

Committee on Fiscal Stability and Intergovernmental Cooperation
June 9, 2021

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FISCAL STABILITY AND
INTERGOVERNMENTAL COOPERATION

Remote location using Microsoft® Teams
Wednesday, June 9, 2021
1:00 p.m.

PRESENT:

COUNCILMAN ALLAN DOMB, CHAIR
COUNCILMAN BRIAN J. O'NEILL, VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KENDRA BROOKS
COUNCILWOMAN HELEN GYM
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

RESOLUTION: 200406

1 - - -

2 COUNCILMAN DOMB: Good
3 afternoon, everyone. This hearing is
4 called to order. I want to recognize
5 the presence of a quorum of Committee
6 members. Members of the Committee in
7 attendance are Vice-chair Brian O'Neill,
8 Councilmember Cindy Bass, Councilmember
9 Helen Gym. Thank you for attending.

10 This is the public hearing of the
11 Committee on Fiscal Responsibility and
12 Intergovernmental Cooperation. The
13 purpose of this public hearing is to
14 hear testimony of Resolution 200406.

15 I understand that state law
16 currently requires that the following
17 announcement be made at the beginning of
18 every remote public hearing as follows:
19 Due to the current public health
20 emergency, City Council Committees are
21 currently meeting remotely. We are
22 using Microsoft Teams to make these
23 remote hearings possible.

24 Instructions for how the public
25 may view and offer public testimony at

1 public hearings of Council Committees
2 are included in the public hearing
3 notices that are published in the Daily
4 News, Inquirer and Legal Intelligencer
5 prior to the hearings and can also be
6 found on PHLCouncil.com.

7 Will the Clerk please read the
8 title of the resolution for this
9 Committee today.

10 THE CLERK: Authorizing the
11 Committee on Fiscal Stability and
12 Intergovernmental Cooperation to hold
13 quarterly hearings that include monthly
14 reporting requirements to discuss the
15 fiscal position and overarching social
16 impact goals of the City, including as
17 related to the Five Year Plan and the
18 reporting requirements set forth in the
19 Quarterly City Manager's Report, as
20 submitted to the Pennsylvania
21 Intergovernmental Cooperation Authority.

22 COUNCILMAN DOMB: Okay. Thank
23 you, Ms. Grbach. Please call the first
24 panel of witnesses.

25 THE CLERK: Our first panel

1 will be Harvey Rice, Rob Dubow and
2 Marisa Waxman.

3 COUNCILMAN DOMB: Thank you.
4 Please state your name and proceed with
5 your testimony. Mr. Rice, do you want
6 to go first.

7 MR. RICE: Thank you,
8 Councilman. Good afternoon, members of
9 the Fiscal Stability and
10 Intergovernmental Cooperation Committee.
11 My name is Harvey Rice. I'm the
12 Executive Director of the Pennsylvania
13 Intergovernmental Cooperation Authority,
14 the state oversight agency for the City
15 of Philadelphia.

16 Again, thank you for allowing
17 me to testify today and to speak about
18 PICA's report on the Quarterly City
19 Manager's Report for the third quarter
20 Fiscal Year 2021, which encompasses the
21 months January, February and March as
22 well as PICA's reports on City revenues
23 and obligations for the month of April
24 and overtime costs through April.

25 I have prepared as I've done in

1 the past a short PowerPoint presentation
2 with the highlights of our reports, so
3 let me go through them for you. Okay.
4 The numbers, as we've seen through the
5 third quarter, the fund balance actual
6 in FY20 was 290 million. Right now it
7 stands and is projected to be, it's 51.7
8 million, a little higher than the Five
9 Year Plan projection of 51.3. And if
10 you remember, it dipped in I think the
11 first quarter down to 29 million, but
12 then has shot back -- gained some more
13 revenues into the fund balance.

14 Revenues stand through the
15 third quarter a little over 3 billion, a
16 little lower than in FY20. But
17 remember, in FY20 that was the end of
18 March, and the pandemic really didn't
19 hit until after March with our revenue.
20 And the projection in the Five Year Plan
21 is 4.6 billion. And obligations were at
22 3.7 billion in '21, a little lower than
23 what we've spent so far in FY20.

24 This just shows you the
25 revenues and the obligations by actual

1 for '20, which was 4.833 billion for the
2 third quarter. The FY21 projections are
3 4.5 billion and the projection for
4 Quarter 3 are -- so the planned
5 projections were 4.5, and the
6 projections for the third quarter are
7 4.6. And then the obligations, again
8 the actual was over 5 billion, a little
9 over 5 billion. And Five Year Plan
10 projection for '21 is 4.8. And we're
11 spending over that at 4.9 for the third
12 quarter.

13 Our General Fund summary, as
14 you can see revenues are projected to
15 increase 16.8 million from the original
16 Five Year Plan projection. Obligations
17 are projected to increase 124.9 million
18 from the original Five Year Plan
19 projection, and that's what we first
20 compare it to, is what was submitted to
21 the Board, to PICA. The authority and
22 the Board voted on the adoption of the
23 plan back in last July.

24 The third-quarter projected
25 fund balance as I mentioned earlier is

1 51.7 million, very close to what was
2 originally projected in the Five Year
3 Plan. And then our revenues, tax
4 collections are projected to increase by
5 66.1 million from the Five Year Plan,
6 primarily due to projected decreases in
7 wage and earnings tax. Local generated
8 nontax revenue is also projected to
9 decrease by almost 11 million. And this
10 is primarily due to reduced collections
11 by the Sheriff's Office and the First
12 Judicial District. Revenues from other
13 governments projected to increase by
14 almost 70 million from the Five Year
15 Plan projection. That's primarily due
16 to CARES Act reimbursement money. And
17 the same with revenue from other funds
18 projected to increase by 24 million, and
19 that's primarily due to the infusion of
20 the American Rescue Plan funds.

21 And then we look at project
22 obligations by class. Wages are
23 projected to increase by 33.6 million
24 from the Five Year Plan, primarily due
25 to higher wage cost and overtime cost.

1 Contracts, purchases of services are
2 projected to increase by 34.8 million
3 from the Five Year Plan, so that brings
4 total obligations, as I said, 124.9
5 million over what the Five Year Plan
6 projection was when it was submitted.

7 Then we look at staffing on a
8 quarterly basis and on an annual basis.
9 And as you can see, staffing because of
10 the hiring freeze during the pandemic
11 has dropped during this fiscal year.
12 And I think we're almost at levels of
13 what they were in FY17.

14 Overtime, as you know overtime
15 has been a major concern with the Board
16 and the PICA staff these past few years.
17 Overtime costs through the third quarter
18 were lower than the quarter of last year
19 by almost 9 percent. However, it's
20 projected that overtime will probably
21 exceed at \$187 million for the year.
22 While that's lower than what they spent
23 last year, it's higher than we would
24 have thought that overtime cost would be
25 during the pandemic, and realizing that

1 most people were working from home.

2 So here's the City tax revenue
3 through April. This gives you a better
4 sense or a more up-to-date sense of
5 where we are with our revenues. The
6 City collected almost 513 million in
7 revenues in April, far more than in
8 April of 2020, which was 287 million, so
9 it gave us an increase of 225 million
10 over April of last year.

11 However, you can't compare
12 apples to apples on this. The timing
13 issues of payments for real estate taxes
14 and the Business Income and Receipts
15 Taxes are shifting collections to
16 different months, so it's not fair to
17 compare them. However, one bright side
18 that we saw is that real estate tax came
19 in better than projected. The
20 delinquency rate wasn't as high as we
21 thought would happen during this
22 pandemic. And the Business Income and
23 Receipts Tax, the BIRT tax, is also
24 coming in good. And that's I think
25 primarily due to the corporate earnings

1 tax doing so well. And then the real
2 estate transfer tax did better in April
3 than it has been in the past few months,
4 so that's a hopeful sign.

5 Now, obligations through the
6 end of April, the City expended almost
7 3.8 billion and encumbered an additional
8 almost 230 million, which amounted to a
9 total of almost 4 billion or over 80
10 percent of the \$4.9 billion FY21 budget.
11 This is lower than the analyzed monthly
12 spend of 83.3 percent, and 193 million
13 less than what was obligated the same
14 time last year.

15 Then when you look at 12
16 departments with the highest budgets,
17 and they count for 3.5 billion of that
18 figure that I gave of the total
19 obligations. And so, that's what this
20 chart represents. Then we look at
21 department overtime, and every month and
22 this is what we see for the month of
23 April, as you can see overtime costs as
24 of April in 2020 was 167. There are 152
25 or almost 153 million for FY21, so we're

1 down about 15 million which is good,
2 which is about a 9 percent reduction
3 since last year in overtime.

4 So if there's any questions,
5 I'm here. Feel free to ask me. We're
6 pleased to answer them for you.

7 COUNCILMAN DOMB: Thank you,
8 Mr. Rice, for your testimony. I have a
9 few questions, and then I can open it
10 up. In your opinion, the PICA Board,
11 what would you say should be our biggest
12 concern looking at from your reports?

13 MR. RICE: I think the biggest
14 concern is the fund balance. That's one
15 of the areas that we definitely look at
16 every month and every quarter. It is a
17 big factor when we review and analyze
18 the Five Year Plan. As you know when
19 the pandemic hit, we were sitting with a
20 fund balance of 438 million, which
21 helped us get through this pandemic
22 without as much hardship that we're --
23 we experienced hardship, but not as
24 significant as it would be without a
25 fund balance, so that is a significant

1 factor. And the City was doing well
2 with fund balances in the years
3 preceding the pandemic, and we need to
4 see that those fund balances get back up
5 to more comfortable numbers, so that
6 when events such as this hit the City,
7 we're able to weather it as best we can.

8 COUNCILMAN DOMB: Okay. I have
9 a couple other questions for you. You
10 have your overtime chart up. If I'm
11 reading this correctly, it looks like in
12 '21, Police and Fire represented about
13 two-thirds of the overtime in the City.
14 And I'm also seeing that the Prisons
15 overtime actually reduced pretty
16 dramatically for them on percentages.

17 What other suggestions do you
18 have -- and also the Sheriff's
19 Department looked like it reduced pretty
20 dramatically also.

21 MR. RICE: Right.

22 COUNCILMAN DOMB: What other
23 suggestions do you have on this
24 overtime? And again, I know this has
25 been a big topic with PICA and with some

1 of your Board members. Any other
2 suggestions on how you think we can
3 manage the overtime better?

4 MR. RICE: I think one is
5 better monitoring, better controlling,
6 better authorization procedures, better
7 budgeting of overtime. During our Five
8 Year Plan process, we have the number of
9 departments come as you do -- you have
10 every department, City Council does --
11 but we have departments come to
12 meetings, and it was interesting with
13 our meeting with Streets Department how
14 they are trying to control overtime by
15 having a better attendance policy for
16 their workers and they want to bargain
17 with the union on that. And they did a
18 pilot for a couple of months and it
19 shows that when that attendance policy
20 was in effect, overtime dropped.

21 So it's departments looking at
22 creative ways to, one, better budget it,
23 two, better monitor it, an approval
24 process and then other ways of
25 instituting new measures that could also

1 help control overtime costs.

2 COUNCILMAN DOMB: Can you go to
3 the chart on the revenues and the
4 collections I think you had up.

5 MR. RICE: Sure.

6 COUNCILMAN DOMB: Also, I want
7 to recognize Councilmember Squilla.

8 MR. RICE: This chart,
9 Councilman, the revenues through April?

10 COUNCILMAN DOMB: I guess my
11 question here was on the real estate
12 taxes. Do you know the collection rate
13 that was the final rate of 2020, but we
14 actually collected of what we billed in
15 real estate tax? Do we have an idea?

16 MR. RICE: For 2020, I think it
17 was around 96 percent.

18 COUNCILMAN DOMB: That's great.
19 That's really good. I remember when I
20 first got into Council --

21 MR. RICE: I think what I
22 understand from the City we haven't
23 gotten the final number yet, but we're
24 close to that for FY21, of what was
25 collected in this fiscal year. So I

1 think that's a, as we say, positive sign
2 with the City's revenue collections.

3 COUNCILMAN DOMB: I got to tell
4 you, Mr. Rice, that's amazing. Because
5 I remember when some of my colleagues
6 who came in, in '16 the collection rates
7 were 89 to 90 percent.

8 MR. RICE: Yes.

9 COUNCILMAN DOMB: To get 96
10 even through a pandemic -- actually
11 also, I think it leads to the issue that
12 that is a much more stable base than
13 wage or business taxes, which fluctuate
14 dramatically. I wanted to ask you that
15 question. The BIRT tax for 2020 versus
16 2019, do you have those figures?

17 MR. RICE: I don't have
18 2019's in front of me.

19 COUNCILMAN DOMB: Is there any
20 tax on this chart -- I'm just looking at
21 it for the first time -- that really
22 concerns you on the collection area?
23 Some of them are lower numbers, but most
24 don't seem that terrible to me. Even
25 the wage, it looks like wage is up 80

1 percent.

2 MR. RICE: Right.

3 COUNCILMAN DOMB: What was wage
4 in 2020 versus 2019? Do you have any
5 idea of what we wound up on wage?

6 MR. RICE: I'm not sure. I
7 don't have the revenues for --

8 COUNCILMAN DOMB: Do you have
9 any statistics as to how many refunds we
10 may be looking at for the wage tax from
11 people who live in the suburbs and have
12 not worked in the City?

13 MR. RICE: I think the last
14 time that we were briefed, I think it's
15 around 70 million of wage refunds
16 submissions for nonresidents for the
17 fiscal year during the -- or for last
18 year for the pandemic.

19 COUNCILMAN DOMB: Okay. I also
20 want to recognize I believe
21 Councilmember Gym is present also I see.
22 Thank you for being here.

23 Transfer tax, realty transfer
24 tax, I'm just looking at -- I'm shocked
25 the difference, because this is from

1 January 1 to April 30 basically?

2 MR. RICE: This is the fiscal
3 year.

4 COUNCILMAN DOMB: Fiscal, okay.
5 It's up so dramatically --

6 MR. RICE: So it's from last
7 July 1st to the end of April.

8 COUNCILMAN DOMB: But it was
9 like 14.4 versus 25?

10 MR. RICE: Right, 25 million in
11 FY21 and 14.4 in FY20.

12 COUNCILMAN DOMB: Okay. Let's
13 go to the expenses for a minute. I know
14 it's Page 12, I think it is.

15 MR. RICE: Yeah. Okay.

16 COUNCILMAN DOMB: At the end of
17 the day, the revenue for the 2020 versus
18 our expenses, what was the loss or delta
19 that we had to make up? Is it about
20 \$250 million of loss? What was the
21 actual number?

22 MR. RICE: I think I have it
23 somewhere in here.

24 COUNCILMAN DOMB: Mr. Rice, if
25 you don't have it, I can ask Rob or

1 Marisa. I'm sure they have that number
2 too.

3 MR. RICE: I think you're in
4 the ballpark, Councilman.

5 COUNCILMAN DOMB: All right.
6 Are there any other questions for
7 Mr. Rice?

8 (No response.)

9 COUNCILMAN DOMB: Seeing none,
10 thank you for your presentation today.
11 It's always --

12 MR. RICE: Thank you.

13 COUNCILMAN DOMB: Thank you so
14 much, and thank you to the PICA Board
15 for all the work you guys do.

16 MR. RICE: Thank you for having
17 us back.

18 COUNCILMAN DOMB: Sure. We'll
19 keep having you.

20 MR. RICE: Go Sixers.

21 COUNCILMAN DOMB: Great game.
22 Anyway, let's hear from Rob Dubow and
23 Marisa next.

24 MR. DUBOW: We also have a --
25 I'm sorry. I should introduce

1 ourselves. My name's Rob Dubow. I'm
2 the Finance Director. Thank you for the
3 opportunity to testify about our
4 quarterly report and give you an update
5 on our finances. With me today is
6 Marisa Waxman, who is the City's Budget
7 Director. We have a presentation, but
8 we'll go through it quickly because a
9 lot of it is going to be repetitive with
10 what you went through with Harvey, and
11 we'll try to answer some of your
12 questions as we go through.

13 So on Slide 2, a basic overview
14 of revenues and expenses. And as you
15 can see, our projections are that they
16 will come in essentially where we budget
17 them, and that our fund balance will be
18 pretty much where we said it was going
19 to be in the adopted budget. But as
20 Harvey said, there's a real challenge
21 there. That fund balance is much lower
22 than it should be.

23 Our internal target is to be at
24 6 to 8 percent of spending, and kind of
25 the government's best practice is more

1 like 17 percent, and we're probably
2 going to finish this year at only around
3 1 percent, so that's a real challenge.
4 The next slide, Slide 3, graphically
5 displays where we were and where we
6 think we'll be at the end of this year
7 and why that's a problem.

8 So as Harvey said, at the end
9 of FY19 heading into the pandemic, we
10 were at about \$439 million. As you can
11 see from the graph, that's above our
12 internal target, the high part which
13 would have been about 382 million, still
14 well below best practice, which would
15 have been close to 811 million but that
16 gave us some cushion, which meant that
17 what we went through wasn't as horrible
18 as it could have been when we saw our
19 revenues go down at about \$750 million.
20 That obviously had an impact by the end
21 of FY20.

22 And remember, FY20 there was
23 really only one quarter that was hit by
24 the pandemic, so we had three quarters
25 that were really strong and were looking

1 really good, and then everything just
2 kind of fell off a cliff. So because
3 those first three quarters were so good,
4 we ended up the year just below our
5 internal target. To get to our internal
6 target, we only needed about 302
7 million. We wound up at 291. Again,
8 well below the higher part of the target
9 and really far below best practice.

10 For this year now with 15
11 months of the pandemic hitting our
12 finances, we're now projecting a fund
13 balance of only about 51 million. And
14 you can just see looking at where that
15 is compared to where we want to be and
16 where the best practices are that it's
17 really just a fraction.

18 So what that means is that we
19 have very little cushion, and that if
20 things go badly, we don't have any
21 protection and we start to have to do
22 much uglier things than we had to do
23 before. With that, I'm going to flip it
24 over to Marisa to walk through some of
25 the details on our revenues and

1 expenditures.

2 MS. WAXMAN: Great. Thank you,
3 Rob. And I'm Marisa Waxman, Budget
4 Director. So the third quarter of FY21,
5 we brought in \$1.42 billion. That was
6 about \$50 million more than the third
7 quarter last year, so not much going on
8 there. Our year-end projection for
9 revenues is \$4.6 billion. It's a little
10 bit more than the adopted budget and
11 really virtually no change since last
12 year. I think the big headline is for
13 the most part there are significant
14 changes from in this compared to what we
15 presented in the FY22 budget proposal.

16 There have been some revisions
17 to revenues because we did start to draw
18 down some of those American Rescue Plan
19 dollars, this year about 26 million.
20 Harvey did mention that while we are
21 ending up with the fund balance about
22 where we had had it in the adopted
23 budget, it's been a bit of a
24 roller coaster to get there.

25 So good news was some

1 additional revenues from the American
2 Rescue Plan, but there were some areas
3 where obviously we had less revenues
4 than we initially thought. For example,
5 due to the court order pause in
6 sheriff's sales, we had some reductions
7 for our locally generated nontax, also
8 that estimated wage tax refund request.

9 So overall, our year-to-date
10 revenues are pretty close when you're
11 looking on a percentage basis target.
12 Budget had suggested about 3 billion in
13 the door. By the end of March, we had
14 slightly over that. And so, things have
15 been going pretty well. Taxes have been
16 of a mixer.

17 Some changes we've made since
18 the last City Quarterly Manager's
19 Report. Number one was accounting for
20 those expected refunds from nonresident
21 Philadelphians. And so, you had asked
22 how many of those had come in so far.
23 Between the ones we've already granted
24 and the ones that we've received that
25 are still in process, it's about \$80

1 million so far.

2 We've budgeted for about 125,
3 and obviously since the IRS pushed back
4 their filing deadline to late May, we're
5 still seeing stuff in so we're not at
6 the end of the road. But that 80
7 million was about close to 30,000
8 commuters requesting refunds there, so
9 that's the data there.

10 In terms of revenues where we
11 are, I would say generally we don't have
12 any known challenges that are going to
13 keep us from meeting all of our targets
14 from this year, but there are two open
15 questions. One is those wage tax
16 refunds and the other is our BIRT.
17 While we've got money coming in with
18 that later-than-normal tax deadline,
19 we're still in the process of
20 processing, and we'll also see what sort
21 of credits and refunds folks are
22 requesting there. Just for scale, in
23 recent years sometimes those refund
24 requests can be up to \$40 million and we
25 don't know that until later.

1 In terms of our obligations,
2 our spending, again we're just pretty
3 much on track with our target budget.
4 There were some increases offset by new
5 revenues. So we have a portion of our
6 sales tax that is dedicated to the
7 pension. And good news, the sales tax
8 was a bit higher than expected, so it
9 meant our spending for those pension
10 contributions was also a bit higher. So
11 not really an impact on our operations
12 or our fund balance, but just more sort
13 of us making sure our numbers stay
14 up-to-date. So our year-end projection
15 for our spending is at about 4.93
16 billion. It is a squidge less than what
17 we had in our target budget. And really
18 that 26 million we're drawing down from
19 the ARP that we got from the American
20 Rescue Plan, it's helping us offset some
21 higher cost scenarios like the Prisons,
22 District Attorney's Office and
23 Procurement.

24 The Procurement one, you might
25 say that's unusual. That's mainly

1 advertising costs that we testified
2 about in the mid-year transfer
3 ordinance, \$1 million of that tied to
4 the Presidential election. Overtime, as
5 Harvey mentioned, is down compared to
6 the prior year. And this is where we
7 really see a mixed bag. Obviously, we
8 have parts of City government operations
9 that have not been happening the way
10 that they normally -- well, actually
11 nothing is happening as normal. Some
12 areas, significantly less activity, so
13 less overtime.

14 Others, particularly in public
15 safety areas, a lot more. We have a
16 fire department that's been helping with
17 vaccinations. That wasn't something
18 they did last third quarter. And so,
19 one of the things to remember is that,
20 yes, while some folks are working from
21 home, that's about 1 in 5 Philadelphia
22 City employees. About 80 percent are
23 frontline workers, have been out there
24 meeting service needs and having normal
25 activity, plus pandemic response-related

1 activity. So in general, that means
2 that our year-to-date overtime is about
3 4-and-a-half percent less than it was
4 last year as those all pan out.

5 Now, the flip side with
6 overtime is also looking at leave usage,
7 how many folks are actually available to
8 work because sometimes you need more
9 overtime if you have less staff
10 available. And this is where we see a
11 lot of the real impacts of the pandemic,
12 as our staff are dealing with their own
13 personal health, child care needs for
14 themselves, care for family members,
15 quarantine and isolation requirements,
16 we are seeing some real variation or
17 differences than you might expect in
18 leave usage, who's able to show up
19 versus who's not.

20 We don't have a good comparison
21 last year, because last year third
22 quarter we were all transitioning to
23 remote work and doing all sorts of
24 things, so we didn't do this data
25 analysis last year. But you can see

1 Prisons is the highest at over 30
2 percent. Register of Wills, 96 percent
3 of the time they were available for work
4 in the third quarter.

5 And another piece of this
6 who's-available-for-work puzzle is how
7 many staff we have off. Harvey
8 mentioned the hiring freeze that we've
9 had. And so while our budget, as
10 adopted, expected over 30,000 City
11 employees, close to 24,000 in General
12 Fund alone, we are significantly below
13 that number by about 4,000 -- or I'm
14 sorry, 3,000 positions, and that's a
15 decrease in the number of filled
16 positions by last quarter as well as
17 from this same time last year. We're
18 down nearly 1,000 positions compared to
19 last year.

20 And so, obviously all of these
21 changes have impacts on our performance,
22 what are we doing. In our Quarterly
23 City Manager's Report, we collect 109
24 performance measures. 70 of those are
25 on track to meet or exceed their

1 targets. About a third, however, are
2 not. And a couple we're still getting
3 the data on. We do collect this
4 performance data across the full range
5 of City government operations, Public
6 Safety, our Children and Families
7 Services, Parks, Libraries, Planning and
8 Development infrastructure as well as
9 the back office support we provide, and
10 we have a bunch that, as I mentioned, 70
11 that are on track to meet and exceed.
12 And some of these are things like
13 Homeless Services where the percent of
14 excess to permanent housing destinations
15 from shelter are on track, were 41
16 percent in this last quarter, and our
17 goal is to be over 40 percent for the
18 year.

19 Similarly, with License &
20 Inspection, their time frame for issuing
21 residential permits, that has been going
22 really well. Obviously, an interplay
23 there with demand. And then the 311
24 call center is still getting pretty rave
25 reviews in terms of their score for

1 tickets and the quality of service that
2 they're providing, so that's all great.
3 But we obviously know that the City has
4 been tremendously impacted by COVID, and
5 that's really having impact on the
6 Department's ability to meet their
7 performance goals.

8 Some areas where we're really
9 seeing that we are off track of our
10 prepandemic expectations is things like
11 the Free Library. Our inperson visits,
12 not surprisingly when you close the
13 libraries, significantly lower than our
14 initial target. And then everyone
15 remembers last summer when we really
16 struggled with tax collection, where
17 obviously like many other departments we
18 had the staff availability challenges.
19 But simultaneously as Philadelphians
20 responded to the stay-at-home order,
21 they started generating a lot more trash
22 at home, which really increased the
23 tonnage. And so, our on-time recycling
24 and trash rates really struggled.

25 And so, you can see here if you

1 look at our recycling rate, it has
2 improved at 8.5 percent in the third
3 quarter, which is a 21 percent increase
4 over last summer, but still falls below
5 the target of 10 percent of self-
6 diverted to recycling, and the tons that
7 we are collecting in terms of recycling
8 has gone up dramatically, nearly doubled
9 since the first quarter of this year,
10 but still well below what we would have
11 targeted. So performance continues to
12 be a challenge operating in this
13 environment.

14 So I've been talking through
15 where we were at the end of the third
16 quarter, which is what is reflected in
17 our recently released Quarterly City
18 Manager's Report. But obviously, we
19 look nearly realtime at our budget,
20 particularly as we get close to the end
21 of the fiscal year. So I wanted to give
22 you a snapshot in terms of spending
23 through the end of May.

24 So at this point, we've spent
25 through the end of May 85.6 percent of

1 our General Fund budget, 4.9 percent in
2 the last month alone. And 12 months a
3 year you would on average expect us to
4 be spending about 8.3 percent, but it's
5 not totally even. We have certain
6 departments that have very seasonal
7 either staffing needs or they make
8 certain payments a couple times a year.
9 For example, our debt service happens in
10 two big chunks normally. We make four
11 big quarterly payments to the School
12 District and SEPTA, so it's not even
13 over the month.

14 But in general, we are
15 continuing to be really on track of
16 where we would expect to be, nothing of
17 particular concern. When we look
18 department-by-department looking at
19 total spending through May, great news,
20 nobody's over 100 percent yet, and that
21 most departments are beneath where you
22 would be for eleven-twelfths of the year
23 having passed. There are a couple of
24 departments where you'll see things pop
25 a little bit up. Usually there's good

1 explanations for that. Departments like
2 DBHIDS, because they work with so many
3 providers and so much of their budget
4 goes that way, some of those dollars are
5 encumbered almost in July, so they've
6 been sort of nudging up against the top
7 for most of the year. So that's their
8 total of appropriations. It includes
9 their staffing costs, contract costs,
10 everything.

11 And you can see some of the
12 other things in here. As I mentioned,
13 sinking fund which is where we make
14 those debt service payments. 91 percent
15 of their obligations are done mainly
16 because they've already made their debt
17 service payments for the year.

18 When we're looking at just the
19 Class 100 in isolation, you can see here
20 for the most part we're seeing a lot of
21 departments who are at or below where
22 you would expect to be eleven-twelfths
23 of the year-end. Some things might jump
24 out at you as a little bit odd if you
25 look at, say, the DHS payroll. There is

1 a lot of transferring of costs between
2 the grants fund and the General Fund, so
3 that's all going to move around as we
4 close out the books at the end of the
5 year.

6 In terms of ones that are
7 getting closer, but again nobody is over
8 100 percent at this point in the year,
9 some questions around City Commissioners
10 that obviously had a very unusual year
11 with how the elections unfolded.

12 There's also some, you know, we're
13 seeing a bit in some of our other
14 elected officials. But generally, we
15 think everything is manageable. What
16 these charts are telling us is that we
17 are on track to basically stay where we
18 expect to be in terms of our spending,
19 our revenues with those caveats about
20 still waiting for the wage tax refunds
21 at BIRT, and hit that \$51.7 million fund
22 balance, which as Rob mentioned is
23 important to hit, but still far, far
24 below where we would want to be given
25 that there is still some uncertainty for

1 the City's economy and the global
2 economy going forward.

3 So where we are at this point
4 in thinking about the City's fiscal
5 stability, obviously we are still in the
6 midst of the FY22 budget process. We're
7 working together with Council and the
8 Administration to get the budget
9 finalized by July 1. That's the point
10 at which really the PICA Board picks up
11 the baton to review and then hopefully
12 approve the Five Year Plan within 30
13 days of passage of the budget. And that
14 plan, in order for them to give it a
15 favorable review, must be based on
16 reasonable assumptions. We can't be
17 crazy about what we think the economy is
18 going to do and what's going to happen.
19 It has to be balanced in all five years.
20 And as you know, PICA's approval or
21 disapproval can really swing hundreds of
22 millions of dollars in City revenue, so
23 it is something that really is critical
24 for us to achieve.

25 There is one more sort of

1 variable that is out there that is
2 really going to have an impact on
3 balancing that plan and the budget, and
4 that is the collecting bargaining
5 agreement. All four of the City's union
6 contracts expire at the end of this
7 month. Because we anticipate the new
8 contracts that begin July 1, we'll have
9 some additional costs we have built into
10 the FY22 budget, a \$25 million labor
11 reserve, and actually over the course of
12 our Five Year Plan, a \$200 million labor
13 reserve. And so, that is one more thing
14 that is as we are thinking about the
15 City's fiscal stability as we move into
16 FY22, clearly a critical component
17 there. So that's where we are at as we
18 wind down FY21. Thank you.

19 COUNCILMAN DOMB: Thank you,
20 Marisa, and thank you, Rob. I have a
21 few questions.

22 I want to mention that
23 Councilmember Kendra Brooks joined the
24 meeting, thank you, and Councilmember
25 Quinones-Sanchez and Councilmember David

1 Oh, so thank you for all joining.

2 The (inaudible) terms, this is
3 Rob or Marisa. In 2020, revenues less
4 expenses, bottom line what is the
5 shortfall?

6 MR. DUBOW: Sorry. You broke
7 up a little.

8 COUNCILMAN DOMB: Revenues
9 versus the expenses in 2020, what would
10 you say that shortfall was?

11 MR. DUBOW: If you look -- it's
12 easier to look at it if we go back to
13 Slide 3. It shows that our fund balance
14 went down by about \$140 million from '19
15 to '20, and that was one quarter of the
16 pandemic. You can see between '19 and
17 '21, that fund balance has gone down by
18 almost \$400 million, and that's
19 including all the actions we took to
20 make sure it wasn't worse than this.

21 COUNCILMAN DOMB: So bottom
22 line, you're saying that the revenues
23 less expenses were what? What number?

24 MR. DUBOW: From '19 to '21,
25 it's 380 million -- \$380 million less in

1 revenues than in obligations.

2 COUNCILMAN DOMB: And what are
3 you projecting for this year?

4 MR. DUBOW: For '21?

5 COUNCILMAN DOMB: Yeah.

6 MR. DUBOW: Yeah, we're
7 projecting to wind up at that 51
8 million, which would be -- meaning that
9 this year revenues were less than
10 obligations by about 140 million. But I
11 do want to add that that number would
12 have been much worse if we hadn't taken
13 the budget balancing actions that were
14 included in the FY21 budget.

15 COUNCILMAN DOMB: Okay. So
16 just give me -- what I'm looking for is
17 kind of bottom line, the revenue of '20
18 less the expense of '20, the revenue of
19 the '21 less the expense of the '21.
20 What are those?

21 MR. DUBOW: Yeah. That's that
22 drop from 438 to 51.

23 COUNCILMAN DOMB: Is that the
24 total between the two periods?

25 MR. DUBOW: Yeah.

1 COUNCILMAN DOMB: So that's the
2 380 you're talking about?

3 MR. DUBOW: Yeah. But again,
4 that's because we took action to make
5 sure it wasn't worse. When we looked at
6 FY20, when we started looking at this,
7 we were looking at a \$750 million drop
8 in revenues.

9 COUNCILMAN DOMB: Okay. And
10 then how much money so far have we
11 received from the federal government of
12 the 1.4 that we were supposed to receive
13 over the next 12 months?

14 MR. DUBOW: So we have received
15 570 million. We should be receiving
16 another 130 million within the next week
17 or so.

18 COUNCILMAN DOMB: So we got
19 about 700 this year and 700 in 12
20 months?

21 MR. DUBOW: That's right.

22 COUNCILMAN DOMB: In simple
23 math, if we were replenishing the
24 reserve, you would say that 700 minus
25 380 is what we available to spend this

1 year, correct, if that was just simple
2 math?

3 MR. DUBOW: If it was simple
4 math, but we don't look at just one year
5 at a time. We looked at our five year
6 plan. And when we did projections out
7 for the five year plan, we were looking
8 at \$1.5 billion gap. So the 1.4 billion
9 is an incredible lifeline for us. It's
10 not enough to get us back to where we
11 were even because it doesn't even fill
12 the gap that we're projecting over the
13 five years.

14 COUNCILMAN DOMB: Let me just
15 drill down, let me use the words, the
16 loss of '20 versus the cash flow loss of
17 '21. What would be the cash flow
18 projected loss of '21? Of that 381, how
19 much was lost in '20, how much of that
20 was in '21?

21 MR. DUBOW: So '20 you would
22 have been 140 million, and '21 would be
23 240 million.

24 COUNCILMAN DOMB: What do you
25 think it's going to be in '22? What's

1 your projection?

2 MR. DUBOW: In '22, we're
3 projecting we all get back up over 100
4 million. We'll have a positive fund
5 balance.

6 MS. WAXMAN: But that will
7 include drawing down those relief
8 dollars.

9 MR. DUBOW: Correct.

10 MS. WAXMAN: Absent those, we
11 have projected about a 450 million gap.

12 MR. DUBOW: Right. And
13 actually even in '21, we're starting to
14 draw down those dollars. There's about
15 26 million that we're drawing down. So
16 without that number, we'll be more like
17 25 million.

18 COUNCILMAN DOMB: Do you have a
19 chart on the revenues in this analysis?

20 MS. WAXMAN: This is the year-
21 to-date?

22 COUNCILMAN DOMB: Yeah, that's
23 it. So in your budget you were at 3
24 billion, and so far we're just slightly
25 above, 3.07.

1 MS. WAXMAN: Yeah. So we're
2 pretty much in terms of where we thought
3 we would be for '21 is where we are,
4 which is good. Obviously, that's not
5 where we wanted to be prepandemic. But
6 through careful monitoring we're making
7 sure that our projections are staying
8 up-to-date with what's realistic.

9 COUNCILMAN DOMB: I guess my
10 question is probably difficult to
11 answer, but I'll ask it anyway. And
12 that is, the whole question here is how
13 quickly will this economy bounce back,
14 which we don't know, but we know this
15 Friday the mask requirements are going
16 away. So any thoughts on that, on what
17 you're seeing on collections of taxes in
18 all the different categories?

19 MR. DUBOW: Yeah, and I can
20 give a broad answer. We don't think
21 that we'll get back to where we were in
22 until FY23, just where we were. So much
23 less where we thought we would have been
24 including growth. So in terms of
25 looking at what the Five Year Plan would

1 have been, we're just going to be way,
2 way behind where that was. Marisa, if
3 you have more details.

4 COUNCILMAN DOMB: Which of the
5 three or four taxes do you think you're
6 going to lag the most? What areas do
7 you think we will suffer the most in?

8 MS. WAXMAN: I can certainly
9 get back to you on that because we do
10 over a five-year plan have some
11 variations. Some of them get back by
12 FY23. Some take longer, '24, '25. Off
13 the top of my head, I forget which is
14 which, but we've been working with a
15 team of economists at IHS Markit, who
16 works with Pennsylvania on their
17 projections and actually is a global
18 kind of metrics firm.

19 And so, they're helping us look
20 at the interplay between -- there's both
21 when rules are relaxed and businesses
22 and individuals can do things that they
23 used to, but they're also really making
24 sure we're being thoughtful about the
25 fact that just because people can

1 doesn't mean that their behavior is
2 going to shift immediately or that it
3 will resume back to where it was. And
4 so, that's why two parts of this, we've
5 got an assumption that, say, 15 percent
6 of our nonresident wage tax never comes
7 back as folks are changing the patterns
8 of where work happens, that maybe
9 they're not in Philadelphia five days a
10 week. Maybe they're in zero days.
11 Maybe they're in three. And then across
12 the board we're expecting some permanent
13 shifts in our tax base as a result of
14 it. So while we think our dollars will
15 get back not in this coming year but
16 over time, we also anticipate some
17 permanent shifts.

18 COUNCILMAN DOMB: From the wage
19 taxes, Marissa, what do you think the
20 nonresident wage tax prepandemic, what
21 was that total number and what is 15
22 percent of that number, does that figure
23 look like?

24 MS. WAXMAN: So what I can tell
25 you off the top of my head is that about

1 prepandemic, about 40 percent of wage
2 taxes came from those nonresidents. And
3 so, that's the thing that we -- so I
4 think it's overall, we think 15 percent
5 of those don't come back. So let's say
6 if my math is right, 6 percent impact on
7 the wage tax, so 15 percent of 40
8 percent.

9 MR. DUBOW: I think it's about
10 \$100 million when we did the --

11 MS. WAXMAN: Yes.

12 MR. DUBOW: -- it's about \$100
13 million loss.

14 COUNCILMAN DOMB: And so far I
15 think you mentioned 80 million has been
16 refunded so far, correct?

17 MS. WAXMAN: Has been either
18 refunded or has been requested.

19 COUNCILMAN DOMB: So there
20 could be potentially in your estimation
21 another 20 million that could get
22 refunded?

23 MS. WAXMAN: So we actually
24 assumed in our projections about I think
25 120, 125 million. And so, that's what

1 our assumption was. We do think that
2 number comes down. Our assumptions for
3 FY22 are closer to 70 million, so we
4 think this year will be more, but still
5 next year.

6 COUNCILMAN DOMB: On the real
7 estate tax, we heard earlier from Harvey
8 Rice the 90 percent collection rate, so
9 this doesn't appear to me that there
10 would be any kind of shortage in real
11 estate tax collection; is that correct?

12 MS. WAXMAN: So what we're
13 seeing so far is luckily that where we
14 just had to since the last quarter of
15 the City Manager's Report is when we had
16 to put in that reduction in wage tax
17 over 100 million, we luckily were able
18 to balance that out with the real estate
19 tax, which has been performing a bit
20 better than we expected in terms of
21 collection rates as well as some of the
22 other taxes. I mentioned sales taxes
23 has done a bit better than we expected,
24 so not enough to offset those wage tax
25 losses and refund requests, but

1 certainly some support there.

2 COUNCILMAN DOMB: So all this
3 conversation really shows us that the
4 things that you taxed that can't move
5 are more stable than those things that
6 can be moved basically. Other than the
7 wage tax, I assume that's our potential
8 loss. What is the second and third
9 biggest potential tax losses that you're
10 calculating?

11 MS. WAXMAN: So in terms of --
12 there's sort of two questions there.
13 What are our largest tax stream, so even
14 a small percentage difference is really
15 impactful for us. And so, small
16 percentage difference in our BIRT, which
17 we expect more than a half billion
18 dollars from matters to us, and that is
19 historically volatile.

20 Other large significant streams
21 are our realty transfer tax. That's one
22 that very early on, as you know real
23 estate that can actually be stopped,
24 that really plummeted, but can actually
25 come back and stay fairly strong once

1 activity could resume, so that one has
2 been looking pretty good. We obviously
3 have some other taxes that the
4 percentage loss has been far more
5 dramatic.

6 You take our amusement tax. 85
7 plus percent of amusement tax comes from
8 a tax on the tickets for professional
9 sporting events when those were open or
10 open with very limited capacity.
11 Obviously, that went down dramatically.
12 However, that's luckily a much smaller
13 tax for us so even the much larger
14 percentage variation in collections
15 isn't -- that percentage loss and, say,
16 the wage tax devastating. That
17 percentage loss in the amusement tax is
18 still important, but not as much. And
19 so, as we see -- and one of the fun
20 things if you like to follow the
21 amusement tax collections is it turns
22 you into a sports fan because all you
23 want to see is for us to have playoff
24 games played at home. More games, more
25 tax. And so, as we're seeing the --

1 MR. DUBOW: There are other
2 reasons to want that too.

3 MS. WAXMAN: Fine. So you
4 start watching some of these sports.
5 And so, I think some of the tourism
6 related ones, those are the ones that as
7 regulation shifts and people's behavior
8 shift, I think are the ones we'll see
9 move sort of more quickly in realtime,
10 and we'll have a better sense. The
11 larger ones, I think, is going to be
12 really attached to a lot of larger
13 trends. When we think about how the
14 nature and location of work is shifting,
15 some employers might not really make
16 those decisions until their current
17 leases are up, and that might be several
18 years down the line.

19 So as much as we'd like to know
20 right now, hey, what's going to happen
21 and when, we know there is going to be a
22 lot of time before everything really
23 shakes out. There can be other impacts
24 in the economy in the interim, and
25 that's part of the reason really wanting

1 to make sure that we are not forgetting
2 that we need to build back up that fund
3 balance. Getting to the point we had it
4 at 439 million was so critical. We had
5 to make terrible decisions in this
6 fiscal year, but it would have been
7 twice as bad if we hadn't had that
8 cushion.

9 We don't have that cushion
10 right now, you know, around 1 percent of
11 fund balance. And so, making sure we're
12 thinking about how do we build that back
13 up over time for the next thing that
14 goes wrong, it's going to be really
15 important given that there's still
16 expected ongoing uncertainty.

17 COUNCILMAN DOMB: In terms of
18 dollars as we sit here today, we're 80
19 million short on the wage taxes, right.
20 What's the second or third largest
21 dollars we're getting percentages,
22 dollars in the City on these taxes that
23 we're not going to see?

24 MS. WAXMAN: So comparing our
25 estimates for '21 versus prior years?

1 COUNCILMAN DOMB: Yeah. In our
2 budget that we put together, where are
3 we falling short? We know wage tax is
4 one. What's two and three?

5 MS. WAXMAN: Let me look at --
6 let's see. So our wage tax, in FY20
7 which had that one bad quarter, our
8 total was 1.6 billion. This year we're
9 expecting a little under 1.4, so that's
10 significant. Some of the other areas
11 where we're expected to be a lot lower,
12 we're actually looking pretty fine and
13 decent.

14 Our BIRT, in FY20 we collected
15 534 million. Our current projection for
16 BIRT for this year is 516.7, so that's
17 off by about 18, 20 million. Our sales
18 tax, we're about even. But then our
19 realty transfer FY20, we were at 320
20 million and that included that last
21 really bad quarter, and we're only
22 projecting right now 299 million, so
23 about \$20 million off there.

24 So really as I'm looking at
25 these, similarly I think in the parking,

1 off about 20 million. Amusement, that's
2 one. Yeah, the amusement tax FY20, \$18
3 million in revenue this year projecting
4 2.2, so 16 million. So I would say the
5 wage tax is where the big dollars
6 shifted. A couple of other different
7 tax types, it's in the \$20 million range
8 for each, but you add those up and you
9 get real money.

10 COUNCILMAN DOMB: And wage tax,
11 did you say the wage tax original was
12 1.6 and you're looking at 1.4 in your
13 budget?

14 MS. WAXMAN: And this is the
15 wage tax and I'm talking about without
16 the PICA portion, so we can do a
17 different thing. Actually if you want
18 me -- in fact, let me include the PICA
19 portion. FY20 we collected 2.1 billion
20 from the City wage tax including the
21 PICA portion. This year we're
22 anticipating that we'll collect 1.86
23 million, so about \$140 million, so
24 that's the big one. And built into that
25 is those refund requests from commuters

1 who have been at the direction of their
2 employer working outside the City, some
3 of which we think is going to be
4 permanent.

5 COUNCILMAN DOMB: And is that
6 the basis of the refund, i.e.,
7 directives from your employer?

8 MS. WAXMAN: Yeah. And this is
9 not a change in how wage tax has worked
10 historically. If you are working inside
11 the City and you live outside, yeah. If
12 you're technically a Philadelphia
13 employee, but your employer said go work
14 outside the City because you got a job
15 out there because the office is closed
16 in Philadelphia, you've been directed
17 to, then it's not you. But if it's just
18 a perk, if it's just a choice, then the
19 tax is still there.

20 COUNCILMAN DOMB: So let me
21 make sure I understand the simple terms,
22 a law firm in the City, five lawyers
23 say, you know what, we're going to stay
24 out in the suburbs and work, it's not a
25 directive. Do we still collect their

1 wage taxes?

2 MS. WAXMAN: So even that can
3 get a little complicated. Is it the
4 partners who have set a new policy for
5 the firm that have controlling partners?
6 But if it's just like a random junior
7 associate who's just like, I'm allowed
8 to do whatever I want to, then the tax
9 would still be due. But if those are
10 the managing partners who have decided
11 that now we're captains remotely. And
12 lawyers are a good example of how we've
13 always done this, and we have audit
14 procedures in place because they might
15 be trying a case in a different county
16 and region and be outside. And so, it's
17 not necessarily new. It's just the
18 scale, the number of employees affected
19 and some employers who maybe didn't get
20 into figuring this out in the past.

21 COUNCILMAN DOMB: Let me ask
22 you another question: I saw on the
23 hiring screen, I don't know if it was on
24 your chart or Harvey Rice's chart, that
25 showed I think 3,100 less City workers.

1 Have we factored in the savings of that?

2 MS. WAXMAN: Yes. And it's
3 not -- as we're doing our Class 100
4 projections, we're seeing where we often
5 build in vacancy rates. And so, that is
6 often times included, and then we also
7 know that there's some offsets, that if
8 the work still has to get done, you
9 might see overtime come up or you might
10 see us shifting some of that work to
11 outside contractors, so that is
12 something that we monitor and we look at
13 as we're doing this.

14 COUNCILMAN DOMB: One last
15 question: I know that we had the
16 opportunity to get reimbursements for a
17 lot of the COVID-related expenses.
18 Would the Fire Department's overtime in
19 providing vaccinations qualify or those
20 don't qualify?

21 MR. DUBOW: I think they
22 qualify. We get reimbursements for
23 that.

24 COUNCILMAN DOMB: You will get
25 the reimbursements for the Fire

1 Department's overtime for vaccinations?

2 MR. DUBOW: I think we will,
3 yes.

4 COUNCILMAN DOMB: Not today,
5 but I'd like to get a separate itemized
6 budget of the reimbursements by
7 categories of the City and how much
8 we're getting back.

9 MR. DUBOW: Yeah, we can do
10 that.

11 COUNCILMAN DOMB: Okay. Are
12 there any other questions for this
13 panel?

14 (No response.)

15 COUNCILMAN DOMB: I don't think
16 so. I want to thank you both. Great
17 presentation. And I think you're trying
18 to drive home the point that we need to
19 build back up reserves, and I think
20 we're hearing that loud and clear. So
21 we'll do the best we can. Thank you
22 very much.

23 MS. WAXMAN: Thank you.

24 COUNCILMAN DOMB: I don't think
25 there's another panel, but I do have

1 some questions for the departments. So
2 I'm just going to outline an overview
3 what I'd like to see from each
4 department basically is -- I don't know
5 if the Police Department is present. Is
6 the Police Department present today?

7 DEPUTY COMMISSIONER COULTER:

8 Yes, Councilman. Christine Coulter is
9 here representing Commissioner Outlaw.
10 How are you today?

11 COUNCILMAN DOMB: Thank you
12 very much. So I know that your overtime
13 was down. Any other strategies on how
14 you plan on -- I know it's difficult in
15 public safety right now to manage that.
16 I know a lot of people are out. But I
17 guess I have two questions for you:
18 One, is the overtime increasing because
19 of the number of lack of recruits
20 basically for the police department, and
21 how do we manage this better from an
22 economic standpoint, but also making
23 sure we're providing the safety?

24 DEPUTY COMMISSIONER COULTER:

25 That has a bigger part in it. The less

1 cops we can have, the less cops we can
2 deploy on straight time, and therefore,
3 we have to cover some gaps with overtime
4 officers. We're currently down about
5 315 from our authorized strength and 500
6 from our previous strength of two years
7 ago, so it is a significant gap to make
8 up.

9 Some of the ability to keep our
10 numbers down had to do with the lack of
11 special events coupled with not as many
12 court appearances, but we look at every
13 other area that we can control like
14 number of people on cases, people going
15 to court, making sure that we're only
16 allowing those people completely
17 necessary for prosecution to be listed,
18 so there's ways -- I mean, every level
19 of approval that requires a supervisor,
20 whether it's two hours for a sergeant,
21 four hours for a lieutenant, captains
22 have to approve six hours or more. But
23 some of the circumstances that we dealt
24 with, with our significant rise in
25 homicides there's a lot more

1 investigative overtime that's needed
2 because there's still the same number of
3 people handling it and to save the
4 simple solution, we'll just put more
5 detectives in homicide. That pulls them
6 from every single division, putting us
7 still at that shortfall and to make
8 detectives as less cops on the street,
9 so they all kind of have that ripple
10 effect.

11 Our effort is always at least
12 to not ever overspend our Class 100
13 money, recognizing that our salary
14 lapses will cover a lot of the overtime
15 that we have to spend to cover for those
16 absences, but it's something that every
17 commander and every supervisor look at
18 every day to try and look at where we
19 can do something with either straight
20 time personnel or find a way to get it
21 done without using overtime.

22 COUNCILMAN DOMB: Okay. Well,
23 thank you. I kind of went out of order
24 a little. So I want to let the Clerk
25 call the next panel, and I may come back

1 to you, Deputy Commissioner.

2 So, Ms. Grbach, please call the
3 next panel.

4 THE CLERK: Okay. So the next
5 panel includes Christine Coulter, Adam
6 Thiel, Blanche Carney, Christopher
7 Newman and Ralph DiPietro.

8 COUNCILMAN DOMB: Okay.
9 Commissioner Coulter, if you want to go
10 right ahead with any presentation you
11 have or we can just do the questions,
12 whatever you would like.

13 DEPUTY COMMISSIONER COULTER:
14 Mine was merely the opening remarks and
15 then go to questions, so we're ready to
16 answer anything that you'd like. Just
17 thanking you for allowing us to be
18 represented here today, and I'm prepared
19 to answer any questions regarding Police
20 Department spending.

21 COUNCILMAN DOMB: Okay. So I
22 have a general question. It's going to
23 be for all departments. So I'll just
24 say it once and all of you can get the
25 idea. We're trying to meet our

1 operating goals on a regular basis, and
2 even before the pandemic we fell short
3 on the target on at least a third of our
4 goals and measures.

5 So no one's happy with those
6 performances, but from Council we really
7 don't see the departments working to
8 transform themselves to become more
9 efficient basically, so that kind of
10 work takes long-term planning. It
11 doesn't happen overnight. So when the
12 opportunity arises so that we can take
13 the initiative is really the key here.
14 It also requires resources.

15 So I'm curious if each of you
16 can give us kind of an overlay of the
17 departments that are presenting today
18 basically to answer the following
19 questions regarding the long-term
20 operational and financial planning of
21 your department: First, how many people
22 on your staff do this kind of long-term
23 planning in your department who comes up
24 with the plans to respond to persistent
25 shortfalls in performance and do they

1 report directly to you?

2 And secondly, how does that
3 planning get funded? Is it through a
4 departmental budget or part of the MDO
5 budget? And have there been any federal
6 dollars made available that could be
7 used to help you to plan for improving
8 our operations? Third, if the federal
9 government, state or even the City
10 Council make funding available for long-
11 term operational planning, what in your
12 department would you want to spend it
13 on? How do you want to invest it and
14 what aspect of your operation that needs
15 to be tweaked or transformed most
16 drastically to accomplish these goals?

17 So, Commissioner Coulter, why
18 don't you start.

19 DEPUTY COMMISSIONER COULTER:

20 Okay. Good afternoon again. With
21 regards to long-term planning, as much
22 as we make a great effort to try to do
23 it, we do wind up a lot of times being
24 shifted to brush fires and all the
25 things that happened that weren't in the

1 plan, and I think our public safety
2 partners are in a lot of the same boats,
3 that we have ideas of what we're going
4 to spend, how we're going to spend it.

5 And then something comes along
6 like civil unrest and all of a sudden
7 you went from being 5 million under
8 budget to 15 million over. So I think
9 that in a long-term plan we should be
10 looking at those averages over the years
11 of when those things happen and that
12 should probably be incorporated in our
13 budget to begin with, that we would know
14 that we like the City would have a
15 reserve, some money that if we don't
16 need it, it would get sent back, but it
17 would also be part of the knowledge of
18 knowing that it was there because it's
19 really a tough decision to say that we
20 spent \$10 million on protests and
21 therefore we're going to strip
22 neighborhoods of additional
23 crime-fighting officers in order to make
24 up that difference.

25 And quite often that's what you

1 look at, you say if it happens in
2 September, we have a whole year almost
3 to try to make that money up. But when
4 it happened last year in June, that
5 ability wasn't there. So I think a lot
6 of the decisions that are made city-wide
7 all affect each other, like the police
8 department handles special events. We
9 don't necessarily approve the permits.
10 But when those events happen, we have to
11 be able to police them along with our
12 partners.

13 So I think in that long-term
14 planning, I don't think it should be
15 stand-alone. I think all of public
16 safety should be sitting together saying
17 that when this happens, this is what we
18 anticipate, and ensuring that there is
19 that kind of major event, not
20 necessarily disaster, some events are
21 good things and still cost us money, to
22 make sure that we have a plan to say
23 that we're not going to have to
24 sacrifice public safety or community
25 coverage in order to cover those events.

1 So I think that will be a
2 critical component of it if we sit down.
3 Just like we plan for a special event
4 for all of those other things, whether
5 it's a terrorist attack or an event, the
6 logistics of traffic, I think we should
7 plan for those worst-case scenario
8 spending-wise and ensure that there's a
9 dedicated source.

10 And quite honestly, they're not
11 police events, so it's very hard for us
12 to limit what's going to happen, how
13 it's going to be run. But then
14 ultimately, we do have to staff it. And
15 ever since -- I don't even want to say
16 going back to 911, but when you go back
17 to things like -- the Broad Street Run
18 used to be a very simple run. People
19 would go on Broad Street and run down
20 the street, everybody would be happy,
21 and then we had a bombing in Boston.
22 And all of a sudden that went from a
23 very limited number of people staffing
24 that event to wide scale with no
25 addition in the budget to cover

1 something like that. It was something
2 done previous year and said, oh, this is
3 a piece of cake. We put some blocking
4 vehicles, some traffic. All of a sudden
5 it became something bigger.

6 So I think we have to look at
7 it a little bit less myopic and more
8 globally to say how all of public safety
9 cover the things that we need to cover
10 in these events and ensure that there's
11 a dedicated fund to cover them, not
12 stripping those essential functions that
13 we always need that overtime to
14 supplement.

15 COUNCILMAN DOMB: Okay. Thank
16 you. I have one or two more questions
17 for you. Then we'll go next to our
18 panel. The protests and following the
19 murder of George Floyd and the killing
20 of Walter Wallace, Jr. in West
21 Philadelphia I'm sure have inspired
22 operational policy changes in the Police
23 Department.

24 What efforts are we making to
25 really change the culture of the

1 Department so we make sure that this
2 doesn't happen again, especially what
3 happened with George Floyd, that pulling
4 the trigger isn't the first reaction in
5 Philadelphia, and that was my first
6 question? And what type of long-term
7 planning does the Department do to
8 proactively transform basically the
9 operations and culture so we aren't
10 reacting to tragedies as they arise?

11 DEPUTY COMMISSIONER COULTER:

12 The Police Department is completely
13 committed to reform and to make those
14 changes in not only the training of our
15 folks and in the culture of our
16 department, and there are so many
17 things, whether it's implicit bias
18 training, procedural justice. All of
19 the things that we're trying to
20 incorporate, even as much as the work
21 that we're doing with our mental health
22 responders and working with the
23 Department of Behavioral Health, just to
24 make sure that we always have the right
25 response, not necessarily the

1 traditional response.

2 We have someone embedded at
3 Police Radio now who's a mental health
4 expert who screens the calls to make
5 sure we're sending the right people.
6 We're making sure that if it's a CIT
7 job, that those officers are going in
8 our CIT training. Not only do we
9 continue to train folks, we now had our
10 folks and it was actually their
11 suggestion which is showing some of the
12 tide turning. Our guys who do our
13 reality-based training, guys and girls,
14 ask to go to CIT training to make sure
15 that there would be a consistent
16 message, and then they could build in
17 what is learned in that training into
18 the scenarios that they're now using for
19 officers to make those discussions,
20 whether to shoot or not shoot.

21 We were one of the first
22 adopters to start with recognizing
23 officers for de-escalation. A lot of
24 other departments now do that. It used
25 to be a policy that when you got

1 involved in a shooting, that was a good
2 shooting. Good shooting, I say within
3 policy, officers would receive an
4 accommodation for their efforts or their
5 bravery.

6 We now recognize them for their
7 efforts when they could have shot and
8 didn't, recognizing that if you made a
9 better tactical decision or you utilized
10 the right resources. It's a saying that
11 we say in policing, it's lawful but
12 awful, like you're allowed to do it, but
13 it still has an awful result, making
14 sure all of our officers know that you
15 have more than one tool available, that
16 you're going to use all of the training,
17 all of the resources of the Department,
18 hoping that it never leads to deadly
19 force.

20 We will still have those
21 issues, yes. There's always going to be
22 a time where officers are not given a
23 choice. But with given a choice, we're
24 really working to train them in a way
25 and indoctrining them into a culture of

1 working in a caring community and
2 building that equity before the incident
3 happened so we have that cohesion.
4 Because I can only speak for what we're
5 trying to do here.

6 I would never be able to say
7 that we could stop what happened to
8 George Floyd in another city from them
9 causing that reaction and the civil
10 unrest here because of it, so it's
11 really important that we take care of
12 our home first. And I see the
13 commitment in our profession dealing
14 with folks and major city chiefs and
15 everybody recognizes that it's really a
16 moment that those changes have to happen
17 in order to, you know, I don't want to
18 say eliminate, but minimize any of those
19 opportunities where if an officer can
20 handle it, the better.

21 The flip side of it is it's
22 tragic for the families, but it's also
23 tragic for the officers. They live with
24 that forever. And nobody ever wants to
25 be involved in taking the life of

1 somebody who's mentally ill, somebody
2 who could have reacted in a different
3 way. So the steps that we're taking in
4 our reform plan, we've already adopted
5 the chokeholds.

6 And one of our most important
7 things that we just -- we're one of the
8 adopters of ABLE, which is active
9 bystander training for officers that in
10 a sense teaches the officers the right
11 way to intervene if they see something
12 that isn't right or an officer not doing
13 something, not to be somebody that's
14 against the officer but stopping the
15 situation from happening. Sometimes
16 having that officer on the frontline
17 who's had bottles thrown at him, bricks
18 thrown at him, had slurs thrown at him,
19 to keep it from getting to the point
20 where it escalates that the officer does
21 something that can't be undone.

22 So we just briefed our command
23 staff this past week. We have ABLE
24 ambassadors who are being trained right
25 now to then have our Department looking

1 to make it everybody's responsibility,
2 not just supervisors or managers, but
3 every officer responsible to try to
4 protect the community and their brother
5 officers by keeping things from
6 happening.

7 COUNCILMAN DOMB: Well, thank
8 you very much. Someone once told me --
9 and I'm not sure if it applies to the
10 police department, but in many jobs it
11 really does apply -- your job is 51
12 percent hospitality and 49 percent
13 technical. And in the police department
14 if we could increase the trust between
15 the people and the police in many
16 neighborhoods, I think it would go a
17 really long way to helping the police
18 department, helping the neighborhoods.
19 That trust is key. I sense that we lost
20 a lot of trust in the neighborhoods, and
21 you got to build that back. So anyway,
22 thank you for your testimony today.

23 I would like to go to
24 Commissioner Thiel. Maybe you want to
25 answer that long question I posed in the

1 beginning, and then I'll have a few
2 other questions for you. And first of
3 all, Commissioner, thank you and to your
4 Department for all the work you've done
5 in the last several months on the
6 vaccinations. You guys did a great job
7 and really appreciate it, so please go
8 right ahead.

9 COMMISSIONER THIEL: Certainly,
10 Councilmember. It's certainly a team
11 effort with Health and OEM and PPD and
12 all of our colleagues. I guess the
13 first question about financial planning
14 I think it probably was a great question
15 for the prior panel. A lot of that is
16 done for all the reasons Deputy Coulter
17 said, so much of this is interdependent
18 and cross-cutting.

19 A lot of that we sort of follow
20 the Budget Office's lead, so the Five
21 Year Plan at some level is the Mayor's
22 proposed budget, is our budget and the
23 proposed Five Year Plan is our plan, so
24 we really kind of follow Budget's lead.
25 Beyond that, for us about 95 percent of

1 our budget is nondiscretionary. It's
2 used to fill minimum staffing vacancies
3 on response units in our current
4 deployment. Those are contractual
5 obligations. They're also operational,
6 effectiveness and safety obligations.
7 So with what's left, there really isn't
8 a lot to plan.

9 We don't typically have enough
10 money to do anything but maintain
11 current services. We had a few years
12 where that was different, and then that
13 planning process was obviously different
14 and that prioritization process as we
15 work with the Budget Office and work
16 through federal grants to restore four
17 of the five engine companies that were
18 closed in 2008, 2009.

19 And many of the other
20 operational (inaudible) that we've made,
21 the 10 additional peak time medic units,
22 but really this year it's essentially
23 maintaining current service. And as you
24 know, one reason that we are constantly
25 relying on overtime is because we

1 frankly don't have enough money to do
2 that without the overtime, so there
3 really isn't enough -- kind of current
4 service environment, there isn't a lot
5 of latitude to do much creative
6 planning. And of course, we're also
7 sensitive to all of those other equities
8 and interests that play into it.

9 Beyond personnel cost, and
10 that's essentially 93 percent of that,
11 minimum staffing, we've had analysis
12 after analysis. It's basically our
13 overtime is going to fill the spots on
14 frontline fire engines, ladder trucks,
15 medic units. Everybody else is going
16 out the door about 1,000 times, 24/7
17 365, actually that's incidents. They're
18 going out the door about 1500 to 2,000
19 times a day. So beyond that, a lot of
20 what we spend is on consumable medical
21 supplies that we provide to patients.

22 As you heard me say, the
23 busiest ambulance in the nation two
24 years running right here in
25 Philadelphia, not New York, not LA, not

1 Houston, not Phoenix, but in Philly. So
2 we pay for those medical supplies and we
3 provide those to patients, and we bill
4 the patients.

5 But again, as you know and have
6 discussed before in other hearings, I
7 think we're the second largest revenue
8 producer after L&I, but that still is a
9 fraction of what we spend to provide
10 that service 24/7, 365 in every
11 neighborhood of the City. So we don't
12 have a lot of control over our demand.

13 We also frankly -- this is in
14 contrast to private business, we don't
15 get to change our mission. We pretty
16 much -- our mission is set. It's
17 established by Charter. And we don't
18 want to be doing this because it's
19 not econo -- we're not in the business
20 of making money clearly. We're in the
21 business of providing service, so that's
22 really job number one for us. The
23 service that we provide is in high
24 demand and we don't have control over
25 that either. If folks call, we respond

1 24/7, 365 anywhere, anytime.

2 COUNCILMAN DOMB: So in
3 general, a couple of questions for you.
4 Fire Department recruits, are they
5 having difficulty hiring people for the
6 Fire Department right now?

7 COMMISSIONER THIEL:
8 Councilmember, that's a great question.
9 I'm glad you asked it. Because what is
10 different from our last hearing, we are
11 in the process we think of putting
12 together an academy class to start in
13 August, and that would be around 80
14 firefighter EMTs. That's a nine-month
15 training class. 80 is not quite enough
16 to fill our one-year attrition
17 requirements, so that still doesn't grow
18 up to the point where we're getting into
19 that area where we have a relief factor
20 to offset overtime, but it certainly is
21 a great start, and we appreciate our
22 colleagues from Budget and others for
23 moving that forward.

24 We're not really sure what the
25 next hiring process is going to look

1 like. The current list expires in
2 November, so we are working with OHR to
3 understand how we're going to do a
4 recruitment in this kind of COVID
5 transitional space. I don't anticipate
6 us having issues hiring firefighter
7 EMTs.

8 We continue to have real
9 challenges because there's a national
10 and state shortage -- you heard me say
11 this before -- of certified paramedics,
12 which is why we're investing heavily in
13 our community EMT programs, our upgrade
14 programs for our current fire service
15 EMTs to become advanced EMTs and then
16 paramedics because we're just not
17 finding certified paramedics out there
18 on the open market. And frankly, they
19 can go to many other jurisdictions and
20 work half as hard for twice the money.

21 COUNCILMAN DOMB: Let me ask
22 you a question. The overtime, has
23 anyone done a deep dive and looked at
24 the overtime and said, if we had X
25 amount of full-time people versus

1 overtime, is there an analysis that was
2 done that shows hiring X amount of new
3 people, we could save the overall
4 overtime cost, including the new
5 salaries and fringe benefits?

6 COMMISSIONER THIEL:

7 Councilmember, the short answer is yes,
8 and actually analysis after analysis
9 after analysis. So the really good news
10 on that front, the result of that
11 analysis is last year our authorized
12 strength, our authorized position count
13 grew greatly to over 3,000 to the
14 current number of authorized positions,
15 because that really has kind of reset
16 the relationship between -- that is a
17 more accurate expression of the number
18 of positions we actually need filled to
19 maintain service understanding that
20 every day we're going to have people who
21 are on leave, sick, injured, out doing
22 something administrative, out for
23 training, so that is I believe, again
24 all other things being equal, if we
25 achieve the position count, that

1 authorized strength that is in the FY22
2 budget, then overtime will probably
3 still be necessary but in a much
4 different order of magnitude than we're
5 using it today.

6 Now, we're a long way from
7 there. Again, we've had this
8 conversation with PICA last week. We've
9 had this conversation with PICA every
10 year for the past several years. That
11 means we need to recruit, hire, train
12 and retain in addition to that class of
13 85 or so that we're looking to start in
14 August. We need about another 400
15 firefighter EMTs, and then we also need
16 to hire probably 300 to 400 paramedics.

17 COUNCILMAN DOMB: I'm not sure
18 this is in your area, but I know some of
19 these costs that are incurred are
20 reimbursable through insurance. Do you
21 have any idea of how much we get
22 reimbursed to what we bill?

23 COMMISSIONER THIEL: Well, we
24 only bill for EMS transports. That's a
25 highly regulated space. It's regulated

1 by the Federal Centers for Medicaid and
2 Medicare Services or CMS. So we bill
3 what we are allowed to, but our billing
4 approach is, it's a soft approach
5 because we recognize that a lot of folks
6 really need our help and may not have
7 the private means to pay, so we collect
8 probably -- and again, it's hard to say
9 a number year over year, but I would say
10 on average year over year we collect
11 about 25 percent of what we actually
12 bill, which is still somewhat less than
13 what it actually cost to provide the
14 service.

15 COUNCILMAN DOMB: Does that
16 also cover car accidents? Are they
17 collectible or not in this situation?

18 COMMISSIONER THIEL: Car
19 accidents, what we do currently is the
20 patients who are transported from those
21 car accidents would receive a bill.
22 There are fire departments that bill for
23 car accidents. There are fire
24 departments that bill for going to
25 fires. In fact, that's how the fire

1 service started. We believe -- our
2 mandate here in Philadelphia is that
3 fire protection EMS is a public good so
4 we don't bill for that except for the
5 EMS billing.

6 COUNCILMAN DOMB: Okay. Well,
7 thank you, Commissioner. I don't think
8 there's any other questions right now,
9 so we'll come back if there are. So
10 thank you very much.

11 COMMISSIONER THIEL: Thank you.

12 COUNCILMAN DOMB: Let's go to
13 Commissioner of Prisons. Commissioner
14 Carney, I don't know if you have a few
15 words you want to comment or I can go
16 right to questions. It's totally up to
17 you.

18 COMMISSIONER CARNEY: I can
19 respond to the original question you
20 posed.

21 COUNCILMAN DOMB: All right.

22 COMMISSIONER CARNEY: Good
23 afternoon, Councilman Domb. Prior to
24 the pandemic, the Prisons was on target
25 with meeting its criminal justice

1 reforms by safely reducing the jails and
2 the prisons population by the work that
3 was established with the MacArthur
4 Foundation. The population was
5 decreasing. We had closed the House of
6 Corrections and we were on target to
7 depopulate the Detention Center, and
8 then the pandemic hit.

9 That put us in a situation
10 where we were adequately staffed. We
11 had significantly decreased population
12 at that time by 60 percent. So we were
13 trending down and we were actually
14 implementing the initiatives that were
15 created in collaboration with the
16 criminal justice partners to reduce the
17 overreliance on jails and prisons.

18 Now that we're in the pandemic
19 15 months, that really has put us in a
20 reverse position where we've seen an
21 increase in the population averaging
22 around 4800 for this last year and 15
23 months. We need to -- if we have the
24 funding and as Commissioner Thiel said,
25 the funding is set, but if we're really

1 going to be prepared for the next
2 pandemic, infrastructure across all of
3 our public safety clusters has to be
4 implemented. In a short period of time,
5 we implemented virtual capability for
6 individuals to have contact, virtual
7 visits with their family and also with
8 the courts, we're going to need to
9 ensure that that infrastructure is
10 available with the Court's expansion,
11 the District Attorney's Office and the
12 Public Defenders Office, where that
13 capability should we be in a situation
14 where we cannot have inperson and face-
15 to-face operations. We still should be
16 able to maintain operations to get those
17 cases heard.

18 We also are seeing that 93
19 percent of the population is pretrial.
20 15 months going into this, that is
21 impacting potentially the costs that are
22 associated with the requests that we've
23 made for medical and food, so we have to
24 get back on target with processing cases
25 expeditiously. We have to get back in

1 line with ensuring that the people who
2 are committed here are sentenced rather
3 than pretrial so people can have their
4 day in court and utilizing diversions
5 programs and using prisons as a last
6 stop on that trajectory.

7 I work closely with our
8 criminal justice partners, and certainly
9 people are doing their job. But once
10 inmates are incarce -- people are
11 committed to our care, we want to make
12 sure that we have in place a system for
13 speedy trial cases to be heard, people
14 to be sentenced, either the County or
15 state sentences, if appropriate, and
16 have those people housed accordingly.

17 COUNCILMAN DOMB: Thank you,
18 Commissioner. I have some questions for
19 you I wanted to ask. Just a basic one,
20 of the population currently at the
21 prisons, what percentage at this point
22 is vaccinated?

23 COMMISSIONER CARNEY: The fully
24 vaccinated population is 28 percent, and
25 43 percent has received at least the

1 first dose of the Moderna vaccine.

2 COUNCILMAN DOMB: And is there
3 resistance to getting the vaccine?

4 COMMISSIONER CARNEY: I don't
5 think there's resistance. I think
6 there's concern. We've implemented a
7 robust education program for the
8 population. We've also provided a \$30
9 commissary incentive bag for individuals
10 to take advantage of the vaccine. We've
11 put out information, PSAs. We have
12 vaccination ambassadors, people with
13 lived experience who are fully
14 vaccinated coming in.

15 We have ongoing vaccination
16 interaction with our medical providers,
17 and we've also stood up units we're
18 housing appropriately, individuals who
19 have been vaccinated together to
20 increase that time out of cell, and
21 that's been a major driver of the
22 population agreeing to become
23 vaccinated, so it's still our efforts to
24 answer as many questions, concerns and
25 apprehension, and we're going to

1 continue to do so we can increase the
2 number. This is a significant number
3 even though it's 28 percent fully
4 vaccinated. Where we started, we hadn't
5 even reached 5 percent, so consistently
6 we're increasing the numbers.

7 COUNCILMAN DOMB: Is the issue
8 now none of the vaccines or -- what is
9 the issue to get more of the population
10 vaccinated?

11 COMMISSIONER CARNEY: I still
12 think it's concern. We received the
13 vaccine from Public Health. We make it
14 available. It's ongoing. We're also
15 making it available to newly admitted
16 persons into our custody, so we still
17 have a ways to go to educate people and
18 to answer their questions so they can
19 make an informed decision.

20 COUNCILMAN DOMB: And last
21 question for you: With the technology
22 that we're using even today with Zoom
23 and all these other Teams technology
24 that we use, do you see a way to
25 implement some of that as it comes

1 to the -- when you have to escort the
2 prisoners into courtrooms, couldn't it
3 be done through Zooms or technology to
4 save a lot of money or are we even
5 looking at that?

6 COMMISSIONER CARNEY: We
7 already have that implemented. So the
8 virtual stand-up of our infrastructure
9 is we did not have that in place when we
10 suspended inperson visits, so we pivoted
11 to the virtual platform. We also
12 pivoted to offer the same virtual
13 platform to our criminal justice
14 partners, but it is not at full capacity
15 and that's the infrastructure that I'm
16 talking about. So we wanted to play our
17 part in making sure that people had
18 access and the courts had access to the
19 population, so we were running a robust
20 virtual capacity level to the extent
21 that we could make sure that preliminary
22 hearings were being heard, that we had
23 expanded to some presentence
24 investigations, virtual interactions and
25 interactions where attorneys, counsel

1 could still meet with their client.
2 It's not 100 percent full capacity, but
3 within nine months we were able to stand
4 that up. But that is the type of
5 infrastructure that I'm speaking about
6 when you're talking about investing and
7 being prepared should something on this
8 level happen again.

9 COUNCILMAN DOMB: That's a good
10 idea. Thank you very much,
11 Commissioner.

12 I just want to go back to
13 Commissioner Thiel and Commissioner
14 Coulter. In your areas -- and,
15 Commissioner Coulter, you can go
16 first -- what level of the police
17 currently are vaccinated?

18 DEPUTY COMMISSIONER COULTER: I
19 believe it's somewhere close to 70
20 percent. I know that through LEHB we
21 did about 3500 of our employees. We
22 also have folks that either by
23 opportunities elsewhere, sometimes
24 family members, sometimes where they
25 live, there was an opportunity to get it

1 done. In addition, some of the
2 providers that were working for the City
3 when they had additional vaccines, it
4 stopped at the 18th District, Special
5 Victims, they were in addition to what
6 LEHB was able to vaccinate. So we don't
7 have all those numbers because they
8 weren't administered through our
9 program, but we encouraged our folks to
10 get them no matter who's offering it as
11 long as it's a legitimate offer, so I
12 believe there's probably another 400.

13 And when I say 70 percent, I'm
14 saying of the people who are actually
15 coming to work. We have a large
16 component who's IOD. Some of them were
17 offered it because we expected them to
18 come back, but I think there's probably
19 70 percent of the folks that are working
20 today in the police department that are
21 vaccinated.

22 COUNCILMAN DOMB: One follow-up
23 question to that, same as I asked
24 Commissioner Carney, on the technology
25 side I used to hear all the stories that

1 police had to wait four, six, eight
2 hours for the courts as witnesses. Have
3 we utilized like we're utilizing today
4 this technology to avoid police officers
5 having to wait for hearings in the
6 courts?

7 DEPUTY COMMISSIONER COULTER:

8 We are using it. We have three sites
9 that are up where officers are
10 testifying virtually. We worked with
11 Judge Dugan and the Prisons to make sure
12 that all of our CJAB partners were able
13 to testify virtually. Even the
14 prisoners that had to come down for
15 hearings, using the 8th District so that
16 way we would be able to have the
17 shortest distance instead of taking them
18 all the way down to court, and officers
19 who weren't going to be there could
20 testify from a place in ROC North and
21 ROC South. I think it's the 2nd
22 District and maybe the 1st District
23 where they're able to testify virtually
24 as well and just have a smaller number
25 at each location instead of the large

1 backlog at one location to get into the
2 court. So is it perfect, no, but we're
3 certainly moving forward with that 21st
4 century technology to streamline some of
5 the processes. And we're hoping that
6 when courts fully reopen, we will see
7 some savings there as well in addition
8 to having officers return for street
9 duty sooner because they're not waiting
10 down at the courtroom.

11 COUNCILMAN DOMB: Thank you
12 very much.

13 Commissioner Thiel, for the
14 Fire Department, what would you say the
15 percentage is that is vaccinated?

16 COMMISSIONER THIEL: I would
17 say it probably is about the same as the
18 community overall.

19 COUNCILMAN DOMB: What figure
20 would that be?

21 COMMISSIONER THIEL: Because
22 that's where most of our folks live. I
23 don't know what the current figure is,
24 whatever PDH has on their website. I
25 think it's somewhere between 60 and 70

1 percent.

2 COUNCILMAN DOMB: All right.

3 Thank you all.

4 Let's go to the Streets

5 Department. Mr. Newman, do you have any
6 opening comments? I'm welcome to hear
7 them, or you can just answer the
8 question I posed and we can go through
9 from there.

10 DEPUTY COMMISSIONER NEWMAN:

11 Sure. I'll just answer the question
12 that you posed. You actually asked me a
13 similar question the last time we had a
14 Committee meeting, and the long answer
15 would be we have three major divisions.
16 We have Sanitation, Transportation,
17 Administration. There are people within
18 each one of those divisions that do
19 long-range planning on a regular basis,
20 but that's not all they do. They do
21 other stuff contingent to that. And I
22 suspect that most of the operating
23 departments here today have a similar
24 situation.

25 What we're doing in terms of

1 just sort of a long-range strategic
2 plan -- and if you read our five year
3 plan, you'll see it -- that we're going
4 to be trying to rely more on information
5 technology and data in general to drive
6 decision-making. So all of our
7 operational vehicles, in sanitation all
8 of our compactors, mechanical grooms,
9 our snowplowing equipment, our paving
10 equipment all have GPS devices on them
11 now.

12 We're taking that information
13 and collecting it, and we're looking at
14 what from an operational perspective is
15 the best way we can do this work and
16 work more efficiently. And we actually
17 had really good success with this with
18 our snowplows. So if you remember this
19 past winter season, most of our winter
20 events -- and this is my opinion, but I
21 think it's a general consensus -- we did
22 a really good job.

23 We did that because we worked
24 as a committee across different
25 divisions looking at the data coming in

1 from the GPS devices, and we were able
2 to really efficiently handle those
3 winter events in realtime as we were
4 looking at the different streets. But
5 even more than that, even if you go
6 beyond just the GPS devices and that
7 technology, we're actually trying to
8 capture a lot of different data points
9 to make decisions. So giving you an
10 example of that, every two weeks a
11 committee gets together and looks at
12 sanitation productivity.

13 And we'll literally look at the
14 overtime use, the trash tonnage for that
15 particular two weeks, the attendance
16 we've had for that two weeks, the
17 staffing levels, the per productivity
18 and the truck down rate to see if we can
19 see any trends to make any improvements
20 or changes going forward or what is it
21 that we need to do in terms of staffing,
22 for example, to get our productivity
23 levels higher, so that's what we've been
24 trying to do going forward.

25 Now, we still have sort of a

1 committee approach to it. There's not
2 one unit that specifically addresses
3 long-range planning. I think that as a
4 more long-term strategic plan we
5 probably need something like that with
6 more structure to it, but we're starting
7 to move in that direction.

8 COUNCILMAN DOMB: Commissioner,
9 I just want to thank your department by
10 the way for all of your support for the
11 hospitality industry, especially this
12 past year, and everything they did to
13 help all those restaurants with their
14 outdoor dining. You guys all did a
15 great job, so thank you very much for
16 that.

17 DEPUTY COMMISSIONER NEWMAN:
18 Thank you.

19 COUNCILMAN DOMB: I do have a
20 question on -- I think I heard earlier
21 today, it was on the sanitation side and
22 I know it's been a challenging year, but
23 I want to mention a few things that were
24 trending negatively before this year
25 (inaudible) --

1 DEPUTY COMMISSIONER NEWMAN:

2 Councilman, you went out. I can't hear
3 you.

4 COUNCILMAN DOMB: Can you hear
5 me better now? Is that better?

6 DEPUTY COMMISSIONER NEWMAN:
7 Yes. Thank you.

8 COUNCILMAN DOMB: So I know
9 prior to this year, we had six years ago
10 a 21 percent recycling rate. I think
11 the goal today is at 10 percent. I
12 think we were just shy of that goal.
13 But I guess my concern is the U.S.
14 Environmental Protection Agency has set
15 a national recycling rate goal of 50
16 percent for 2030, so we were at 21 as a
17 goal six years ago. We're down to 10.
18 I think I saw in one of the charts,
19 maybe a half percent. How do we get to
20 50 in the next nine years? Are we
21 looking for that and are we planning for
22 that?

23 DEPUTY COMMISSIONER NEWMAN: So
24 the strategy in terms of recycling is
25 more education and communication. We

1 actually partnered with a nonprofit
2 group right now. We're doing this right
3 now in realtime where we're looking at
4 survey information from lower Northeast
5 Philadelphia and North Philadelphia in
6 terms of what types of educational
7 materials and communication materials
8 for residents work in increasing the
9 quality of our recycling materials that
10 are being put out.

11 So often times what happens is
12 we're getting contaminated recycling put
13 out on the street and we can't use it.
14 So if we can increase the quality and
15 increase the amount, we believe that
16 we're going to be able to increase our
17 overall recycling rate. I don't know
18 honestly how we can get to 50 percent.
19 But right now we're at 8.5 percent. But
20 in terms of the strategy, it's going to
21 be based on the education and
22 communicating to the residents. And
23 right now the survey that we're doing,
24 we're looking at what types of
25 strategies work best from that

1 perspective.

2 COUNCILMAN DOMB: One last
3 question and then I'll be finished. One
4 has to do with, I think there's an
5 application that you all put in place
6 maybe a year ago telling our residents
7 when their trash was going to be picked
8 up. And --

9 DEPUTY COMMISSIONER NEWMAN:
10 What you're talking about is our GPS.
11 It's PHLPickUP. It actually shows where
12 our trucks are in relation to different
13 routes during the course of the day.

14 COUNCILMAN DOMB: Is that being
15 utilized by our residents? Are they
16 aware of it? Is there any way of
17 measuring that utilization?

18 DEPUTY COMMISSIONER NEWMAN: I
19 know it's being utilized. I don't know
20 how much. I can get that information
21 for you.

22 COUNCILMAN DOMB: Along that
23 line, I know there was a project years
24 ago with a company called I think
25 Rubicon, and it's my understanding that

1 the City didn't do a great job of
2 implementing that Rubicon technology.
3 But it's also my understanding that they
4 can now provide additional services,
5 including some camera intelligence
6 around where problems exist so people
7 don't have to call us, like the cameras
8 can pick up potholes or illegal dumping.
9 Are we looking at these kinds of
10 investments in technology in the Streets
11 Department for our future?

12 DEPUTY COMMISSIONER NEWMAN: I
13 don't know about Rubicon, but we are
14 looking at different technology to
15 utilize across all of our divisions.

16 COUNCILMAN DOMB: You should
17 look at Rubicon. I saw a presentation.
18 It looked pretty impressive. I would
19 just suggest you take a look at it. It
20 looks like something that might be
21 worthwhile.

22 DEPUTY COMMISSIONER NEWMAN:
23 Okay.

24 COUNCILMAN DOMB: Thank you
25 very much.

1 I think our last panelist -- is
2 Licenses & Inspections here today?

3 COMMISSIONER DiPIETRO: Yes,
4 sir.

5 COUNCILMAN DOMB: Okay. Well,
6 thank you. I don't know if you want to
7 take a crack at my first question or if
8 you have any prepared comments, feel
9 free to state your name for the record
10 and go right ahead.

11 COMMISSIONER DiPIETRO: Good
12 afternoon, Councilmember Domb. Ralph
13 DiPietro, Acting Commissioner for the
14 Department of Licenses & Inspections.
15 So with respect to the long-term
16 planning, I think Commissioner Thiel
17 sort of mentioned this, a lot of this is
18 done in coordination with the Budget
19 Office for the Department. But also, a
20 lot of those decisions are driven by our
21 strategic plan.

22 In 2019, the former
23 Commissioner Perri developed a strategic
24 plan. I've got to say it's one of the
25 few that I've actually been a part of

1 where we actually achieved most of the
2 things in the plan. Very often strategic
3 plans go unfulfilled. That's just the
4 nature of them, I suppose. But we put
5 together a strategic plan. We met most
6 of those goals. Some of them we need to
7 revisit because perhaps they're not --
8 necessarily now maybe there's better
9 things that we can give. So the bulk
10 of -- the majority of the folks that
11 work on long-term planning for the
12 Department sit on our executive staff.

13 L&I is a small department of
14 400 people but with a very large
15 mission, so we're able to do that at an
16 executive level. We also have some
17 long-term planning that gets done at the
18 individual manager and unit level. But
19 the larger group, the executive staff,
20 is responsible for this sort of --
21 participates in the strategic plan
22 process, whereas I mentioned we're going
23 through a revision of that now and a lot
24 of the reform -- budget decisions going
25 forward.

1 One, as Deputy for Streets,
2 Mr. Newman mentioned, an investment in
3 technology and L&I's absolutely on board
4 with that. We've seen what technology's
5 brought to us. We've seen what it
6 really did for us throughout the
7 pandemic, and that's going to be the
8 earmark over the next year or beyond in
9 terms of the Department's focus.

10 Technology and utilizing our resources
11 is a little more smartly, more
12 administratively functioned rather than
13 actual boots on the ground. There's
14 lots of way in which we can do that.
15 The sort of last part is we don't really
16 get any federal funding for that, at
17 least not that I'm aware of. It's
18 mostly money from our budget.

19 COUNCILMAN DOMB: Thank you. I
20 have a few questions for you though.

21 COMMISSIONER DiPIETRO: Yes,
22 sir.

23 COUNCILMAN DOMB: First, I do
24 want to thank you as well as the Streets
25 Department for all the work you've done

1 for the restaurant industry in helping
2 them with their outdoor dining. I think
3 this was a model program across the
4 country. I think you all did a great
5 job, especially the fact we didn't have
6 no legislation, how to be approved in
7 three days and I didn't hear any
8 complaints, so that's pretty impressive
9 by the Administration, so you guys did a
10 good job.

11 COMMISSIONER DiPIETRO: Thank
12 you.

13 COUNCILMAN DOMB: Sure. And I
14 know this summer we're going to be
15 looking for ways to continue this
16 outdoor dining program, so we will be
17 working with you on that and we look
18 forward to it. One of the common
19 threads I hear with people trying to
20 open business in the City is the process
21 to open. People are frustrated. They
22 don't know how to do it. It's very
23 difficult for many people. I don't want
24 to share personal experiences, but I
25 will tell you as far as in government, I

1 had my own share of challenges to get
2 businesses opened up in the City.

3 I learned something from this
4 legislation and, that is, probably time
5 frames are a good idea to put into these
6 processes of opening businesses, putting
7 in a time frame. So if somebody comes
8 to us and says I want to open up a
9 grocery store or I want to open up a
10 corner restaurant or whatever it is, we
11 lay out what the requirements are, but
12 we also give them an idea what the time
13 frame is to get it done, and that might
14 also help us get accomplished our tasks
15 a lot quicker if we're under a time
16 frame.

17 I would say that DIN, which is
18 do it now, needs to be in government.
19 Have we looked at some of these
20 regulations that we have and is there an
21 opportunity to revisit these and put
22 time frames next to everything so people
23 have an expectation of what they're
24 going to look forward to when they deal
25 with the City of Philadelphia?

1 COMMISSIONER DiPIETRO: Yeah, I
2 think so. In fact, in years past the
3 Commerce Department has sort of been
4 running a pilot, which we do exactly
5 that. They were concentrating mostly on
6 food-related businesses, but they wanted
7 to see how they can lay out the
8 benchmarks, you're opening a food
9 business, here's what you do, here's the
10 amount of days it takes to do that.

11 One of the challenges we had
12 and we still have to some degree, we
13 don't really have systems that talk to
14 each other fully. As that becomes more
15 and more of a reality, I think that's
16 something we can do. We certainly set
17 time frames, for example, for our own
18 internal process, if you get a
19 residential plan view, in some cases
20 that plan review has to be done in 10
21 days depending on the type of work. So
22 we have that for internal stuff.

23 And I think having it online in
24 a 24/7 -- a system that's available 24/7
25 I think will actually help us to achieve

1 that sort of goal of, hey, you're a
2 business owner, here is what you're
3 looking to do, here's the steps you're
4 going to take. Now, one of the things
5 that comes along with that and one of
6 the things that we work really well with
7 developing was a lesson we learned from
8 the pandemic, is providing one-on-one
9 appointments for folks.

10 The zoning code, the building
11 and fire code can be very complicated
12 for the layperson. They're very
13 complicated for technical people. And
14 so, moving to a place where we can
15 establish appointments where folks can
16 actually sit down with the examiner or
17 the licensing issuance staff and talk
18 about it has been key, and we've done
19 this remote and in person throughout the
20 pandemic, and we've gotten a really good
21 response. And I think that's one way
22 that we can help shorten that time
23 frame. You can write a million emails,
24 but nothing will explain it better than
25 sitting face-to-face either in person or

1 virtually and someone saying no, no, no,
2 this means that and here is what you
3 need to do next.

4 I think another part of that
5 will be as we improve our relationship
6 with partners, the other agencies that
7 are involved in the permitting process,
8 the Water Department, Streets
9 Department, Historical Commission, as we
10 improve that interaction and we improve
11 the communication there, I think that
12 will also reduce some of that time frame
13 that folks spend getting a business
14 approved. It's certainly worth doing,
15 and it's something I'd like to see the
16 City embark on.

17 It's going to take -- because
18 it's a multi-faceted approach because
19 the level of technical expertise is so
20 broad that you couldn't house it in one
21 department, but you certainly can do it
22 simultaneously in many cases, and that's
23 what we're trying to do with our
24 eCLIPSE, your Water Department review is
25 happening at the same time as your

1 building plan review. So these things
2 are now available to us, and there's no
3 reason why we couldn't look at a program
4 like that.

5 COUNCILMAN DOMB: That's great.
6 I think in this environment coming out
7 of a pandemic, we as a City need to be
8 more competitive. We need to make it
9 easier for us to do business in the City
10 and welcome people back to the City.
11 Now, we say this has nothing to do with
12 energy, but we should be answering our
13 phones in the City, thank you for
14 calling the City of Philadelphia, how
15 may we help you. Thank God they're here
16 because thank God they're here.

17 Anyway, I want to thank all of
18 the panelists today for being here. I
19 don't know if there's any other
20 questions from any of my other
21 colleagues. I don't see any in the chat
22 room. So I want to thank each of you
23 for being here today, for your insight,
24 information. We appreciate your
25 testimony today.

1 Look forward to working with
2 you in the future. And this will
3 conclude our hearing on Resolution No.
4 200406. The hearing is adjourned, and
5 thank you very much for all of your
6 attendance and all the information you
7 shared. Thank you so much. Be safe out
8 there.

9 COMMISSIONER CARNEY: Thank
10 you.

11 DEPUTY COMMISSIONER COULTER:
12 Thank you, Councilman. Take care.

13 COMMISSIONER DiPIETRO: Thank
14 you, Councilman.

15 DEPUTY COMMISSIONER NEWMAN:
16 Thank you, Councilman.

17 COUNCILMAN DOMB: Go Sixers.

18 (Committee on Fiscal Stability
19 and Intergovernmental Cooperation
20 concluded at 2:44 p.m.)

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C E R T I F I C A T I O N

I, hereby certify that the
proceedings and evidence noted are contained
fully and accurately in the stenographic
notes taken by me in the foregoing matter,
and this is a correct transcript of the
same.

TANEHA C. CARROLL
Court Reporter - Notary Public

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