I make sure I pay everything I got to
7 pay. My accountant is on the ball, and I
8 don't want to hear from them.

9 So why don't we have the same
10 kind of reputation?

11 MR. DUBOW: So part of what
12 we're looking for -- and actually the
13 Revenue Commissioner is going to come up.
14 Part of what we're looking for
15 legislatively to help make people more
16 scared of us is the right to attach bank
17 accounts so that we can do some things
18 that the IRS does.

19 COUNCILMAN KENNEY: Like share
20 tax information?

21 MR. DUBOW: We share tax
22 information with them. We don't have the
23 ability to attach a bank account.

24 COUNCILMAN KENNEY: The
25 Controller testified last week that he

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2 has a hard time accessing tax information
3 of any kind through the Revenue
4 Department.

5 (Witness approached witness
6 table.)

7 COMMISSIONER RICHARDSON: Good
8 afternoon, everyone. Keith J.
9 Richardson, the Revenue Commissioner.

10 With regard to the Controller
11 getting tax information, tax information
12 is very confidential. We do not provide
13 it to anybody within the Administration
14 or to the Controller's Office.

15 COUNCILMAN KENNEY: Is that by
16 policy or by law?

17 COMMISSIONER RICHARDSON: We
18 follow the IRS and their code and also
19 the state. If we give information to
20 people who are not presiders over the tax
21 information, we don't know what they're
22 going to use it for. Case in point, in
23 the State of South Carolina, there was
24 about 22,000 taxpayers' information that
25 was unfortunately given up.

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2 COUNCILMAN KENNEY: To whom?

3 COMMISSIONER RICHARDSON: To
4 nefarious individuals who shouldn't have
5 had it. They actually hacked into the
6 system. Now they're using it for any
7 purpose as possible. So --

8 COUNCILMAN KENNEY: The various
9 individuals are not the government,
10 correct?

11 COMMISSIONER RICHARDSON:
12 Again, in the government, you don't give
13 it to other agencies because they're not
14 the responsible party for taxpayer
15 information. For example, if we give
16 taxpayer information out, we will never
17 get anything again from the IRS or from
18 the state. No one else is responsible
19 for collecting the taxes but the Revenue
20 Department. So we can't give it to the
21 Controller to use or anybody else. So we
22 go to the Controller, however, if we
23 wanted to go against an employee who owes
24 City taxes. So that's a relationship
25 that he has by the State Constitution

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2 that he can levy on any governmental
3 employee that works for the City for
4 taxes.

5 COUNCILMAN KENNEY: So an
6 individual who owes City taxes is open
7 game, but a business that owes taxes to
8 the City is not?

9 COMMISSIONER RICHARDSON: They
10 are open game. The Controller cannot go
11 after him. He is not accountable for
12 being the administrator of taxation.

13 COUNCILMAN KENNEY: How about
14 the people who don't file -- the
15 industries that don't file taxes at all,
16 this perpetual use of the 1099 form that
17 people give away as -- every nail salon
18 technician in a nail salon is a
19 subcontractor, which is insane. How do
20 we track down each individual
21 subcontractor to make sure that they pay
22 their wage tax and any other taxes or
23 things that they owe?

24 COMMISSIONER RICHARDSON: Well,
25 the industries that I know you've always

1 3/25/13 - WHOLE - BILL 130178, etc.
2 been interested in, the nail salons, the
3 hair businesses, they've always been a
4 1099 kind of business. So the person
5 there is not employing them. They are
6 contractors. They rent their seats out
7 to the owner of the business, so they get
8 a 1099.

9 COUNCILMAN KENNEY: Do we audit
10 individual position people who run those
11 positions?

12 COMMISSIONER RICHARDSON: We
13 audit the company. We can go out to the
14 company, ask for their 1099 information,
15 then we go after the individuals.

16 COUNCILMAN KENNEY: Who have we
17 done that with? Have we done that
18 lately?

19 COMMISSIONER RICHARDSON: We
20 have done that. Again, sir, everything
21 you have recommended to us over the last
22 three years, we have followed up on.
23 We've been out at Home Depot in the
24 Northeast, Delaware Avenue. Again, we
25 follow those trucks to the people's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 homes.

3 COUNCILMAN KENNEY: I will tell
4 you this is the first time anyone has
5 told me you've been doing it and you
6 haven't shown me any results of it. So
7 if I send something to you or to
8 Mr. Dubow or to whoever and I don't hear
9 back that you did it, how do I know you
10 did it? How do I know what the results
11 were?

12 COMMISSIONER RICHARDSON: I
13 haven't gotten anything from you
14 requesting me of that information, sir.
15 Again, I can tell you we've done XYZ, but
16 I can't provide to you who are the
17 entities that we've gone out on.

18 COUNCILMAN KENNEY: I don't
19 want to know individual names. I just
20 want to know what we're uncovering
21 industry by industry in industries that
22 we think are trying to beat us out of
23 taxes, because that's part and parcel of
24 this whole AVI discussion, is the fact
25 that people think we're leaving money on

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the table, both on the real estate side
3 and on the business tax side. And so
4 when Mr. McKeithen goes in and gets a
5 hard time in South Philly or somewhere
6 else, it's that anger that people are
7 feeling that, Wow, you're going to hit me
8 with 1.32, but I know the woman running
9 that operation in the mall, I know she's
10 not paying the taxes, I know the people
11 that work for her aren't paying them.

12 So how do we get to a point
13 where people feel comfortable that every
14 quarter is being shaken out of the sofa?

15 COMMISSIONER RICHARDSON: Well,
16 I think, again, it comes down to
17 stimulating compliance. We go out with
18 L&I on various projects already. Again,
19 we don't report back to everybody what we
20 do. I think as Mr. Dubow was saying, if
21 we had the legislative authority from
22 Harrisburg to do banking attachments that
23 they got last year, if we can have the
24 wage attachments that I started back in
25 2006 at the state, we would have more

1 3/25/13 - WHOLE - BILL 130178, etc.
2 opportunities to go get money that we are
3 owed. So once we have those
4 opportunities and legislative approval
5 from Harrisburg, we will be doing more.

6 COUNCILMAN KENNEY: Well, I
7 know the bell has rung and I will get
8 back in line, but I think that in the
9 interest of transparency, communication
10 makes these sessions a lot easier.

11 COMMISSIONER RICHARDSON: We
12 have no problem communicating with you,
13 sir.

14 COUNCILMAN KENNEY: Okay. If
15 you say so.

16 COUNCIL PRESIDENT CLARKE: The
17 Chair recognizes Councilman Henon.

18 COUNCILMAN HENON: Thank you,
19 Council President.

20 To just follow up on some of
21 the questioning from this morning. So we
22 are -- we're going to receive an increase
23 of revenues coming in from wage taxes,
24 from sales tax, from business taxes, and
25 property tax. Mr. Dubow, you had --

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2 MR. DUBOW: Property tax, not
3 in '14, though.

4 COUNCILMAN HENON: Not in '14.
5 It's revenue neutral, correct?

6 MR. DUBOW: Collecting the same
7 amount in '14 as in '13.

8 COUNCILMAN HENON: So moving
9 forward on property taxes for the next
10 four years, can you tell me what we're
11 looking to capture in assumptions per
12 year?

13 MR. DUBOW: What the assumed
14 growth is or the dollar?

15 COUNCILMAN HENON: You can just
16 give me an overall dollar.

17 MR. DUBOW: So in '15, we're
18 projecting 512.7 million; in '16, 526.5
19 million; in '17, 540.6; and in '18,
20 556.2.

21 COUNCILMAN HENON: Okay. I
22 didn't have my calculator. So overall
23 what are we going to capture over the
24 next four years?

25 MR. DUBOW: Two and a half, 3

1 3/25/13 - WHOLE - BILL 130178, etc.

2 percent a year.

3 MS. RHYNHART: It's 3 percent a
4 year.

5 COUNCILMAN HENON: Three
6 percent a year?

7 MS. RHYNHART: Yes. If you did
8 3 percent a year and compounded it, it
9 wouldn't equal because of the appeal loss
10 every year, but the assumption is 3
11 percent growth each year in assessed
12 value, starting in Fiscal '15.

13 COUNCILMAN HENON: So Fiscal
14 '15 you assume that we're just going to
15 be a 3 percent growth in property values?

16 MS. RHYNHART: That's right.

17 COUNCILMAN HENON: For full
18 assessment?

19 MS. RHYNHART: Mm-hmm.

20 COUNCILMAN HENON: We'll get
21 into all that tomorrow when OPA is up
22 here.

23 So we are going to see a lot of
24 revenue that's going to be coming in to
25 the City increasing over the years as the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 economy is better?

3 MR. DUBOW: That's our
4 projection, yes.

5 COUNCILMAN HENON: And the
6 other day in the tax delinquency hearing,
7 I believe somebody had mentioned that I
8 guess the new program in tax delinquency
9 proposal, \$40 million, that's going to
10 be -- that's in the budget, is that
11 correct, \$40 million?

12 MR. DUBOW: The operating
13 budget shows 15 million. So in the Five
14 Year Plan, you see those costs.

15 COUNCILMAN HENON: And the rate
16 of return on that is, over five years,
17 250 million?

18 MR. DUBOW: So what we did in
19 looking at potential returns was look at
20 what's happened in other places, and
21 based on that, we had kind of a general
22 estimate we'd get about \$260 million, but
23 we're not confident enough in that number
24 to have included it in the Plan.

25 COUNCILMAN HENON: I

1 3/25/13 - WHOLE - BILL 130178, etc.
2 understand. But it would be a result on
3 top in addition to -- it would be a
4 result of the capital investment
5 enhancing our collections --

6 MR. DUBOW: That's right.

7 COUNCILMAN HENON: -- on our
8 taxes?

9 So over the course of the Five
10 Year Plan, we're going to see quite the
11 increase in revenues and tax
12 delinquencies.

13 MR. DUBOW: We'll see an
14 increase. Each year it's kind of modest.
15 I mean, we have things like our pension
16 costs on the other side that also grow
17 that eat into that revenue growth.

18 COUNCILMAN HENON: So back on
19 labor.

20 MR. DUBOW: I thought that
21 might be where you were going.

22 COUNCILMAN HENON: Back on
23 labor, why we would with these
24 significant increases over the -- and I'm
25 going to say significant, relatively

1 3/25/13 - WHOLE - BILL 130178, etc.
2 speaking, to ending the -- getting back
3 to the table and having a contract
4 negotiated, the furlough issue, and why
5 we are taking collective bargaining to
6 the courts I just find a little bizarre
7 from a financial standpoint, where we
8 have -- when we're talking about no
9 layoffs and furloughs. So we didn't need
10 it when we just went through this
11 recession that lasted far too many years
12 or much longer than anybody would like.
13 So we didn't hire, and we're spending
14 money on overtime. And that's more of a
15 management type of problem or issue at
16 hand, and I would imagine it's kind of
17 challenging when we're not hiring more.
18 We're having projected 35 percent
19 attrition over the next five years, is
20 going to be a serious problem, and
21 arguing over furloughs just doesn't seem
22 to be prudent on our part as a city,
23 especially I think when it comes to
24 management. Layoffs versus hires,
25 spending \$500,000 on Centers of

1 3/25/13 - WHOLE - BILL 130178, etc.
2 Excellence to try to speed up the hiring,
3 it just shows -- I think it's an
4 indication of what needs to happen here,
5 and furloughs is not one of them, and
6 taking collective bargaining issues to
7 court just doesn't make sense to me. It
8 just doesn't make sense. In changing the
9 work rules arbitrarily -- or not
10 arbitrarily, through HR and the Civil
11 Service when it comes to salaried
12 employees versus hourly employees is
13 certainly a cost savings, but the fact of
14 the matter is, we need to hire. We need
15 to beef up and prioritize our workforce
16 here in the City so we can get a rate on
17 our return like the Revenue Department.

18 I'm happy to see the Public
19 Property and L&I, and I know L&I is, as
20 Councilman Kenney had stated,
21 Commissioner Williams has done, in my
22 opinion, a pretty damn good job under
23 some circumstances that was left to him.
24 So beefing up our enforcement for these
25 1099's. And I don't think we have a 1099

1 3/25/13 - WHOLE - BILL 130178, etc.
2 issue here. Councilman Kenney is right.
3 I mean, it's either misclassification of
4 worker issue. You're either an employee
5 of a licensed contractor or you are a
6 licensed contractor. The 1099 issue is
7 not on the table. I think it's just
8 people -- and this is where -- all these
9 funds and money that we're going to be
10 generating over the next five years
11 should be prioritizing on the underground
12 market that's out there. We just -- it's
13 there. It's there for us if we want to
14 do it.

15 So I think prioritizing our
16 rate of return on our collections,
17 getting this contract done, and going
18 after people who are circumventing the
19 law here in the City of Philadelphia I
20 think we can generate much, much more
21 money and not on the backs of the
22 taxpayers.

23 So I hope that we would
24 seriously readdress and take a little
25 more look at what is really the issue

1 3/25/13 - WHOLE - BILL 130178, etc.
2 here with our contracts and our
3 priorities moving forward, because I
4 think some of the programs that we're
5 putting in and that we're talking about
6 really is just an indicator of not having
7 a contract and prioritizing our
8 workforces.

9 MR. DUBOW: I want to say one
10 thing about that. I mean, one of the
11 biggest changes in terms of dollars in
12 the Plan is what we've done on labor. So
13 last year we had some savings from labor.
14 This year we're assuming a cost, \$84
15 million over the Plan. Between the two,
16 it's probably close to \$200 million from
17 what we had in last year's Plan to this
18 year's Plan.

19 So I think we're making a
20 statement with that, that it is a high
21 priority for us getting this done.

22 COUNCILMAN HENON: It's a last
23 and best offer that's just thrown in
24 there without an acceptance. So I
25 just -- I just think we -- and I know

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that if you're putting in \$99 million in
3 additional to the budget, this year's
4 budget, that certainly helps, but I don't
5 believe it gets to where we need to go.

6 So I'm hoping that through this
7 process here and the questions that
8 members of this body have may be able to
9 push people back to the table and
10 re-prioritize what's important and -- I
11 mean, we're the City of Philadelphia.
12 We're supposed to be getting things done,
13 and I think it goes to the competence
14 that the citizens deserve in how we
15 legislate and how we govern and the
16 services we provide.

17 MR. DUBOW: We agree, and we
18 share your desire to get it done.

19 COUNCILMAN HENON: I have no
20 further questions.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, Councilman.

23 Before I call the next
24 Councilmember, getting back to this
25 morning's testimony. Councilman Jones, I

1 3/25/13 - WHOLE - BILL 130178, etc.
2 believe it was, referenced during the
3 conversation centered around pensions the
4 possibility of having municipal marketing
5 as an additional revenue source which we
6 are currently not getting under any
7 program. So that would be above the
8 current revenue stream and possibly
9 having that money available to put
10 towards pension costs. And you weren't
11 joking when you responded. I know the
12 Councilman kind of thought that you were,
13 but you suggested that that would be a
14 relatively small piece of the pie, so to
15 speak, in terms of getting to any
16 measurable solution.

17 During the course of the
18 conversation about municipal marketing,
19 which has been going on for about a year
20 and a half, and I think the longer we
21 delay, the ability to collect revenues
22 continually diminish, because everybody
23 else in the City of Philadelphia is
24 taking advantage of that opportunity but
25 us, including other government agencies

1 3/25/13 - WHOLE - BILL 130178, etc.
2 such as SEPTA. So we looked at the
3 possibilities of conservatively, we said,
4 when we first started talking about that,
5 \$10 million, and that would clearly be a
6 revenue stream. Since talking to
7 individuals in the industry, they thought
8 it would probably be closer to \$20
9 million if given the full opportunity
10 with respect to all the City's assets and
11 locations.

12 So say it's \$15 million, and
13 that \$15 million was, again, above the
14 current revenue stream. That would be a
15 reasonable approach to having some level
16 of stability, particularly if it was
17 targeted either towards pension costs or
18 to replace the dollars that we were
19 spending on currently contributing to
20 pensions. So that would be a decent
21 amount of money in that respect, and
22 understanding it's a very small piece of
23 the overall problem.

24 So the current proposal, Plan
25 '10, how much is that over the period of

1 3/25/13 - WHOLE - BILL 130178, etc.

2 five years? How much is that going to
3 save?

4 MR. DUBOW: It doesn't -- it's
5 not a lot of savings over five years.
6 It's really kind of over the long term
7 reducing the growth in liabilities. So
8 it helps with the long-term funding
9 percent, but it's not going to give us a
10 great deal of savings over five years.

11 COUNCIL PRESIDENT CLARKE: How
12 much?

13 MR. DUBOW: I have to get back
14 to you, but it's --

15 COUNCIL PRESIDENT CLARKE: I
16 think you know the number, Mr. Dubow.

17 MR. DUBOW: I'm not sure I do.
18 I mean, I have to -- there was a letter
19 from the actuary, but I don't have it.

20 COUNCIL PRESIDENT CLARKE: Is
21 it more than \$20 million?

22 MR. DUBOW: No, it's not.

23 COUNCIL PRESIDENT CLARKE: Is
24 it more than \$10 million?

25 MR. DUBOW: I don't know. I

1 3/25/13 - WHOLE - BILL 130178, etc.
2 don't remember whether it's in like the
3 10 to 15, but it's not a lot of money.

4 COUNCIL PRESIDENT CLARKE:
5 Okay. So the reference to the
6 possibility of having this additional
7 revenue stream by Councilman Jones,
8 conservatively, 10, 15 a year over a
9 five-year period would be a lot more than
10 the possibility of enacting Plan '10.

11 MR. DUBOW: In the short term,
12 yes. In the long term, Plan '10 -- well,
13 because in the short term, you don't have
14 that many people in Plan '10.

15 COUNCIL PRESIDENT CLARKE:
16 Pardon me?

17 MR. DUBOW: In the short term,
18 you don't have that many people in Plan
19 '10, so it's not going to have a big
20 impact. It has an impact 10, 20 years.

21 COUNCIL PRESIDENT CLARKE: But
22 in the short term, municipal marketing
23 can generate some money.

24 MR. DUBOW: Yeah. And I wasn't
25 in any way trying to say we shouldn't do

1 3/25/13 - WHOLE - BILL 130178, etc.

2 that. I was just saying that's not --
3 you do municipal marketing, you haven't
4 solved the pension problem, right?

5 COUNCIL PRESIDENT CLARKE: Nor
6 will Plan '10.

7 MR. DUBOW: That's right. You
8 need to do multiple things. It's a
9 problem that's developed over decades and
10 it's a multi-billion-dollar problem.
11 It's not going to be solved in a year.

12 COUNCIL PRESIDENT CLARKE: Not
13 even close. All right. Okay.

14 The Chair recognizes Councilman
15 Green.

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

18 One quick question. If you
19 don't know the answer now, just get back
20 to me with it. And, that is, what would
21 be the tax rate if you simply took what
22 is required to be the tax rate based on
23 the formula in the budget we passed last
24 year for 2014 and applied that formula,
25 but made the homestead exemption 15,000

1 3/25/13 - WHOLE - BILL 130178, etc.
2 as the Mayor has recommended for this
3 year? What would be the tax rate? Don't
4 answer it now, unless you know.

5 MR. DUBOW: I might be able to
6 actually find out, but I may not.

7 COUNCILMAN GREEN: While you're
8 looking for that, I heard -- I guess I
9 heard three different things that I just
10 wanted to make sure of with respect to
11 revenue that has not shown up in the
12 budget.

13 And for those in the audience
14 who may not be aware of this, the
15 Administration is entirely responsible
16 for the revenue projections, and City
17 Council cannot adjust the revenue
18 projections. So we have no choice but to
19 pass a budget with appropriations that
20 matches revenue projections. Therefore,
21 if the Administration lowballs revenue
22 projections in order to have a consistent
23 budget, we have to set the tax rate
24 otherwise than we'd have to set it,
25 causing taxes of our citizens to be, over

1 3/25/13 - WHOLE - BILL 130178, etc.
2 a course of a five-year plan that we pass
3 today, unnecessarily high.

4 But I heard three things. One
5 is that you're not confident enough in
6 how much you're going to collect in the
7 Revenue Department's efforts, 20 to 25
8 million a year, and based on Councilman
9 Henon's question, 260 million a year over
10 five years. Do you not think it
11 appropriate to put some conservative
12 number in the Five Year Plan to reflect
13 your honest belief that this is going to
14 bear some fruit?

15 And while you're thinking about
16 that question, the second part of that
17 question is, you are hiring, I think, 40
18 people in L&I or 40 additional inspectors
19 or a lot of additional inspectors.

20 MS. RHYNHART: Many additional
21 inspectors.

22 COUNCILMAN GREEN: And maybe 10
23 or 20 in Revenue, I can't recall,
24 additional auditors.

25 MS. RHYNHART: Right.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN GREEN: How much
3 revenue are you projecting additional in
4 the budget from the L&I people? Are any
5 of them going to be applied to, say,
6 Councilman Kenney's efforts with respect
7 to the millions of dollars in illegal
8 parking lots?

9 MS. RHYNHART: They are
10 actually -- I'm looking for the piece of
11 paper, but the L&I inspectors are
12 actually expected to be revenue
13 generating. So I'm just looking for the
14 number, but they are expecting to be --
15 we did put that into the Plan.

16 COUNCILMAN GREEN: It's in the
17 Plan?

18 MS. RHYNHART: Mm-hmm.

19 COUNCILMAN GREEN: If you could
20 answer all those questions. If you find
21 it within the time allotted, great.

22 Mr. Dubow, did you have the
23 answer to that other question?

24 MR. DUBOW: Yeah; 1.29 percent.

25 COUNCILMAN GREEN: 1.29

1 3/25/13 - WHOLE - BILL 130178, etc.
2 percent. And that's with a 15,000 or
3 30,000 homestead.

4 MR. DUBOW: You asked 15.

5 COUNCILMAN GREEN: Fifteen,
6 yes.

7 So the law we passed last year
8 with a \$15,000 homestead exemption the
9 Mayor would like would produce a 1.29
10 percent rate.

11 MR. DUBOW: The law passed last
12 year had a \$30,000 homestead.

13 COUNCILMAN GREEN: I
14 understand.

15 MR. DUBOW: Okay. Yes.

16 COUNCILMAN GREEN: With that
17 one change, yes. Okay. That's
18 interesting.

19 With respect to the ambulance
20 issue and the issue of collecting
21 additional revenue, I would suggest to
22 the revenue czar or each department head
23 that the collections -- there was great
24 resistance in the Administration to
25 moving to RFID tags and using automated

1 3/25/13 - WHOLE - BILL 130178, etc.
2 systems to do dumpster fines, et cetera.
3 The collections went from 24 percent of
4 what we were owed a year to some
5 significantly above 60, 70, 80 percent
6 number in terms of our ability to collect
7 what we are owed.

8 With respect to whether it's
9 ambulance workers filling out reports,
10 L&I inspectors in the street, streets
11 inspections, all of that stuff, if we
12 were to go paperless and have all of that
13 data have to be recorded in the first
14 instance properly or the systems would
15 not accept the report, it's rejected
16 until they submit it properly, I think we
17 would see similar increases in our
18 ability to collect that, very simply by
19 the elimination of paper in our
20 processes. And I truly believe that's
21 the case. It also increases manpower on
22 the street by 20 to 30 percent a year in
23 the cities that have done this. I've
24 mentioned these cities before, Oklahoma
25 City, et cetera. I would really ask that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that be something that is a focus in
3 terms of that.

4 With respect to the Five Year
5 Plan -- or six-year capital budget, I
6 note that some of the expenditure for the
7 revenue enhancement things that we've
8 discussed is coming out of the \$120
9 million, which I think is sorely needed
10 for paper reduction efforts and other
11 stuff, and I was hoping to have a
12 discussion with the Administration about
13 increasing the amount required for IT
14 expenditure in the six-year plan so we
15 can backfill for the other important
16 workflow process studies, IT
17 expenditures, et cetera, which will get
18 us to a paperless, more efficient City
19 government. Is that something that the
20 Administration is willing to discuss?

21 MR. DUBOW: Yes, definitely.

22 COUNCILMAN GREEN: Thank you
23 very much.

24 MS. RHYNHART: And I do have
25 the answer to your question on L&I. We

1 3/25/13 - WHOLE - BILL 130178, etc.
2 have about a million dollars a year in
3 revenue built into the Plan.

4 COUNCILMAN GREEN: Half a
5 million?

6 MS. RHYNHART: One million.

7 COUNCILMAN GREEN: For how many
8 people?

9 MS. RHYNHART: It's 20 people.

10 COUNCILMAN GREEN: How much
11 does 20 people cost us?

12 MS. RHYNHART: It costs 780,000
13 in L&I. Then they have plus fringe, but
14 we can conservatively estimated a million
15 dollars. So at least they're going to be
16 paying for themselves. We expect them to
17 be revenue generating.

18 COUNCILMAN GREEN: And how much
19 does each inspector generate now?

20 MS. RHYNHART: I don't know the
21 answer to that.

22 COUNCILMAN GREEN: Okay. I
23 think it's -- thank you very much.

24 Thank you, Mr. President.

25 COUNCIL PRESIDENT CLARKE:

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Thank you, Councilman.

3 The Chair recognizes Councilman
4 Jones.

5 COUNCILMAN JONES: I just want
6 to agree with Councilman Kenney on L&I
7 doing a wonderful job. All of your
8 Commissioners are solid professionals. I
9 was sitting here thinking of which one if
10 there was a weakest link. And I'm not
11 disingenuous. When I have an issue, I
12 say it. I don't have a problem with one
13 of them. So that's a credit to the
14 management team and a credit to them as
15 professionals.

16 A couple quick questions. By
17 way of energy and energy savings, I
18 wanted to know -- I mean, I just happen
19 to, off the top of my head, know that we
20 spend about \$85 million in electric
21 bills. The number one cost center for
22 producing water is electric.

23 Is there a goal within the Five
24 Year Plan to reduce energy, and, if so,
25 how are we doing over the last couple of

1 3/25/13 - WHOLE - BILL 130178, etc.
2 years in achieving that goal?

3 While you search for that
4 answer, the second part of that question
5 is, when we do -- do we incentivize cost
6 savings by department so that a portion
7 of a cost savings goes back to the
8 department to help make them even more
9 efficient?

10 MS. RHYNHART: That's a great
11 point, and the General Fund -- you
12 probably were speaking about utility
13 bills across the City in terms of Water,
14 General Fund, Aviation.

15 COUNCILMAN JONES: Correct.

16 MS. RHYNHART: The General
17 Fund's electricity purchase is about \$30
18 million a year, but it's the --

19 COUNCILMAN JONES: But
20 including Streets for street lights, I
21 kind of remember it as 85 million.

22 MS. RHYNHART: That is
23 additional for that. But it is
24 interesting what we've been able to
25 accomplish through the way we've been

1 3/25/13 - WHOLE - BILL 130178, etc.
2 purchasing electricity and also some
3 conservation efforts. We have been able
4 to hold the cost -- the projection
5 steady, so that our target for Fiscal '13
6 electricity is 32 million and we actually
7 have that going down to 28, 29 million in
8 some of the out years because of some of
9 the forward -- we've locked in some
10 forward purchasing. So that's positive.

11 In terms of incentivizing
12 departments, that was actually one of
13 FTI's recommendations, that we needed to
14 do some sharing from the General Fund
15 perspective, that we should be setting
16 goals for departments in terms of energy
17 usage and then when they beat that goal,
18 they should share in those savings. And
19 then if they do things that make their
20 electricity costs go up, then they should
21 actually get charged. So right now we
22 have --

23 COUNCILMAN JONES: I didn't put
24 that part in, fellas.

25 MS. RHYNHART: But right now

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the electricity bill is paid out of
3 Public Property, and the departments,
4 there's not an incentive built in to
5 different departments to turn off the
6 lights and to be efficient. So that is
7 something we're actually going to start
8 working on over the next few months, is
9 developing that type of program where a
10 certain portion of the savings go back to
11 the departments.

12 COUNCILMAN JONES: I think if
13 you're a recreation center director and
14 you go around turning out lights or
15 making sure that the timers are on, that
16 somehow the thought should be that it
17 trickled back down to buy more
18 basketballs or do whatever else it takes
19 to create a benefit to the taxpayers.
20 That's number one.

21 The other thing is, PECO had a
22 relationship where peak use savings, that
23 there was a plan that you could enter. I
24 believe it was Please Touch in my
25 district participated in it, and at peak

1 3/25/13 - WHOLE - BILL 130178, etc.
2 usage times, if they were able to reduce
3 their energy consumption by a percent,
4 that they were able to realize that
5 saving in a meaningful way.

6 So if we could incentivize some
7 of our bigger users to, during peak
8 times, be conscious of that and work it
9 out with PECO, I don't see how that
10 wouldn't trickle down as well.

11 MS. RHYNHART: That's something
12 we actually are doing right now and
13 during -- especially during hot summer
14 days, MSB and a few other buildings, we
15 get messages that the lights should get
16 turned off at 3:00 or work in the dark
17 and all types of -- and then we've gotten
18 a few checks --

19 MR. DUBOW: And the air
20 conditioning.

21 MS. RHYNHART: And the air
22 conditioning. So it gets very hot in the
23 building. But we've gotten checks, a few
24 \$500,000 checks from PECO for doing that
25 on those days. So it has been positive,

1 3/25/13 - WHOLE - BILL 130178, etc.
2 and we are doing that.

3 COUNCILMAN JONES: All right.
4 I'd be interested --

5 MS. RHYNHART: Maybe we should
6 add City Hall.

7 COUNCILMAN JONES: No. No.
8 We're okay.

9 We would like to see how that's
10 working out over a period of time, and if
11 indeed if we incentivize it, how that
12 might pique interest in the various
13 departments in that regard.

14 Thank you, Mr. President.

15 COUNCIL PRESIDENT CLARKE:

16 Thank you, Councilman.

17 The Chair recognizes Councilman
18 Oh.

19 COUNCILMAN OH: Thank you very
20 much, Mr. President.

21 The documents indicate that
22 we're going to have a fund balance of
23 \$114 million. Is that accurate?

24 MS. RHYNHART: The last
25 quarterly had 114. In the Five Year Plan

1 3/25/13 - WHOLE - BILL 130178, etc.
2 we presented and we published has 128
3 million, and there were a few adjustments
4 in the months between the quarterly and
5 the Five Year Plan that led to the
6 increase in fund balance.

7 COUNCILMAN OH: Okay. Is there
8 any particular plan for that fund balance
9 in terms of what portion of it is
10 available funds and what you plan to do
11 with that?

12 MS. RHYNHART: Well, fund
13 balance levels are very low. I mean, in
14 terms of what the GFOA, the Government
15 Finance Officers Association, recommends,
16 they recommend at least having 5 percent
17 of expenditures as a financial cushion,
18 which would be about 185 million. So our
19 fund balance level is low, and that is --
20 that fund balance of 128 million, with
21 the sales tax going away in Fiscal '15
22 and the other costs in our budget, our
23 fund balance goes down to 45 million. So
24 we actually in the Five Year Plan we
25 presented, the Mayor presented, is using

1 3/25/13 - WHOLE - BILL 130178, etc.
2 a good portion of that fund balance right
3 now.

4 COUNCILMAN OH: For what
5 purpose?

6 MS. RHYNHART: For all of the
7 different expenses in the budget. I
8 mean, the provision for labor agreements,
9 the pension costs we were talking about,
10 all the services, everything in the
11 City's budget.

12 COUNCILMAN OH: Okay. So for a
13 variety of things. And, in fact, there
14 are the liabilities that the City has
15 currently in addition to some of the
16 services that the Administration would
17 like to provide.

18 So in terms of, for example,
19 the priority of spending, the bike lanes
20 I understand was about \$6 million, give
21 or take; is that accurate?

22 MS. RHYNHART: I'm actually not
23 sure. I think that was grant-funded. It
24 wasn't General funded, but we could get
25 back to you.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILMAN OH: From the
3 capital budget, I thought. No?

4 MR. GILLISON: We'll have to
5 get back to you, Councilman, but my
6 memory is that a lot of that was grant
7 funding. But just to be sure, I'll get
8 back and give it to the Chair.

9 COUNCILMAN OH: Can you also
10 let me know about the bike sharing
11 program that I understand is \$3 million?
12 Is that grant or is that -- where is
13 that money coming from?

14 MS. RHYNHART: There's \$3
15 million in the proposed capital budget
16 for a bike sharing program throughout the
17 City.

18 COUNCILMAN OH: Okay. So --

19 MS. RHYNHART: And that will be
20 matched -- that's expected to be matched
21 with other money. I think the total cost
22 of the bike share program is between 8
23 and 10 million, 3 million of which the
24 City will contribute.

25 COUNCILMAN OH: So we have had,

1 3/25/13 - WHOLE - BILL 130178, etc.

2 I recall, in the last budget discussion
3 and process issues about brown-outs at
4 3.4 million, police vehicles, public
5 safety issues. Just kind of in a
6 priority of things, what is the issue
7 about bike sharing that you believe or
8 the Administration is going to place that
9 above public safety?

10 MS. RHYNHART: Well, I just
11 want to be clear. The 3 million for the
12 bike share is in the capital budget. And
13 so the brown-outs you're speaking of from
14 the Fire Department is in the operating
15 budget. So we do -- and we do prioritize
16 Fire. I mean, our biggest investment in
17 this year's budget was 4.7 million to the
18 Fire Department for their request, which
19 was by far the biggest investment we've
20 made. So we do definitely prioritize
21 public safety.

22 If you wanted to add anything
23 to that.

24 MR. GILLISON: I would agree.
25 I think that the question is not whether

1 3/25/13 - WHOLE - BILL 130178, etc.
2 or not we deal with our investment
3 strategy. We use the dollars that are
4 available to the best of our abilities to
5 make sure that we can get a return going
6 forward. The investment that you're
7 talking about with bike sharing, we want
8 to be a green city. We want to be a
9 forward-thinking city and a progressive
10 city, and those are capital dollars that
11 are going to be used to leverage other
12 investments. So to put in one dollar and
13 get a return of three and get three more
14 put in is an efficient way of getting to
15 where we need to go. That's capital.
16 That's not operating.

17 COUNCILMAN OH: I understand,
18 but then police cars and vehicles and
19 other things, that's capital as well,
20 police locker rooms --

21 MR. GILLISON: Actually, no.

22 COUNCILMAN OH: It's not
23 operating?

24 MS. RHYNHART: Police cars are
25 operating.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. GILLISON: Operating funds.

3 COUNCILMAN OH: Police

4 stations, operating; police facilities,
5 operating, not capital?

6 MS. RHYNHART: Okay. So
7 there's rules for the use of capital
8 funds, that there's a threshold for the
9 cost and then it has to have a useful
10 life beyond five years to be capital
11 eligible. So improvements, renovations
12 to a police station would be a capital
13 cost. Police cars are not bought with
14 capital. I don't know if they would last
15 five years.

16 COUNCILMAN OH: Police
17 communication center. So somewhere in
18 this thing about policing and police
19 facilities and fire facilities is a
20 distinction between capital and
21 operating, but for whatever it is
22 capital, however it is defined, there's a
23 decision that the bike sharing program
24 would be more fruitful for the City or
25 beneficial compared to public safety

1 3/25/13 - WHOLE - BILL 130178, etc.
2 issues?

3 MS. RHYNHART: No.

4 MR. GILLISON: No. I would
5 disagree, respectfully, Councilman,
6 especially given the fact that over the
7 last five years, we're going to be having
8 in the next between year to year and a
9 half, especially with police matters, we
10 worked out an investment strategy to make
11 sure that we're opening up three or four
12 new facilities to move police officers
13 in. There's a strategy working with
14 trying to see what -- now that we have
15 put in three or four brand new
16 facilities, moving police out of certain
17 areas that have, quite frankly, gone and
18 given all that they've had. The useful
19 life of the buildings they're in is well
20 passed. So we're putting them in new
21 facilities. We've worked with District
22 Councilpeople to identify these areas and
23 putting them in those buildings. We're
24 now working on trying to look at our
25 oldest facilities, both from prisons

1 3/25/13 - WHOLE - BILL 130178, etc.
2 replacement to police and fire station
3 replacement and co-location, which is a
4 big thing for this Administration.

5 We've done those investments.
6 We've done those investments as long as
7 we've been here, and I don't think we've
8 short -- we haven't shorted the public
9 safety. As a matter of fact, as Deputy
10 Mayor for Public Safety, I can tell you
11 we've been not only at the table, we've
12 invested quite a lot of money in making
13 sure that these facilities are not only
14 available but also will increase what we
15 do as we go forward in the 21st century
16 and bringing our police and our
17 firefighters and our prison facilities
18 into compliance with where we need to go
19 in the future.

20 So, respectfully, I would just
21 disagree with the characterization that a
22 bike sharing lane at one means that we're
23 shorting public safety. I would
24 disagree.

25 COUNCILMAN OH: Okay. Well, we

1 3/25/13 - WHOLE - BILL 130178, etc.
2 do disagree, respectfully. In other
3 words, the fact that you've done
4 something doesn't mean you've done
5 enough, and I think that's where we're
6 going in the budget process. What shall
7 we fund, what shall we not. But I still
8 will go back at another point in time to
9 the issue of the funds that have already
10 been awarded to the firefighters and the
11 fact that we have to set aside a certain
12 amount of money for the municipal
13 contracts that I don't see adequately
14 funded in the budget. At least that's my
15 impression, and to the extent you can
16 explain it or somebody can explain this
17 issue more, or more clearly, that would
18 perhaps help me understand the position
19 that you have, but right now I don't see
20 the idea that you might win an appeal
21 down the road alleviates the
22 responsibility of ensuring that those
23 funds are somehow accounted for in the
24 budget.

25 MR. GILLISON: Councilman, I'd

1 3/25/13 - WHOLE - BILL 130178, etc.
2 be glad to sit down and I'll be glad to
3 meet with you. Obviously my door is
4 always open, and I'd be glad to go over
5 it. I mean, it's not a problem. You
6 know that -- we've known each other for
7 quite some time.

8 COUNCILMAN OH: Yes. We shall
9 do that.

10 MR. GILLISON: Okay.

11 COUNCILMAN OH: Thank you.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you, Councilman.

14 Just for the record, there is a
15 relationship between capital and General
16 Fund/operating dollars. Not getting into
17 the prioritization of what we should do
18 relating to bike sharing or some other
19 capital expenses, because the reality is
20 is that the debt service on the capital
21 funds are paid for out of the General
22 Fund. So there is a relationship.

23 MS. RHYNHART: That's right.

24 COUNCIL PRESIDENT CLARKE: With
25 respect to Councilman's concern, that you

1 3/25/13 - WHOLE - BILL 130178, etc.
2 do have to pay that money back, and it
3 comes directly out of the General Fund,
4 the same General Fund that could
5 conceivably go towards some operational
6 expense. So there is a relationship.

7 MR. GILLISON: That's correct.

8 COUNCIL PRESIDENT CLARKE:

9 Thank you.

10 The Chair recognizes Councilman
11 Kenney.

12 COUNCILMAN KENNEY: Thank you,
13 Mr. President.

14 Just one other issue relative
15 to 1099's. I agree with Councilman
16 Henon. I think that use of 1099's in
17 many industries is a scam. It's used
18 just to beat the taxman -- tax person.
19 I'm sorry.

20 Do people who are paid with
21 1099's, are they required to have
22 business activity licenses?

23 MR. GILLISON: I don't know.

24 MR. DUBOW: Yeah.

25 COUNCILMAN KENNEY: How many

1 3/25/13 - WHOLE - BILL 130178, etc.
2 business activity licenses exist for
3 individual contractors who work in
4 various industries?

5 MR. GILLISON: Councilman, I'll
6 be glad to get back to you. I've been
7 told that we just have to --

8 COUNCILMAN KENNEY: I need to
9 know the number and I need to know
10 whether or not that's secret information
11 too.

12 MR. GILLISON: Not a problem.
13 I'll have to get back to you.

14 COUNCILMAN KENNEY: Thank you
15 very much.

16 COUNCILMAN JONES: Thank you,
17 Councilman.

18 Just very quickly, before I go
19 to Councilman Henon and Councilwoman
20 Brown, not to be a pessimist, fear monger
21 or anything like that, but one of the
22 stats that I would like the
23 Administration to keep very close tabs
24 to, we created a very successful mortgage
25 diversion program. That was a perfect

1 3/25/13 - WHOLE - BILL 130178, etc.
2 cooperation between advocates out there
3 and the courts and the Administration to
4 take a look at Sheriff Sales.

5 With this AVI piece coming in,
6 I want us to take a look at if there are
7 any anomalies or spikes in foreclosures
8 based on municipal tax sales, and if we
9 get an early indication that anything is
10 wrong with this, that we immediately move
11 in with whatever resources we can to
12 reset and keep people off of the Sheriff
13 Sale list. And I just want to make sure
14 that we monitor that. So maybe if
15 there's something we didn't think of or
16 didn't anticipate, that we can make sure
17 that nobody goes to the guillotine
18 because of us. And so I want to on the
19 record put that on, that we monitor that,
20 if that's something we can do.

21 MR. GILLISON: Thank you.

22 COUNCILMAN JONES: All right.
23 The Chair recognizes Councilman
24 Henon.

25 COUNCILMAN HENON: Thank you,

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Mr. Chair.

3 And just a followup to
4 Councilman Kenney's 1099 issue. I won't
5 belabor that for this panel here, but
6 it's my understanding since -- we're
7 talking about revenue and thereof or lack
8 of revenue opportunities and millions and
9 millions of dollars that we're not
10 collecting or prioritizing. The 1099
11 issue, my understanding is that they are
12 not licensed for any kind of specific
13 craft or work being performed,
14 professional services here. So we're
15 squandering many, many millions of
16 dollars of collections just on that issue
17 alone. And we're going to have hearings
18 on that. Councilman Kenney and myself
19 introduced a bill and we're going to have
20 hearings on that shortly. It's hopeful
21 that the, I guess, ramping up of L&I
22 inspectors and enforcement agencies such
23 as the Revenue Department hopefully can
24 prioritize that being something that we
25 can capture some of the millions again.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 I'm going to say it again, millions and
3 millions of dollars that are out there
4 that the City is owed because of lack of
5 taxes. And that's from housing
6 inspection licenses, illegal renters,
7 investments, investment properties that
8 don't have housing inspection licenses
9 and just -- and I call it public safety
10 issues of work being performed all across
11 the City illegally.

12 So that priority needs to be an
13 actual priority. And 1099's do not have
14 licenses here in the City of
15 Philadelphia. They do not have a
16 business privilege license or commercial
17 license. They don't carry workmen's
18 compensation insurance or liability
19 insurance, putting the citizens and the
20 people and infrastructure at risk on a
21 daily basis.

22 So I look forward to continuing
23 these conversations in the near future.

24 MR. GILLISON: Thank you.

25 COUNCILMAN JONES: Thank you,

1 3/25/13 - WHOLE - BILL 130178, etc.

2 Councilman Henon.

3 The Chair recognizes

4 Councilwoman Brown.

5 COUNCILWOMAN BROWN: Thank you.

6 Good afternoon, everybody.

7 Given that AVI is a very unprecedented
8 initiative that's being done by our
9 government, is the Administration
10 maintaining data as you conduct the
11 community meetings? Because they've been
12 informed hopefully how we will fix the
13 number of the concerns being raised by
14 folks in the neighborhoods.

15 Are you keeping any data,
16 number of people attend, type of
17 questions asked, whether or not there are
18 appeals, and then separating that data
19 out into various categories?

20 MR. DUBOW: So we're not doing
21 that kind of formal analysis. We are all
22 kind of sharing what happens, and we see
23 common themes. I think one of the things
24 that's become clear to us, for example,
25 is we probably need to do a better job of

1 3/25/13 - WHOLE - BILL 130178, etc.
2 communicating some of our relief
3 programs, because I think when we sit
4 down, people don't know enough about
5 them. So we are learning, I think, a
6 fair amount from these sessions.

7 We don't have it in the way
8 you're talking about, but we are learning
9 from them and we're going to take the
10 lessons we've learned to implement
11 programs.

12 COUNCILWOMAN BROWN: The reason
13 why I would ask is, not being a District
14 Councilmember, I would imagine that
15 District Councilmembers would look for
16 that information, because that then
17 guides them on how they can better serve
18 their constituents that live in their
19 districts around this enormous issue
20 called AVI.

21 So on the acknowledgment that
22 the relief programs are not as well
23 either understood or public as you might
24 want them to be, what are the lessons
25 learned there since we're still really at

1 3/25/13 - WHOLE - BILL 130178, etc.

2 the beginning of this journey?

3 MR. DUBOW: Right. So that's a
4 lesson. We have to then figure out how
5 to communicate them better, which we need
6 to do. I mean, we also get a sense -- I
7 don't think we're surprised based on
8 other analysis we've done going into
9 districts of kind of what's happening
10 with assessments in those areas. We were
11 in the 4th District over the weekend and
12 I think the kind of questions we got
13 there were what we expected really.

14 MR. GILLISON: Exactly right.

15 COUNCILWOMAN BROWN: So then
16 it's fair to say that that information is
17 not being catalogued in such a way?

18 MR. DUBOW: It's not being
19 catalogued.

20 COUNCILWOMAN BROWN: Okay. On
21 the energy conservation measures, you
22 said that we are beginning to look at
23 energy conservation measures in the way
24 that Councilman Jones described. We like
25 to know on this side of the table who is

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the "we."

3 MS. RHYNHART: I would say that
4 I'm the point person working with the
5 various departments. So for the energy
6 incentive program, I'll be working with
7 Rina Cutler's team, and Mike D has also
8 been involved, Mike DiBerardinis in terms
9 of Parks and Rec. But if you want to ask
10 where it is or hold someone responsible,
11 that could be me.

12 COUNCILWOMAN BROWN: And the
13 Office of Sustainability --

14 MS. RHYNHART: That's Rina.
15 That's who I'll be working with, yes.

16 COUNCILWOMAN BROWN: Oh, okay
17 then. So as we prepare for the budget
18 hearings where we can in a more in-depth
19 way talk with department heads, share
20 with us where we are with regards to
21 sustainability, where we started five,
22 six years ago and the progress, if you
23 will, just as an updated part of that
24 testimony.

25 MS. RHYNHART: Okay. We'll

1 3/25/13 - WHOLE - BILL 130178, etc.

2 prepare that.

3 COUNCILWOMAN BROWN: Thank you.

4 Thank you, Mr. Chairman.

5 COUNCILMAN JONES: Thank you,

6 Councilwoman Brown.

7 The Chair recognizes

8 Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank
10 you very much.

11 I only ask this because
12 Councilwoman Reynolds Brown raised the
13 issue of AVI hearings and whether or not
14 they were cataloguing info. And I found
15 it very disheartening and unconscionable
16 that the Administration would pick two
17 places per district that they wanted to
18 go to and not include the Councilperson
19 and their choice. Then as in my
20 instance, I said, Oh, they're going
21 around. Well, let me pick some sites.
22 And then, They don't want to come to your
23 sites. Then after I fought for two
24 sites, they told me at one of my sites in
25 University City where I have the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 wealthiest University City folks, Cedar
3 Park, Clark Park, Spruce Hill, Garden
4 Court, Walnut Hill, they said someone was
5 threatening; therefore, they were not
6 coming back into West Philadelphia. So
7 every time I go to a meeting -- I have
8 another one tomorrow -- I go and say the
9 Mayor's people refuse to come in the 3rd
10 District to hearings. And I go to them
11 all the time. We all have to, because
12 even if the Mayor -- if the
13 Administration started this way, they're
14 dealing with it. We have to deal with it
15 because our people call us. I got
16 churches, community groups, rec centers.
17 We have to go to this all the time. And
18 for the Administration then to say
19 they're not going some place when they
20 created this whole forum, this whole
21 process, is absolutely ridiculous.

22 But I tell my people what I've
23 been told, which is the Mayor doesn't
24 want to send people in my district.
25 That's okay, but they know that that's

1 3/25/13 - WHOLE - BILL 130178, etc.
2 the situation and that it's not a process
3 I chose. It's one that the
4 Administration chose.

5 I find it unconscionable the
6 way this whole thing is handled. But I'm
7 going to represent my area and I'm going
8 to go everywhere I can in the 3rd
9 District. I'm doing that. I will
10 continue to do that. We have a meeting
11 tomorrow at Kingsessing Rec, and I will
12 say what I said, which is the Mayor has
13 decided he doesn't want to send anybody
14 from his office into West Philly in the
15 3rd District. And that's okay. I just
16 say that for the record.

17 COUNCILMAN JONES: Would the
18 Administration like to respond?

19 MR. GILLISON: Well, I'll just
20 be brief.

21 Thank you very much,
22 Councilwoman, but as you know, we have
23 reached out to your Council staff. We
24 reached out to you. We tried to do what
25 we did with everybody else on Council to

1 3/25/13 - WHOLE - BILL 130178, etc.
2 make sure that we would be in areas that
3 would be responsive. We have not been
4 able to have an agreement between you and
5 us on this issue, and we are
6 continuing --

7 COUNCILWOMAN BLACKWELL: None
8 of that is true.

9 MR. GILLISON: We have
10 continued to try to work this out, and
11 quite frankly --

12 COUNCILWOMAN BLACKWELL: No,
13 you haven't.

14 MR. GILLISON: -- as you know,
15 I'm in the 3rd quite a bit, every Sunday,
16 and we've been trying to work this out,
17 and I would hope that we will be able to
18 work it out.

19 I am sorry that it has not
20 worked out to your satisfaction at this
21 point, but you know my door is always
22 open, and we'll feel free to continue to
23 talk about this. But, quite frankly, we
24 now know how to do this. We know where
25 to do it. We know -- we have

1 3/25/13 - WHOLE - BILL 130178, etc.
2 suggestions. We've worked with all
3 Councilpeople. We've been in just about
4 every district where we are able to in a
5 very short period of time, and we hold
6 out the hope that we will be able to find
7 an area that we will go forward.

8 But to say that the Mayor
9 refuses to come to West Philly is also
10 not a full statement, Councilwoman.

11 COUNCILWOMAN BLACKWELL: Tell
12 me what places are you scheduled in my
13 district then. Tell me when and where.

14 I'm not asking you to respond.
15 I made my statement. Because if you want
16 to respond, I will argue with you until 4
17 o'clock on this issue or until we recess.

18 It is not true that anybody has
19 reached out to me to try to work anything
20 out in my district. It was not true at
21 the beginning. I started scheduling when
22 I heard they were going around the City.
23 I have no reason not to want to be
24 involved in a process, and if I hear that
25 something is going on anywhere in another

1 3/25/13 - WHOLE - BILL 130178, etc.
2 district, I immediately want to make sure
3 that my district is included. So I have
4 no reason to not want to have the
5 district where the Mayor grew up included
6 in any of this. But that's not the way
7 my district was treated. I resent it.

8 I'm not asking you to respond.
9 Councilwoman Blondell Reynolds Brown
10 brought up the issue about assessing what
11 comes out of the hearings. And maybe
12 there's not an assessment because there's
13 not a real system about where you go,
14 why, and for whom. And I think it is
15 unconscionable that you expect me to go
16 and sell a program where my people are
17 not included and I wasn't included.
18 That's just the way I feel about it, and
19 I'll argue with it until we -- if you
20 want to go that way, I'm prepared.

21 COUNCILMAN JONES: We won't do
22 that.

23 COUNCILWOMAN BLACKWELL: Thank
24 you.

25 COUNCILMAN JONES: What we will

1 3/25/13 - WHOLE - BILL 130178, etc.

2 choose to do is, wherever there is a
3 schedule that is in the 3rd Councilmanic
4 District, try to work it out --

5 COUNCILWOMAN BLACKWELL: They
6 don't have any more.

7 COUNCILMAN JONES: Do you have
8 any more in the 3rd?

9 MR. GILLISON: No. There has
10 not been any additional reach-out at this
11 point with the Councilwoman, so --

12 COUNCILMAN JONES: I hope we
13 could resolve that. Particularly parts
14 of her district are pretty hard hit in
15 University area and some of the areas --

16 COUNCILWOMAN BLACKWELL: I'm
17 dealing with it.

18 COUNCILMAN JONES: All right.

19 COUNCILWOMAN BLACKWELL: Thank
20 you. Thank you, Mr. Majority.

21 COUNCILMAN JONES: The Chair
22 now recognizes Councilman Squilla.

23 COUNCILMAN SQUILLA: Thank you,
24 Chair.

25 On the review date for the

1 3/25/13 - WHOLE - BILL 130178, etc.
2 first-level review, it's March 31st. I
3 know I received a letter from the
4 Administration saying that it's 30 days
5 from the time you get your letter. Some
6 people still haven't received the letter
7 yet, so they will be getting it shortly,
8 I hope. And then March 31st. But
9 there's no -- I guess there's no really
10 idea that you may want to extend that at
11 all?

12 MR. DUBOW: We don't want to
13 extend it because, as you heard
14 Mr. McKeithen say, under the current
15 schedule, I think we'll probably be
16 finishing up in mid August. We don't
17 want to get in the way of the BRT
18 process. So we want to make sure that
19 we're done in time for that.

20 COUNCILMAN SQUILLA: All right.
21 So at this time, the only way they could
22 do it after March 31st is if they receive
23 their letter 30 days --

24 MR. DUBOW: That's right.

25 COUNCILMAN SQUILLA: -- from

1 3/25/13 - WHOLE - BILL 130178, etc.
2 that date?

3 MR. DUBOW: And they can still
4 appeal to the BRT.

5 COUNCILMAN SQUILLA: Right.
6 And the BRT appeals -- we'll find that
7 out too, but they'll be beginning of
8 April they will put them online --

9 MR. DUBOW: That's right.

10 COUNCILMAN SQUILLA: -- when
11 people can appeal to the BRT.

12 And I noticed the one last
13 question I asked you before was the
14 percentage of appeals. Last year I think
15 you said it was 28 million that you set
16 aside?

17 MR. DUBOW: I think it was
18 about 20 million, but that included the
19 TIF losses and we were going to break
20 that out for you.

21 COUNCILMAN SQUILLA: Right.
22 But this one is 32 now, correct?

23 MR. DUBOW: Yes.

24 COUNCILMAN SQUILLA: All right.
25 Now, moving forward, do we project that

1 3/25/13 - WHOLE - BILL 130178, etc.
2 same number?

3 MS. RHYNHART: We project it to
4 go back down to historical level.

5 COUNCILMAN SQUILLA:
6 Twenty-eight?

7 MR. RHYNHART: It's about 20.

8 COUNCILMAN SQUILLA: Twenty?

9 MS. RHYNHART: Right.

10 COUNCILMAN SQUILLA: So then
11 this year will be 32. Next year will be?

12 MS. RHYNHART: It's about 30.
13 So we anticipated about a 50 percent
14 increase in appeals for the year Fiscal
15 '14, the year of going to AVI, and then
16 it going back down to about 20 million,
17 the historical norm.

18 COUNCILMAN SQUILLA: So you
19 raised it from 20 million to 28 million
20 because of the -- was it because of
21 the --

22 MR. DUBOW: It's about 21 to
23 about 32.

24 COUNCILMAN SQUILLA: But last
25 year you said it was 28?

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MS. RHYNHART: No. There was
3 no 28.

4 COUNCILMAN SQUILLA:
5 Twenty-one?

6 MR. DUBOW: About.

7 COUNCILMAN SQUILLA: So 21 to
8 32. I'm sorry. I misunderstood that.
9 Thank you very much.

10 COUNCILMAN JONES: Thank you,
11 Councilman.

12 Very quickly. Dealing with
13 federal and state projected revenue,
14 shortfalls or cuts, are there any
15 anticipated from the federal government,
16 this fiscal cliff issue or any other
17 revenue shortfalls? I think you talk
18 about it a little bit in the Five Year --
19 can you give us some specifics on how it
20 might impact Philadelphia's budget.

21 MS. RHYNHART: Well, at this
22 point, we're actually not sure how it
23 will specifically impact Philadelphia's
24 budget. I mean, the federal
25 sequestration has some significant

1 3/25/13 - WHOLE - BILL 130178, etc.
2 cuts to the state level, and then it
3 would depend how certain programs are cut
4 and what decisions are made in terms of
5 programs at the city and county level.
6 So we're not sure yet how that will flow
7 down.

8 I think the impact to the
9 General Fund is expected to be relatively
10 minimal on the fiscal cliff issues, but
11 there are some substantial funding in
12 terms of grant programs and other funds
13 that could be impacted.

14 COUNCILMAN JONES: So, for
15 example, Aviation, I know they were in
16 some smaller airports closing towers and
17 things like that. That's not something
18 we see in the foreseeable future for
19 Philadelphia?

20 MS. RHYNHART: Mark Gale might
21 be able to address that.

22 (Witness approached witness
23 table.)

24 COUNCILMAN JONES: And any
25 other -- I know PHA might be another

1 3/25/13 - WHOLE - BILL 130178, etc.
2 agency that is impacted by it.

3 MR. GALE: Good afternoon,
4 Councilman. Mark Gale, Philadelphia
5 International Airport.

6 At this time, with respect to
7 federal funding that we get primarily
8 from the Federal Aviation Administration
9 under their airport improvement program,
10 that is not subject to sequestration. So
11 the grant monies that we get in for
12 projects and whatnot is still safe.

13 We are watching what is going
14 on with sequestration, not only with the
15 FAA but with U.S. Customs and Border
16 Protection as well as with the
17 Transportation Security Administration,
18 watching to see if cuts to their staffing
19 levels or furloughs on those sides will
20 have impacts on the operation of the
21 Airport. But our funding coming from the
22 federal government is secure for right
23 now.

24 COUNCILMAN JONES: So, for
25 example, the security personnel, at this

1 3/25/13 - WHOLE - BILL 130178, etc.

2 point no cuts?

3 MR. GALE: At this point,
4 they've advised us that they will be
5 operating okay. The FAA will be looking
6 into, I believe, furloughs of some of
7 their air traffic controllers, but there
8 will be no anticipated impact on
9 operations either at Philadelphia
10 International Airport or Northeast
11 Philadelphia Airport, but you are
12 correct, there are a number of smaller
13 airport tower closures around the
14 country, the closest of which is probably
15 Trenton-Mercer County Airport.

16 COUNCILMAN JONES: Okay. What
17 about OHCD funding or MOCS funding that
18 receives federal anti-poverty money, is
19 that impacted at all?

20 MS. RHYNHART: There is
21 significant risk on the CDBG side for the
22 funding levels there. If you wanted more
23 information, Deb McColloch can probably
24 talk about it.

25 COUNCILMAN JONES: So I

1 3/25/13 - WHOLE - BILL 130178, etc.

2 understand somewhere in the neighborhood
3 of 14 percent cut.

4 MS. RHYNHART: I'm not sure the
5 exact. I mean, it has been double digits
6 the last two years. But if you wanted
7 Deb to come up.

8 COUNCILMAN JONES: And MOCS as
9 well, any anticipated cuts to MOCS,
10 Mayor's Office of --

11 MR. GILLISON: That's under the
12 same CDBG money.

13 COUNCILMAN JONES: Okay.
14 (Witness approached witness
15 table much.)

16 MS. MCCOLLOCH: Good afternoon.
17 My name is Deborah McColloch. I'm the
18 Director of Housing.

19 We don't know yet what our CDBG
20 and HOME funding amount is going to be
21 because, of course, since the federal
22 government hasn't passed a budget, those
23 numbers haven't come down to us. We're
24 now in the midst of preparing our
25 preliminary Consolidated Plan and we're

1 3/25/13 - WHOLE - BILL 130178, etc.
2 using the figure of an 8 percent cut just
3 because that's -- we have to use some
4 number, and that's the number of the
5 sequestration. So we're using that
6 number, which we're preparing now. I
7 actually think I have a meeting scheduled
8 with you and some other Councilpeople to
9 talk about the preliminary plan. And
10 should the federal government budget be
11 passed that the number is higher, great.
12 By the time the proposed plan comes
13 before this body, we'll have adjusted the
14 numbers. And if it's greater, then we'll
15 have to adjust the numbers downward. But
16 we're just moving -- we don't have any
17 figures from HUD at this time.

18 COUNCILMAN JONES: All right.
19 We'll keep our fingers crossed that those
20 cuts don't come this way, but I guess you
21 have to plan in anticipation of any
22 shortfalls.

23 MS. McCOLLOCH: Yes.

24 COUNCILMAN JONES: So that's
25 the responsible thing to do.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 The Chair recognizes

3 Councilwoman Brown.

4 COUNCILWOMAN BROWN: Yes. I
5 failed this morning to offer the friendly
6 reminder as well that in addition to
7 wanting to see in writing in the written
8 testimony the MBE/WBE activity to also
9 include the demographics of the executive
10 level staff.

11 MR. DUBOW: Okay.

12 MR. GILLISON: Thank you.

13 COUNCILWOMAN BROWN: So did I
14 hear that you will revisit and add
15 additional AVI sessions for District
16 Councilmembers who have that desire or
17 that interest?

18 MR. GILLISON: We're at the end
19 of the month and we are -- we tried to do
20 this in anticipation of getting people
21 ready for that first-line review. We
22 will be obviously listening to -- if
23 there is a request, we will work with
24 that particular Councilperson.

25 COUNCILWOMAN BROWN: Very well.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. GILLISON: So thank you.

3 COUNCILWOMAN BROWN: Thank you.

4 Thank you, Mr. Chairman.

5 COUNCILMAN JONES: The Chair
6 recognizes Councilwoman Sanchez.

7 COUNCILWOMAN SANCHEZ: Thank
8 you.

9 I just wanted to add a point of
10 information related to the future AVI
11 sessions. I know that the Administration
12 feels very strongly will not extend the
13 March 31st deadline, but I must remind
14 folks that people have 30 days from the
15 point of receipt. And so sections like
16 the ones I represent and President
17 Clarke, the 18th Ward where they had to
18 go back and revisit, folks really get
19 until April something, depending on the
20 date of receipt. So as we schedule
21 these, we should really try to focus in
22 on those areas that because of how the
23 numbers shifted, they were the last ones
24 to receive it. So I know actually
25 Squilla and I and President Clarke share

1 3/25/13 - WHOLE - BILL 130178, etc.
2 those areas. So can we talk about it
3 kind of refocused, because those folks
4 are just getting them?

5 MR. GILLISON: We'll be glad to
6 entertain those discussions and take part
7 in them.

8 COUNCILWOMAN SANCHEZ: Is there
9 any other section other than the Fishtown
10 area that had --

11 MR. DUBOW: No.

12 COUNCILWOMAN SANCHEZ: That was
13 the only part of the City?

14 MR. DUBOW: That was the last
15 part. I think everyone else should have
16 gotten them.

17 COUNCILMAN JONES: We had some
18 comments from Overbrook Farms section
19 that did not receive --

20 MR. DUBOW: I think
21 Mr. McKeithen is going to come up.

22 COUNCILMAN JONES: Okay. And
23 in the meantime, you have some
24 outstanding reports that we've requested,
25 and I don't know if we need to --

1 3/25/13 - WHOLE - BILL 130178, etc.

2 COUNCILWOMAN SANCHEZ: I'm not
3 finished my point of information.

4 COUNCILMAN JONES: Oh, go
5 ahead. I'm sorry, Councilwoman Sanchez.

6 (Witness approached witness
7 table.)

8 MR. McKEITHEN: Richie
9 McKeithen, Chief Assessment Officer.

10 We had some areas sprinkled
11 around the City that may have received
12 their notices recently, but the lion's
13 share of the notices have gone out the
14 early part of March at the latest. We
15 still have approximately 428 that are
16 being sent out this week, which are small
17 parcels. Most of them I believe are
18 exempt, small parcels, and so they'll
19 still have 30 days.

20 COUNCILWOMAN SANCHEZ: Did we
21 adjust the forms to say that they had 30
22 days?

23 MR. McKEITHEN: Yes, we did.

24 COUNCILWOMAN SANCHEZ: Mine was
25 not. I received mine on Tuesday.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. McKEITHEN: The most recent
3 forms that we sent out or we're sending
4 out will say that they have 30 days, and
5 they'll have the current date on them as
6 well. So people will know that 30 days
7 from that date on the actual -- from the
8 point in time they receive them, they'll
9 have the ability to appeal with us. But
10 as Mr. Dubow said earlier, you always
11 have the ability to appeal with the BRT
12 clear up until October the 7th.

13 COUNCILWOMAN SANCHEZ: I just
14 wanted to add another point of
15 information to what Councilwoman Blondell
16 Reynolds. As departments report out and
17 we've met with some of the Commissioners,
18 in addition to reporting out on the MBE
19 numbers, as I've requested in the past,
20 I'd like to see the higher numbers and
21 the diversity within our new hires.
22 We've done extensive hiring in the labor
23 workforce and other departments, and I
24 think it's important that the departments
25 report out the diversity of their new

1 3/25/13 - WHOLE - BILL 130178, etc.
2 hires. I specifically have requested for
3 some of the departments that I've met
4 with around which ones have created
5 bilingual opportunities for language
6 access, especially our front-line staff.
7 So it would be good if folks can report
8 out on that.

9 MS. RHYNHART: Okay.

10 COUNCILWOMAN SANCHEZ: Thank
11 you.

12 COUNCILMAN JONES: Thank you,
13 Councilwoman.

14 Are there any other questions
15 from members of the Committee?

16 (No response.)

17 COUNCILMAN JONES: Comments?

18 (No response.)

19 COUNCILMAN JONES: Seeing none,
20 we have some outstanding reports. One, a
21 copy of all consultant analysis with the
22 federal economist in regards to tax
23 revenues, the vacancy variance analyst
24 reports for all departments FY12 and
25 FY13.

1 3/25/13 - WHOLE - BILL 130178, etc.

2 MR. DUBOW: Could you go back
3 to the first one. I just want to go back
4 to the first one. You mean our outside
5 consultant?

6 COUNCILMAN JONES: Yes.

7 MR. DUBOW: Not federal
8 economist? Okay.

9 COUNCILMAN JONES: Yes.

10 MS. RHYNHART: And these are
11 additional requests that are being made
12 right now?

13 COUNCILMAN JONES: Yes. And
14 any projected worst-case scenario impacts
15 of state and federal budget cuts,
16 sequester, things like that.

17 MS. RHYNHART: Okay.

18 COUNCILMAN JONES: With that,
19 are there any other questions?

20 (No response.)

21 COUNCILMAN JONES: Seeing none,
22 we will recess until Tuesday, March 26th
23 at 10:00 a.m. in Room 400.

24 Thank you.

25 (Committee of the Whole

1 3/25/13 - WHOLE - BILL 130178, etc.

2 recessed at 4:10 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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