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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON FINANCE

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, November 28, 2007
10:25 a.m.

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PRESENT:

9

COUNCILWOMAN JANNIE BLACKWELL, CHAIR

10

COUNCILMAN DARRELL L. CLARKE

COUNCILMAN FRANK DiCICCO

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COUNCILMAN W. WILSON GOODE, JR.

COUNCILMAN WILLIAM GREENLEE

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COUNCILMAN JUAN RAMOS

COUNCILWOMAN BLONDELL REYNOLDS BROWN

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BILL 070203 - An ordinance amending Chapter
19-1300 of The Philadelphia Code, entitled
"Real Estate Taxes," to provide for a
homestead exemption with respect to City real
property tax...

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BILL 060108 - An ordinance authorizing the
Water Commissioner and the Procurement
Commissioner, on behalf of the City of
Philadelphia, to enter into a Service Contract
with the Philadelphia Municipal Authority...

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BILL 070109 - An ordinance approving an
extension of the term of the existence of the
Philadelphia Municipal Authority...

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V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

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COUNCILWOMAN BLACKWELL: Good

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morning. Good morning. We certainly

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would like to thank you all for being

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here with regard to Bill Nos. 060108 and

6

109, commonly known as the Biosolids

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bills, and we thank you all for always

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being here and all the sacrifice that

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that requires for you to do so.

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We have a quorum, so certainly

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our Finance Committee is formally called

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into session. To my left is Councilman

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Goode. Councilwoman Blondell Reynolds

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Brown is here to his left. To my right,

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Councilman Greenlee. Councilman Darrell

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Clarke is here, Councilman Frank DiCicco

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and Councilman Juan Ramos.

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So, again, we thank you, and we

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will have the Clerk read the titles of

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both bills.

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THE CLERK: Bill 060108, an

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ordinance authorizing the Water

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Commissioner and the Procurement

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Commissioner, on behalf of the City of

25

Philadelphia, to enter into a Service

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2 Contract with the Philadelphia Municipal
3 Authority, pursuant to which the City
4 will assume certain obligations under an
5 agreement that the Authority will enter
6 into with Philadelphia Biosolids
7 Services, LLC to design, finance, build,
8 own and maintain facilities and
9 equipment, and provide operating
10 services, for the management of the
11 City's wastewater treatment solids; all
12 under certain terms and conditions; and

13 Bill 060109, an ordinance
14 approving an extension of the term of
15 existence of the Philadelphia Municipal
16 Authority and authorizing the Authority
17 to design, build, finance, own, operate,
18 maintain and lease facilities and
19 equipment, and provide related services,
20 for the management of the City's
21 wastewater treatment solids; all under
22 certain terms and conditions.

23 Those bills will be recessed to
24 the call of the Chair.

25 (Applause.)

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2 COUNCILWOMAN BLACKWELL: The
3 Chair calls to testify Mr. Pete Matthews,
4 President.

5 (Applause.)

6 COUNCILWOMAN BLACKWELL: We
7 thank him and all the union members who
8 are here, as well as all of the members
9 who work so hard for our City. Thank you
10 very much.

11 MR. MATTHEWS: Good morning,
12 Madam Chairperson and the rest of the
13 Councilpersons. We just want to take
14 this opportunity to thank you, thank the
15 rest of the Councilpersons for working so
16 closely with us. We really appreciate
17 it.

18 I think we've been given more
19 opportunity than we ever had in the past
20 with your group to present our case. I
21 think we presented a very good case. You
22 responded well to us. We really
23 appreciate it. It showed our support for
24 you and your support for us, and we look
25 forward to working with you and the next

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2 Administration.

3 We have a saying that we say
4 Philadelphia works because we do. You've
5 proved that this time, and we will
6 continue to work with you and the
7 President. Again, on behalf of the
8 members of Local 394 and District Council
9 33, I want to thank all you
10 Councilpersons for the help that you've
11 given us.

12 Thank you.

13 (Applause.)

14 COUNCILWOMAN BLACKWELL: Thank
15 you very much. We appreciate your
16 comments and your support. We realize
17 that this is still a union city and that
18 it takes the membership of the union and
19 people who live in our city who need
20 their jobs to certainly make sure that
21 everything works to enhance the quality
22 of life for all of us, and we thank you
23 very much.

24 MR. MATTHEWS: Thank you again.

25 Thank you.

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2 COUNCILWOMAN BLACKWELL:

3 Certainly.

4 (Applause.)

5 COUNCILWOMAN BLACKWELL: Thank
6 you very much.

7 Is there anyone else here who
8 would like to testify on these bills?

9 (No response.)

10 COUNCILWOMAN BLACKWELL: Seeing
11 none, then as the Clerk has read, Bill
12 Nos. 060108 and 109 will not be heard and
13 they will be called back, subject to the
14 call of the Chair.

15 Are there any statements from
16 members of the Committee?

17 (No response.)

18 COUNCILWOMAN BLACKWELL: We're
19 fine. Okay. We're finished with
20 Biosolids for this year.

21 (Standing ovation.)

22 COUNCILWOMAN BLACKWELL: Thank
23 you all for coming. Thank you. So we
24 hope you all have a blessed holiday, and
25 I'll see some of you who help us out at

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2 our annual party for the homeless. We
3 did 4,000 people last year, and we're at
4 the Convention Center. We're finally
5 there. Thank you all. Thank you very,
6 very much.

7 We'll now ask the Clerk to read
8 the title of the next bill that is before
9 our committee today.

10 THE CLERK: Bill 070203, an
11 ordinance amending Chapter 19-1300 of The
12 Philadelphia Code, entitled "Real Estate
13 Taxes," to provide for a homestead
14 exemption with respect to City real
15 property tax, under certain terms and
16 conditions.

17 COUNCILWOMAN BLACKWELL: Thank
18 you very much.

19 Is there anyone here who would
20 like to make a comment?

21 Councilman Clarke, are you
22 interested in making a comment about this
23 bill, homestead bill?

24 COUNCILMAN CLARKE: Yes.

25 COUNCILWOMAN BLACKWELL: Thank

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2 you.

3 COUNCILMAN CLARKE: I'm sorry,

4 Madam Chair.

5 (Pause.)

6 COUNCILWOMAN BLACKWELL:

7 Councilman Clarke.

8 COUNCILMAN CLARKE: Thank you,

9 Madam Chair, and good morning.

10 COUNCILWOMAN BLACKWELL: Good

11 morning.

12 COUNCILMAN CLARKE: Good

13 morning, members of the Finance

14 Committee.

15 Madam Chair, today you will be

16 hearing the homestead exemption

17 provision. This particular bill, as you

18 know, will not be able to be implemented

19 until there is authorization from the

20 General Assembly. This is something that

21 we actually introduced, along with

22 several other measures, one of which

23 we'll actually be calling up for a final

24 vote to be announced. In the event that

25 we go to full valuation, which it

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2 increasingly appears that may happen, we
3 want to make sure that there are the
4 necessary safeguards for those
5 individuals who do receive significant
6 increases in their real estate taxes.
7 Understanding that full valuation is
8 supposed to be revenue neutral to the
9 City, there will be some additions and
10 some subtractions from a number of
11 individuals' personal real estate taxes.
12 So we want to make sure that as a result
13 of that program, in spite of the change
14 in the millage, those individuals who
15 will suffer significant increases in
16 their taxes will be able to receive some
17 assistance.

18 The homestead provision is one
19 of the provisions that had been used
20 throughout the United States in
21 supporting long-term residents in
22 neighborhoods, as per established by the
23 Board of Revision of Taxes, to enable
24 them to not suffer some of the things
25 that people suffer when they get

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2 significant increases in their real
3 estate taxes.

4 So what we wanted to do today
5 is to have the bill pass, establish the
6 provision on the local level. We did
7 not, as you see, did not put specific
8 numbers in the actual language in the
9 bill in terms of percentages of the
10 exemption, because we wanted to make sure
11 until we got a more accurate picture of
12 what the effects will be of the full
13 valuation implementation on the
14 homeowners before we put that particular
15 number.

16 We have an amendment that
17 reflects the fact that it's not in the
18 original bill, and the amendment
19 addresses the lack of the number in the
20 particular bill that was introduced.

21 So it's my hope, along with
22 many sponsors, because I believe many
23 members of this Council sponsored the
24 ordinance, that we get this in place in
25 the event that we do get full valuation

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2 to protect the citizens of the City of
3 Philadelphia.

4 COUNCILWOMAN BLACKWELL: Thank
5 you.

6 Councilman Greenlee.

7 COUNCILMAN GREENLEE: Thank
8 you, Madam Chair.

9 Councilman, if I could just ask
10 you a question. I certainly agree with
11 everything you just said, but do you know
12 as far as the state authorization, as we
13 know, and given that subject of guns and
14 all, the state is not always the most
15 cooperative in working with us on that.
16 Do you have any indication on this issue
17 how they might feel?

18 COUNCILMAN CLARKE: Well, there
19 are a couple of things. One, I want to
20 say given the fact that I am currently
21 one of the Councilmembers that have
22 essentially taken the state Legislature
23 and the state Senate to court, I will not
24 be carrying the water for the City
25 Council of Philadelphia to get the state

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2 authorization. I think that would be
3 better served by a number of members who
4 do not have an adversarial --

5 COUNCILMAN GREENLEE: That
6 haven't sued them yet; is that what you
7 mean?

8 COUNCILMAN CLARKE: Exactly.
9 Well, and there actually have been
10 informal discussions among both members
11 of the Legislature and individuals in the
12 current Administration, and the
13 assumption is that the new Administration
14 will take up those discussions that if in
15 fact there is full valuation, that there
16 is an informal agreement that the state
17 will authorize an exemption program,
18 because they understand that there will
19 be some significant increases to a
20 substantial number of individuals.

21 COUNCILMAN GREENLEE: They will
22 have to do something, yes.

23 COUNCILMAN CLARKE: Yes. I'm
24 pretty comfortable that that will in fact
25 be the place. I just don't think I

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2 should be the person that asks the state
3 to do that.

4 COUNCILMAN GREENLEE: Do you
5 think they would hold that against you?
6 I don't know.

7 COUNCILMAN CLARKE: Absolutely.

8 COUNCILMAN GREENLEE: Thank
9 you.

10 COUNCILMAN CLARKE: Thank you.

11 COUNCILMAN GREENLEE: Thank
12 you, Madam Chair.

13 COUNCILWOMAN BLACKWELL: Are
14 there more questions for the bill
15 sponsor?

16 (No response.)

17 COUNCILWOMAN BLACKWELL: Okay.
18 Thank you very much. Now we will call on
19 Commissioner Kammerdeiner to come forward
20 and testify.

21 Good morning.

22 COMMISSIONER KAMMERDEINER:
23 Good morning, Councilwoman Blackwell and
24 members of the Finance Committee. I am
25 Nancy Kammerdeiner, Revenue Commissioner.

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2 I don't have formal written
3 testimony today on this legislation. In
4 fact, I come with a number of questions
5 about just how this will be carried out
6 and be implemented. One of those
7 questions was, in part, answered by the
8 proposed amendment that will say that
9 future ordinances would set the amount of
10 the homestead exclusion that would be set
11 forth by this, but my questions come
12 about, in large measure, because we were
13 expecting that this bill, along with some
14 others, would be looked at as a package
15 in terms of just how the support or
16 buffering, as many people have called it,
17 will take place at the time that there is
18 a reassessment and how those would
19 interact one with the other. Looking at
20 one in isolation does raise concerns
21 about how this will all fit together.

22 Not a statement against
23 homestead exclusion. That's an idea that
24 I think we can and should be supporting
25 as one of those mechanisms. It's the

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2 issue of just how everything fits
3 together and whether or not the
4 legislation as currently crafted with the
5 definitions as currently stated are in
6 fact the ones that we will all want to
7 see when we look at this in a
8 comprehensive way.

9 And I have a particular concern
10 and a number of questions about how we
11 implement this, since that's really my
12 role in a lot of this activity. Our
13 current real estate tax process is
14 developed around one assessed value for a
15 property and then different rates for
16 City and for school and for other types
17 of credits or exclusions, but this
18 legislation would, in effect, require us
19 to identify two separate assessed values,
20 one for City and one for School District,
21 and have a very different interaction in
22 terms of the computation of the bill and
23 the splitting of the receipts when they
24 come in.

25 Those are my technical issues.

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2 They're probably things that can be dealt
3 with and surmounted over time, but I
4 don't know how long it will take us to do
5 those things and how expensive it will be
6 to put those changes into place. And so,
7 again, I come to you with questions about
8 just how we make it work and work
9 effectively, both in terms of
10 interrelating the various mechanisms for
11 providing support for people who see
12 large increases in their personal tax
13 bill at the time we go to a reassessment
14 and a full value with a revenue-neutral
15 citywide effect, but different effects on
16 different people.

17 And so I just would suggest
18 that we work together going forward,
19 whether it's in the near term with this
20 Council or in the next Administration, to
21 assure that we come up with something
22 that's workable and that does indeed do
23 what you want it to do in terms of
24 providing that kind of buffer and
25 support.

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2 COUNCILWOMAN BLACKWELL: Thank
3 you.

4 Questions? Councilman
5 Greenlee.

6 COUNCILMAN GREENLEE: Thank
7 you, Madam Chair.

8 Commissioner, could you just be
9 a little more specific in what you mean
10 by the -- you said you didn't really want
11 to see this -- you had questions about
12 passing this just as an individual. What
13 would be the problem in doing this now
14 and in dealing with those other things
15 later, since this isn't going to be
16 implemented right away anyway because of
17 the state authorization issue?

18 COMMISSIONER KAMMERDEINER:
19 Certainly any legislation can be amended
20 going forward, and so I think really what
21 I'm saying is that if you work through
22 some of these issues ahead of time, you
23 do it once instead of doing it two or
24 three times. But if indeed there's a
25 strong feeling about putting the

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2 intention on the record, it probably will
3 mean that in trying to implement it,
4 there will be a series of changes to the
5 legislation going forward.

6 So it's a matter of preference
7 in terms of timing. Because I'm not
8 talking about saying that this is
9 inappropriate. I'm just saying that I
10 think the timing could work better if a
11 lot of other issues were thought through
12 at the same time.

13 COUNCILMAN GREENLEE: I
14 understand what you're saying, but I
15 think -- and you kind of said it in your
16 answer to me, and certainly Councilman
17 Clarke can discuss this better, but it
18 seems like what we want to do is make it
19 clear right now we're for this kind of
20 program. Not saying that this is in
21 concrete, that there might not be some
22 changes, but we're recognizing certainly
23 the potential problem that's there. And
24 it's there to a certain extent already,
25 but certain if we go to full valuation,

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2 it's going to be there.

3 I mean, I understand what
4 you're saying, but it would seem to me I
5 don't see an inconsistency in going
6 forward with this and doing the rest of
7 the, as you call it, package as time goes
8 on, because, again, we'll know more with
9 the new Administration exactly how it's
10 going to proceed.

11 COMMISSIONER KAMMERDEINER:

12 Again, I feel it's incumbent upon me to
13 indicate that there will be issues in
14 terms of implementation. You need to
15 understand that. And those issues may
16 result in some timing requirements or
17 some changes in definition in order to be
18 sure that we can put forth a program and
19 implement it and carry it out without
20 sacrificing the things that we have
21 today.

22 Just an aside on that, one of
23 my concerns is that we have a very
24 sophisticated calculation process for
25 calculating bills within our tax system,

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2 and any time you start changing the
3 premise on which it's based, you have the
4 potential of not being able to produce
5 any bills, and that's something that I
6 certainly would want to --

7 COUNCILMAN GREENLEE: Some
8 people say that's not a bad thing, but
9 that's all right.

10 COMMISSIONER KAMMERDEINER:
11 Perhaps, but if we want to have income,
12 we need to be able to bill.

13 COUNCILMAN GREENLEE: I
14 understand.

15 COMMISSIONER KAMMERDEINER: And
16 so I just raise a caution flag that we
17 need to go slowly and work together to
18 make sure that what you want to see from
19 a legislative perspective is something
20 that we can implement without huge costs
21 to the City.

22 COUNCILMAN GREENLEE: I
23 understand. But I think we all
24 recognize, and I think you do too, this
25 is just a piece of the thing.

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2 COMMISSIONER KAMMERDEINER:

3 Yes.

4 COUNCILMAN GREENLEE: But I
5 think it's an important thing to start
6 with, in my opinion.

7 Thank you, Commissioner.

8 COMMISSIONER KAMMERDEINER:

9 You're welcome.

10 COUNCILMAN GREENLEE: Thank
11 you, Madam Chair.

12 COUNCILWOMAN BLACKWELL:

13 Further questions from members of the
14 Committee?

15 (No response.)

16 COUNCILWOMAN BLACKWELL:

17 Councilman Clarke, would you like to make
18 a statement?

19 COUNCILMAN CLARKE: Yes. Thank
20 you, Madam Chair.

21 Good morning.

22 COMMISSIONER KAMMERDEINER:

23 Good morning.

24 COUNCILMAN CLARKE: A couple of
25 responses to your testimony. Number one,

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2 you talked about the fact that it will be
3 difficult to implement the program
4 because of the technical nature and the
5 information associated with gathering
6 specific BRT and making sure that the
7 revenue component is not problematic for
8 the City. Isn't that like your
9 responsibility?

10 COMMISSIONER KAMMERDEINER: The
11 system that I'm talking about for
12 calculation of the bills is my
13 responsibility, and that's where I have a
14 concern, because we have a computer
15 system that has a very sophisticated
16 calculation program that's often referred
17 to as a "black box," in that there are a
18 lot of things that happen within that
19 that are interrelated. You start
20 changing those things and you can throw
21 off something else in another area.

22 And so my concern is that when
23 you make a fundamental change like this
24 would be, because you'd have to have two
25 different assessed values, one for the

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2 City and one for the School District, you
3 run the risk of somehow affecting other
4 things that you didn't intend to. And so
5 it's an underlying concern. It's an
6 administrative concern, not one that
7 can't be dealt with, but it's just my
8 concern for implementation.

9 COUNCILMAN CLARKE: Doesn't it
10 make sense then because of the nature of
11 the implementation of the program that
12 you start thinking about that sooner than
13 later? Because if you wait until full
14 valuation goes into effect and then all
15 the sudden, oh, wow, we have to do
16 something, we have to introduce a
17 homestead provision. So doesn't it make
18 sense to kind of put this on the radar
19 screen now?

20 COMMISSIONER KAMMERDEINER: It
21 certainly does. I'm just saying that I
22 would like to know what it is we're doing
23 as a package so that we look at it in a
24 unified way and don't make changes in one
25 direction and then find out we have to go

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2 in another.

3 COUNCILMAN CLARKE: All right.

4 COMMISSIONER KAMMERDEINER: And
5 so that's why I was hoping we would be
6 able to look at this as a series of
7 measures that would work together. We
8 would make all the changes at the same
9 time so that we don't adversely affect
10 the balance of the system.

11 COUNCILMAN CLARKE: Well, I
12 mean, you do understand that we need
13 state authorization.

14 COMMISSIONER KAMMERDEINER:
15 Correct. I understand that.

16 COUNCILMAN CLARKE: And the
17 likelihood that this is going to happen
18 next week in the state is slim to none.

19 COMMISSIONER KAMMERDEINER: And
20 certainly I would hope that the state
21 authorization, when it comes, would be
22 set up in such a way that the
23 implementation date was a logical one
24 that gave us lead time, both in terms of
25 setting whatever rates or making any

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2 changes that we need to here locally and
3 also making sure that we can properly and
4 effectively explain this to taxpayers,
5 because there are going to be a series of
6 things that will have to happen that will
7 be very difficult for people to
8 understand. A lot of them right now
9 don't realize that the real estate tax is
10 split between the City and the School
11 District, and if they hear about a
12 measure like this one that would exclude
13 a portion of their property value from
14 the calculation of the tax, they will
15 look at that as going against their
16 entire tax burden, and instead it will
17 only affect 40 percent of their tax
18 burden, because right now the split
19 between City and School District is 40
20 percent to the City, 60 percent to the
21 School District.

22 So I'm saying there are other
23 things that will have to happen and you
24 need enough lead time to be sure that
25 people --

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2 COUNCILMAN CLARKE: That's kind
3 of why we're talking about it now.

4 COMMISSIONER KAMMERDEINER: I'm
5 saying even after the state approves the
6 authorization for implementation, you
7 still need lead time to do it in a
8 logical way for the proper tax year so
9 that everything falls into place
10 effectively.

11 COUNCILMAN CLARKE: Right. But
12 the state authorizes it. That does not
13 mean that upon the authorization of the
14 state or the state-enabling legislation
15 being passed, that we have to implement
16 it at that point.

17 COMMISSIONER KAMMERDEINER:
18 Sometimes the state-enabling legislation
19 says exactly that. And so that's one of
20 the things that I'm just cautioning, that
21 the legislation when it should have an
22 effective date that deals with the tax
23 year and with enough lead time that you
24 can go into the tax year so that we don't
25 have an authorization, say, in December

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2 for the next tax year and not be able to
3 fully implement. That's really the point
4 I'm making.

5 COUNCILMAN CLARKE: Well,
6 again, it sounds like your testimony
7 gives credence to the fact that we need
8 to move as expeditiously as possible in
9 putting together a program. If in fact
10 the state mandates a particular date, we
11 really need to be in a position to
12 respond to that.

13 COMMISSIONER KAMMERDEINER: But
14 I would caution that the state program or
15 state date, we should work with them to
16 ensure that it's one that we can
17 implement. We've had experience with
18 being told --

19 COUNCILMAN CLARKE: As I said,
20 I will not be carrying the water in that
21 component of this particular strategy.

22 COMMISSIONER KAMMERDEINER: But
23 we've had experience with getting
24 authorization in December for something
25 that had to happen a few months later and

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2 it makes it very difficult to implement.

3 So just a caution point.

4 COUNCILMAN CLARKE: Okay. It's
5 my recollection in the hearings maybe
6 earlier this year or last year there were
7 some discussions about full valuation and
8 the Administration sent out a packet to,
9 I believe, members of Council. We
10 actually had briefings, the members of
11 Council, and the homestead provision was
12 actually one of the recommendations of
13 the Administration.

14 COMMISSIONER KAMMERDEINER:
15 It's certainly one that should be
16 considered, and I know that, if I'm
17 remembering correctly the information
18 you're referring to, there were a number
19 of different types of measures that could
20 be used to buffer or support the people
21 who were adversely affected.

22 COUNCILMAN CLARKE: But the
23 homestead provision --

24 COMMISSIONER KAMMERDEINER: And
25 that is one that was part of the array.

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2 I don't think that was intended to be a
3 hard and fast these should be used, but
4 these are the types of things that should
5 be looked at.

6 COUNCILMAN CLARKE: But they
7 did recommend that the homestead
8 exemption provision be one of the tools
9 that we may use.

10 COMMISSIONER KAMMERDEINER: One
11 that could be used.

12 COUNCILMAN CLARKE: All right.

13 COMMISSIONER KAMMERDEINER: I
14 don't think that list was ever
15 intended -- I could be incorrect on this,
16 but I don't think that list was intended
17 to be a hard and fast that these tools
18 should be used, but these are tools that
19 should be explored to see how they might
20 interact and which ones would be most
21 effective.

22 COUNCILMAN CLARKE: Okay. I
23 just want to be on the record that the
24 Administration did talk about this
25 being --

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2 COMMISSIONER KAMMERDEINER:

3 Yes. It's certainly one of the key
4 measures.

5 COUNCILMAN CLARKE: -- a
6 potential tool.

7 COMMISSIONER KAMMERDEINER:

8 Yes.

9 COUNCILMAN CLARKE: Okay.
10 Thank you, Madam Chair.

11 COUNCILWOMAN BLACKWELL: Are
12 there further questions for the
13 Commissioner or certainly for Councilman
14 Clarke?

15 (No response.)

16 COUNCILWOMAN BLACKWELL: Thank
17 you very much.

18 COMMISSIONER KAMMERDEINER:

19 Thank you.

20 COUNCILWOMAN BLACKWELL: The
21 Chair calls Brett Mandel, Philadelphia
22 Forward.

23 I see Rick Sauer. He'll be
24 next. Is Rose Gray here, APM, and Laura
25 Weinbaum, Project H.O.M.E.? Okay. In

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2 that order.

3 Good morning.

4 MR. MANDEL: Good morning,
5 Councilwoman Blackwell and members of
6 City Council. My name is Brett Mandel
7 and I'm the Executive Director of
8 Philadelphia Forward.

9 I do not have written testimony
10 as well. Like the Commissioner, I come
11 raising more questions than comments.

12 Certainly this Council
13 understands and the author of this bill
14 understands that homestead exemptions are
15 one of the tools that can be used to help
16 the vulnerable homeowners who are
17 struggling to pay their tax bills,
18 especially in the face of the coming of
19 full value assessments. Homestead
20 exemptions have been helpful in other
21 jurisdictions and certainly could be
22 helpful in Philadelphia.

23 I agree with the Commissioner,
24 that there are a number of questions that
25 I think would be better raised as part of

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2 a grouping of bills in terms of doing
3 this. I will just give a few notes of
4 caution and be happy to answer any
5 questions.

6 In the past, I was the Chair of
7 the City's Tax Reform Commission's Real
8 Estate Tax Working Group, and so we dealt
9 with a lot of these questions on our
10 group. One of the things that I would
11 say to be wary about in terms of the
12 homestead exemption if it's done in a
13 revenue neutral way, if we are going to
14 end up having a shift that would reduce
15 the tax burden on homeowners that would
16 then increase the tax burden on others,
17 including owners of rental properties, it
18 could be a subtle shift of taxation away
19 from homeowners and to renters. That
20 could be good or bad, but it's useful to
21 note that going into it. If it's not
22 going to be revenue neutral, obviously
23 there would be a budgetary impact for you
24 to consider.

25 One thing that I think is

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2 troubling about the homestead exemption
3 is the fact that it must be applied for.
4 If you have ever dealt with individuals,
5 your constituents, applying for the
6 senior citizen tax freeze, you know that
7 a number of people who are eligible for
8 it don't actually go and get it, and so
9 there's a lot of folks who could be
10 helped by it who don't get helped by it.

11 I spent some time this week
12 down at the BRT's hearings and it was a
13 common theme, person after person coming
14 before the BRT saying, I can't pay my tax
15 bill, only to find there that the Chair
16 and the members of the BRT said, You're
17 eligible for the senior citizen tax
18 freeze, let's help you get it.

19 In practice, in many places,
20 homestead exemptions end up helping
21 people like me who see that, hey, we
22 could save some money, great, I'll apply
23 and go get it, and don't end up helping a
24 lot of the other folks. Instead,
25 deferments and other buffering measures

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2 tend to be more effective. So just be
3 mindful of that moving in.

4 One thing that you should clean
5 up, assuming you pass the bill today, is
6 the tax rate has changed pursuant to
7 Councilman Goode's legislation. We have
8 a new lower City tax rate and a higher
9 School District tax rate. I think if you
10 pass this bill in its current form, you
11 end up raising the City tax rate again.
12 So if you do want to enact this today,
13 you should clean that up, I would assume,
14 and get the new revised tax rate in
15 there.

16 Certainly I think that, as the
17 Commissioner said, these issues, along
18 with other issues, buffers, deferments,
19 other policies to help vulnerable
20 homeowners, should all be part of a
21 conversation moving forward about how to
22 deal with the coming of full value, and
23 certainly Philadelphia Forward and I
24 remain large proponents of the idea of
25 fixing the real estate tax fairness in

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2 Philadelphia. I am happy to help in any
3 capacity to address any of these issues
4 moving forward as a resource to this
5 Council or Councilman Clarke.

6 Thank you.

7 COUNCILMAN CLARKE: Thank you.

8 COUNCILWOMAN BLACKWELL: Thank
9 you very much.

10 Councilman Greenlee.

11 COUNCILMAN GREENLEE: Just very
12 quickly, Mr. Mandel. I don't want to
13 belabor the record, and you might have
14 heard my question to the Commissioner and
15 similar to what Councilman Clarke's
16 comments were. I guess I still don't
17 understand why it is a problem Council
18 basically saying, We're for this program,
19 knowing, again, as I said to the
20 Commissioner, it's not set in stone.
21 There's going to be a lot of other parts
22 to it obviously, including the state
23 authorization. We know that we're
24 probably going to still be working on
25 this in various forms. In fact, we will

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2 if we're going to make it work.

3 What's wrong with now, just
4 taking this piece, an important piece,
5 and getting it out there and saying, This
6 is what we want to do, we want to take
7 care of those homeowners, we're getting
8 that on record, we're making sure that
9 everybody understands that, which I
10 think -- I'm not trying to put words in
11 Councilman Clarke's mouth, but I think
12 that's kind of what we're saying here.

13 Right, Councilman?

14 We're trying to make this a
15 priority.

16 MR. MANDEL: I think the only
17 thing that's wrong moving forward is the
18 tax rate. I think that if you want to
19 pass this bill, I think you have to
20 adjust that. Obviously you can check
21 with Council's counsel, but I think that
22 if you correct that tax rate, you avoid
23 an accidental tax increase.

24 The only thing that I would
25 consider is, a lot of the bill deals

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2 with, well, this is what would happen if
3 we move to full value, if we get rid of
4 the ratio of 32 percent, if we this.

5 Certainly it would be a lot neater if you
6 did it all in concert. There's nothing
7 wrong with it, except for the tax rate.

8 COUNCILMAN GREENLEE: Okay.

9 And just on your point of -- and I
10 understand. I agree with you, a lot of
11 people don't take advantage of programs
12 that are there. I've heard those same
13 complaints that you said you heard in the
14 Board. I guess what you're saying is
15 there should be some kind of automatic
16 thing, and I guess I wonder how you could
17 do that.

18 MR. MANDEL: The homestead
19 exemption I don't know that you could do
20 automatic. Certainly you could explore
21 that. The deferments are traditionally
22 the policy that's one that kicks in
23 automatically. Again, this is why I
24 think that it should be part of a fuller
25 discussion, Here's the package of bills

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2 we're going to have go forward.

3 It's certainly up to you to
4 decide how to implement this. If you put
5 this in place now and revisit it later,
6 that's not a bad thing. Certainly you
7 understand that by doing this, this
8 doesn't solve all of the problems.

9 COUNCILMAN GREENLEE: No. We
10 all acknowledge that.

11 MR. MANDEL: Absolutely. There
12 are other things to deal with.

13 COUNCILMAN GREENLEE: Again, I
14 just think it's, not to repeat myself,
15 it's a way to say this is something that
16 we definitely want to say right now that
17 we're going to get done and we're going
18 to be interested in it.

19 MR. MANDEL: It's not a bad
20 thing. Again, I just address that tax
21 rate so you don't accidentally increase
22 everyone's taxes.

23 COUNCILMAN GREENLEE: I
24 understand. I appreciate that. Thank
25 you.

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2 COUNCILWOMAN BLACKWELL:

3 Councilwoman Blondell Reynolds Brown.

4 COUNCILWOMAN BROWN: Thank you.

5 Thank you, Madam Chair.

6 So in saying that it is not a
7 bad thing, interpret that for me. That
8 means that you are in favor of the bill,
9 given the reservations?

10 MR. MANDEL: I think that a
11 homestead exemption can be a positive
12 thing. I would certainly reserve
13 judgment until I saw all the things that
14 would be done with the coming of full
15 valuation. If the only thing that this
16 Council did was provide a homestead
17 exemption, I don't think you're really
18 helping out enough people.

19 When you look at it, if you say
20 a homestead exemption, let's just say you
21 exempt the first \$50,000 of value on a
22 home. You'll be helping people who have
23 inexpensive homes. For someone who
24 bought their home 30 years ago in
25 Fishtown who sees that she now has a

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2 house that's being taxed at a worth of
3 \$500,000, being exempt from the first
4 \$50,000 doesn't help that person. She
5 still has to pay a bill of \$450,000 -- or
6 on a \$450,000 house that she can't
7 afford. That's where deferments and
8 buffering, land value taxation, other
9 policies make some sense to help her.

10 If the homestead exemption is
11 part of a larger package, certainly I
12 would be in favor of it. Certainly
13 Philadelphia Forward thinks that makes
14 sense. If homestead exemption is the
15 only thing this Council does, you're not
16 solving enough of the problem, I think,
17 to help the transition from an unfair
18 system to a fair system.

19 COUNCILWOMAN BROWN: Okay.
20 With any major initiative that the City
21 undertakes, education across the board
22 becomes essential. Has Philadelphia
23 Forward given any thought to the role it
24 can play in educating citizens and
25 consumers about an initiative like this

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2 or any other?

3 MR. MANDEL: We're happy to use
4 our resources. As you know, we're not
5 shy about telling our folks who pay
6 attention to us what's going on. We're
7 thrilled to use any of our networks to
8 help spread the word about this or any
9 other program that makes sense going
10 forward.

11 COUNCILWOMAN BROWN: So you're
12 saying that you would be willing to
13 participate in a comprehensive education
14 effort designed to address this issue and
15 the package that you propose?

16 MR. MANDEL: Absolutely.

17 COUNCILWOMAN BROWN: Okay.

18 Thank you.

19 Thank you, Madam Chair.

20 COUNCILWOMAN BLACKWELL: You're
21 welcome.

22 Are there further questions for
23 Mr. Mandel?

24 COUNCILMAN CLARKE: Madam
25 Chair, just real briefly.

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2 COUNCILWOMAN BLACKWELL: Yes.

3 COUNCILMAN CLARKE: First, I
4 want to thank you, Mr. Mandel, for coming
5 in and your testimony and offering the
6 support, because I know you are quite
7 knowledgeable of these issues. We look
8 forward to working with you.

9 We in Council did actually
10 introduce a series of bills. We do have
11 a deferment bill that has been
12 introduced. We do have a senior citizens
13 tax abatement bill that will actually be
14 called up for a vote very shortly, in
15 addition to the homestead provision.

16 So we understand that there
17 should be a full array of bills that
18 could conceivably be helpful to
19 individuals who suffer problems. I agree
20 with you. And I also agree with you the
21 fact that we have to come up with a
22 better way to make people aware of the
23 fact that there are programs that support
24 them. I too have had opportunities to
25 talk to a number of senior citizens who

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2 have come in my office and showing me
3 their tax bills and say, I can't pay
4 this, and when we look at the specifics
5 of their income, they in fact qualify for
6 the existing program. We are hopefully
7 going to be in a position to address that
8 in a broader level. So I agree with all
9 that.

10 So I just want to say thank you
11 for your testimony and look forward to
12 working with you.

13 MR. MANDEL: Thank you.

14 COUNCILMAN CLARKE: Thank you,
15 Madam Chair.

16 COUNCILWOMAN BLACKWELL: Thank
17 you very much.

18 Thank you, Mr. Mandel.

19 Rick Sauer, Philadelphia
20 Association of CDCs.

21 Good morning.

22 MR. SAUER: Good morning,
23 Chairwoman Blackwell and members of
24 Council. As mentioned, my name is Rick
25 Sauer. I'm the Director of the

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2 Philadelphia Association of CDCs, and our
3 members have been involved in housing
4 issues and have been working around the
5 whole issue of managing neighborhood
6 change for a number of years now. And
7 the whole property tax issue, I know a
8 lot of folks are focused on the full
9 assessment valuation issue, but property
10 taxes are actually already going up
11 pretty significantly for a number of
12 homeowners here in the City. So I think
13 it's an issue that should be addressed
14 now and not put off for too long.

15 Just a few comments I wanted to
16 make. I don't have written testimony to
17 submit. One is that, as we said,
18 citywide property values have probably
19 doubled in the last six years or so. And
20 I think Brett is right, this homestead
21 exemption is not a cure all, but I think
22 it is an important tool that we need to
23 put in place, and it would make the
24 property tax a bit more progressive than
25 it is right now. So if you have a

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2 low-income homeowner in a low-income
3 neighborhood whose home is only worth,
4 say, \$60,000 and you're exempting the
5 first \$40,000, \$50,000 of value, they're
6 only paying taxes on \$10,000, \$20,000.
7 So that would be a significant tax break
8 to them and a benefit. Clearly, it
9 doesn't address the situation of a
10 homeowner in a neighborhood where values
11 have gone up a lot, like Fishtown, which
12 he mentioned, and so you do need other
13 mechanisms to address that.

14 Secondly, my understanding is
15 that there has -- about ten years ago the
16 state did pass legislation to amend the
17 Constitution to allow homestead
18 exemptions. They just excluded
19 Philadelphia from that law, which happens
20 often times, right? Cities of the first
21 class or counties of the first class is
22 the location that's excluded from state
23 laws. But there is already a state law
24 in place allowing all other counties
25 around the Commonwealth to do this, I

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2 believe. And so I think it's an easier
3 thing to get that amended to allow
4 Philadelphia to participate versus
5 getting something statewide starting new
6 to participate. It's not always the
7 case, but in this issue, I think it's
8 more doable, and we'd certainly be
9 willing to work with City Council and the
10 Administration to help make that happen.

11 I think the amount of the
12 exemption is critical. My understanding
13 is, the City can set the value at up to
14 half of the assessed value or the average
15 assessed value of properties. So,
16 clearly, if the exemption is at \$50,000,
17 that's going to have a lot more benefit
18 to homeowners than if it's at \$10,000.
19 So that's an important consideration. I
20 know the City needs to weigh sort of its
21 tax revenue and all that issues, but if
22 we're trying to give real tax relief in
23 this situation, I think we'd want to set
24 it at a fairly high level.

25 Certainly the public education

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2 issue is critical. We do have a number
3 of programs already in place that aren't
4 fully being taken advantage of. So
5 whether that's the state property tax
6 rebate/refund program, whether that's the
7 senior freeze program here locally, we
8 need to do a better job at getting the
9 word out about the availability of this.
10 And with the homestead exemption, since
11 it does have to be applied for, we need
12 to make sure that process is very simple
13 to go through. If it is complicated, it
14 will mean that that many fewer people do
15 participate.

16 I guess my final comment I
17 wanted to make is that I agree that this
18 should be looked at in a package way. I
19 don't think that's reason to hold up this
20 particular bill today, but the deferral
21 of property taxes is another key tool
22 that I think needs to be put in place.
23 And there's different ways you can
24 structure that, but you could defer the
25 increase over a certain amount, say, over

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2 five percent, over ten percent increase,
3 and you can defer it for a different
4 amount of time, but what I would
5 recommend is actually deferring that to
6 the time that the homeowner resells the
7 property, and that way, if you have a
8 situation where especially in certain
9 gentrifying or appreciating
10 neighborhoods, a homeowner who can't
11 afford to pay the same increased property
12 tax now could tap into that new wealth
13 that they build and afford to pay it at
14 that time of property sale.

15 Thank you very much.

16 COUNCILWOMAN BLACKWELL: Thank
17 you very much.

18 Are there any questions for
19 Mr. Sauer?

20 (No response.)

21 COUNCILWOMAN BLACKWELL: Thank
22 you very much.

23 Rose Gray, APM, are you here?

24 (No response.)

25 COUNCILWOMAN BLACKWELL: If

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2 not, Project H.O.M.E., Laura Weinbaum.
3 Thank you very much.

4 MS. WEINBAUM: Good morning,
5 Councilwoman Blackwell and members of
6 Council. My name is Laura Weinbaum and
7 I'm the Director of Public Policy for
8 Project H.O.M.E., a multi-service agency
9 providing street outreach, supportive
10 housing, comprehensive services, and
11 community and economic development. I
12 come before you today to offer testimony
13 concerning Bill No. 070203 proposing a
14 homestead exemption for Philadelphia
15 homeowners.

16 I have with me Ms. Helen Brown
17 and Ms. Priscilla Bennett, community
18 leaders in the neighborhood where Project
19 H.O.M.E. works and Project H.O.M.E.
20 employees.

21 On behalf of Project H.O.M.E.,
22 I want to thank Councilman Clarke for
23 showing his clear support and concern for
24 the people in the neighborhood where we
25 work, St. Elizabeth's and Diamond Street,

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2 and people struggling with their bills
3 all across the City. Your leadership on
4 this issue and other issues to preserve
5 the quality of life in North Philadelphia
6 are greatly appreciated. Especially in
7 light of the BRT's full valuation
8 project, which obviously we've heard
9 quite a bit about, measures offering
10 targeted relief are desperately needed.
11 Homestead exemptions will be particularly
12 needed for people living on low and fixed
13 incomes and in areas that are
14 experiencing increases, including the
15 neighborhood where we work in North
16 Central Philadelphia. We hope that
17 Council will receive this bill and its
18 intended purpose favorably.

19 In our neighborhood, some
20 long-term residents risk being forced out
21 by escalating property taxes and will
22 need aid to stay in their own homes. The
23 median value of a property in 19121, our
24 primary zip code, is about \$22,000, and
25 our median income is just under \$16,000.

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2 Non-mortgaged properties outnumber
3 mortgaged properties by about two and a
4 half to one, reflecting the fact that
5 many of our residents are people with
6 limited means who have either inherited
7 the property, acquired it through
8 off-the-books methods or lived there
9 enough years to have paid off their
10 mortgage. Many people who live in our
11 neighborhood have small incomes and large
12 property tax bills, increasing ones. As
13 values increase, which we believe is a
14 positive reflection of the increased
15 neighborhood assets and community
16 development work, measures are needed to
17 protect existing and incoming homeowners
18 and maintain the fabric of the
19 neighborhoods. In other words, if the
20 homestead exemption were, say, \$20,000,
21 the majority of the low-income homeowners
22 in our neighborhood would pay very little
23 tax and could use that same money which
24 used to go to taxes for education,
25 property improvements, food, clothing or

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2 healthcare. Most of these purposes would
3 contribute in a significant way to
4 improving the community as a whole.

5 Though we're excited about the
6 homestead exemption as a tool, we're sure
7 that you don't offer it as a panacea and
8 that you will take real steps to ensure
9 its fullest success. Because poorer
10 people will be less likely to submit
11 applications for this exemption,
12 community organizations should be
13 encouraged, as we've discussed, to
14 provide outreach in poor communities, and
15 other measures should be put in place to
16 encourage participation. Because
17 depending on the forecasted impact on the
18 City's revenue, the homestead exemption
19 might necessitate an increase in the tax
20 rate or pre-determined ratio. Commercial
21 interests might pass along costs to
22 renters, many of whom also live on lower
23 fixed incomes in Philadelphia. We hope
24 that you might explore a way to protect
25 renters from this added burden.

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2 Further, we understand that
3 many of the folks in our neighborhood and
4 many low-income residents across the City
5 have complicated tangled title issues and
6 may not be included in this exemption
7 since they might have a hard time proving
8 to be the owners of the property in which
9 they live. Although we do not have a
10 proposed solution for this problem, we
11 hope that consideration can be given to
12 alternatives which might protect these
13 owners as well.

14 Again, I would like to extend
15 our sincere thanks to Councilman Clarke
16 and others on this Council who seek to
17 protect hard-working Philadelphians every
18 day.

19 I thank you for the opportunity
20 to testify on behalf of Project H.O.M.E.
21 and hope that we can use this homestead
22 exemption as a tool to maintain the
23 neighborhood fabric which is so integral
24 to Philadelphia's vitality.

25 I'll also add something that's

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2 not in my written remarks, which is that
3 Project H.O.M.E. in general supports
4 deferments and all the other measures
5 that have been mentioned by Brett and
6 Rick that would offer some relief to the
7 low-income folks who are really
8 experiencing a hard hit.

9 COUNCILWOMAN BLACKWELL: Thank
10 you very much.

11 Are there any questions?

12 (No response.)

13 COUNCILWOMAN BLACKWELL: Thank
14 you very much, Ms. Weinbaum.

15 Is there anyone else here who
16 would like to testify with regard to this
17 bill?

18 (No response.)

19 COUNCILWOMAN BLACKWELL: Are
20 there any other comments from members of
21 the Committee?

22 (No response.)

23 COUNCILWOMAN BLACKWELL: Seeing
24 none, this will conclude our hearing and
25 we will enter into our stated meeting.

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2 Councilman Clarke.

3 COUNCILMAN CLARKE: Thank you,
4 Madam Chair. Madam Chair, as I indicated
5 earlier, there is an amendment that I
6 would ask one of the members to offer in
7 the public meeting. The amendment
8 essentially deals with the specifics of
9 the amount on the exclusion. In (b),
10 Subsection 19-1301, we have deleted the
11 section where it's indicated there is a
12 dollar amount. What the amount says is
13 "such amount as shall be provided by
14 ordinance." So that specific number
15 shall be established at a later date once
16 Ms. Kammerdeiner and the Revenue people
17 get a better handle on the impact of the
18 bill financially to the City.

19 COUNCILWOMAN BLACKWELL: So you
20 are asking us to adopt this amendment?

21 COUNCILMAN CLARKE: Yes,
22 please. Yes.

23 COUNCILWOMAN BLACKWELL: The
24 Chair recognizes Councilman Greenlee with
25 regard to -- we are in our stated meeting

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2 part of this gathering, and the Chair
3 recognizes Councilman Greenlee for the
4 purposes of asking for the adoption of an
5 amendment just discussed by Councilman
6 Clarke and distributed to everyone with
7 regard to Bill No. 070203.

8 COUNCILMAN GREENLEE: Thank
9 you, Madam Chair. I move the adoption of
10 the amendment to Bill 070203 just
11 previously discussed.

12 (Duly seconded.)

13 COUNCILWOMAN BLACKWELL: It has
14 been moved and seconded that the
15 amendment to Bill No. 070203 be adopted.

16 All in favor say aye.

17 (Aye.)

18 COUNCILWOMAN BLACKWELL: And
19 the amendment is adopted.

20 The Chair now recognizes
21 Councilman Greenlee with regard to the
22 amended bill and its passage.

23 COUNCILMAN GREENLEE: Thank
24 you, Madam Chair. I move that Bill No.
25 070203 as amended be reported out of this

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2 Committee with a favorable recommendation
3 and that the rules of Council be
4 suspended to allow for first reading at
5 our next session of Council.

6 (Duly seconded.)

7 COUNCILWOMAN BLACKWELL: All in
8 favor will say aye.

9 (Aye.)

10 COUNCILWOMAN BLACKWELL: All
11 opposed?

12 (No response.)

13 COUNCILWOMAN BLACKWELL: The
14 ayes have it and, therefore, the bill is
15 amended. That is, Bill No. 070203 is
16 reported out of Committee with a
17 favorable recommendation and,
18 furthermore, a recommendation for the
19 suspension of the rules so as to permit
20 first reading at our next session of
21 Council.

22 Thank you all very much. This
23 will conclude our meeting and hearing
24 with regard to this bill on homesteading,
25 and our next hearing will be on

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2 inclusionary zoning, for many of you who
3 are here for that bill.

4 We thank you, members of the
5 Committee. That concludes this hearing,
6 and we ask for a few moments to set up
7 for the next hearing, and we'll begin
8 momentarily.

9 Thank you all.

10 (Committee on Finance adjourned
11 at 11:15 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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foregoing matter on November 28, 2007, and

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that this is a true and correct transcript of

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MICHELE L. MURPHY

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RPR-Notary Public

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