

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

Room 400, City Hall
Philadelphia, Pennsylvania
Friday, June 7, 2013
3:31 p.m.

PRESENT:

COUNCILMAN BILL GREEN
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN BOBBY HENON
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN KENYATTA JOHNSON

BILLS: 120107, 120142, 130445, 130451, 130458

1 - - -

2 COUNCILMAN GREEN: Good afternoon. The
3 Committee on Finance Hearing shall come to order
4 on Bills No. 120107, 120142, 130445 and 130451. I
5 note the presence of a quorum in the persons of
6 Councilmembers Johnson, Blackwell, O'Brien,
7 Blondell Reynolds Brown and Councilmember Henon
8 who has been appointed by the President for this
9 hearing.

10 Will the Clerk please read the title of the
11 bills.

12 THE CLERK: Bill No. 120107, an Ordinance
13 amending Title 21 of The Philadelphia Code,
14 entitled "Miscellaneous," by providing for the
15 preparation of Fiscal Impact Statements regarding
16 pending legislation and directing the Finance
17 Director and Controller to provide such statements
18 upon request, all under certain terms and
19 conditions.

20 Bill No. 120142, an Ordinance amending
21 Title 21 of the Philadelphia Code, entitled
22 "Miscellaneous," by requiring the implementation
23 of an electronic option for conducting and
24 processing all City-related interactions or

1 transactions and to report on the work process for
2 all such interactions and transactions, all under
3 certain terms and conditions.

4 Bill No. 130445, an Ordinance amending
5 Chapter 19-3801 of The Philadelphia Code, entitled
6 "Finance, Taxes and Collections," and such other
7 provisions as may be appropriate, to reduce the
8 net profit tax burden on certain existing and new
9 businesses, for the purpose of generating growth
10 in existing businesses, the birth of new
11 businesses, and the creation of jobs, all under
12 certain terms and conditions.

13 Bill No. 130451, an Ordinance amending
14 Section 19-1806 of The Philadelphia Code, entitled
15 "Authorization of Realty Use and Occupancy Tax,"
16 including by providing for special tax provisions
17 for manufacturers, and making conforming changes,
18 all under certain terms and conditions.

19 Bill No. 130458, an Ordinance amending
20 Chapter 19-3200 of The Philadelphia Code, entitled
21 "Keystone Opportunity Zone, Economic Development
22 District, and Strategic Development Area," by
23 providing for additional zones or subzones; and by
24 providing for extensions of the term of benefits

1 for certain properties; all under certain terms
2 and conditions.

3 COUNCILMAN GREEN: Thank you. We will
4 first hear Bill No. 130451. I'd ask our Director
5 of Finance, Mr. Dubow, to please come forward and
6 begin your testimony. I see you are also joined
7 by our Deputy Mayor and Commerce Secretary Alan
8 Greenberger.

9 MR. DUBOW: Good afternoon, Councilman
10 Green, Members of the Committee. I'm Rob Dubow,
11 City's Finance Director. And I am here to provide
12 testimony on Bill No. 130451. And with me today
13 is Alan Greenberger, Deputy Mayor for Economic
14 Development.

15 The bill would exclude manufacturing firms
16 from the Use and Occupancy Tax. Revenue
17 Department calculates that the proposed exclusion
18 would reduce revenues to the School District by
19 \$6 million annually.

20 Under State law, the City is required to
21 provide at least the same amount of revenue from
22 property-based taxes as it did the highest of the
23 preceding three years. Under the current bill, we
24 wouldn't meet that obligation because the

1 exemption would lead to a reduction in revenues.

2 While the revenue shortfall created by the
3 bill could be addressed by raising the U&O rate,
4 making that change would mean that the tax rate
5 for all other firms subject to the tax would be
6 increased to reduce rates from manufacturing
7 firms. While this approach may have merit,
8 particularly if it incentivizes manufacturing
9 firms to remain in or relocate to Philadelphia,
10 there is no evidence this would occur and further
11 studies required. It's also not evident why the
12 City would extend this exemption only to
13 manufacturers.

14 With particular regard to manufacturing,
15 the Administration is very supportive of efforts
16 to strengthen this important sector of the
17 economy. Under Councilman Henon's leadership, a
18 Manufacturing Task Force has been established to
19 examine the state of manufacturing locally and to
20 develop a comprehensive set of recommendations for
21 consideration by City Council and the
22 Administration.

23 The task force is cochaired by Councilman
24 Henon, Dan Fitzpatrick of Citizens Bank, Bill Hunt

1 of Agusta Westland Helicopters and Alan
2 Greenberger. And it anticipates that final report
3 will be produced this fall. If there are to be
4 recommendations for changes to the U&O for
5 manufacturers, we believe they should be made --
6 they should come from the task force and be in the
7 context of other recommendations the task force
8 makes. That will establish a logical framework
9 for any tax recommendations related to
10 manufacturing and will allow this Council to
11 consider them more fully.

12 For those reasons, we recommend Council not
13 approve the bill at this time and wait until the
14 Manufacturing Task Force completes its work before
15 considering any further changes to the business
16 tax related to manufacturing.

17 That concludes my testimony. And we're
18 happy to answer any questions.

19 COUNCILMAN GREEN: Thank you.

20 Are there any questions for members of this
21 panel?

22 Councilmember Henon.

23 COUNCILMAN HENON: Thank you, Chairman.

24 Good afternoon.

1 MR. DUBOW: Good afternoon.

2 MR. GREENBERGER: Good afternoon.

3 COUNCILMAN HENON: Thank you for coming
4 here. You know, I -- as a sponsor of the bill and
5 cochair of the Manufacturing Task Force along with
6 our Deputy Mayor to your right Mr. Greenberger,
7 you know, I certainly understand the -- the
8 philosophy of waiting for recommendations of the
9 Task Force to put together some policies moving
10 forward.

11 You know, my concern is that we been
12 waiting a heck of a long time for -- for more
13 businesses to come here in the City. And with the
14 manufacturing sector, you know, by trying to
15 identify, you know, the exact manufacturers that
16 we do have here, identify the sector of growth
17 and, I believe, that manufacturers in the City of
18 Philadelphia -- not just the city but in the
19 region -- is a business that has the most growth
20 potential here in the City.

21 So in your testimony, you had stated that,
22 you know, with regards to U&O and the lesser
23 dollars for the school, I think we have an
24 opportunity to provide more dollars, you know, to

1 the school by growing the business in the
2 manufacturing sector. So, it is my hope that the
3 City, you know, as we take this sector, this
4 industry serious, we take it serious when it comes
5 to our taxes or there overburden of some of our
6 business taxes to -- to sectors like manufacturing
7 that may be -- well, that are on low margins and,
8 you know, that here or located in neighborhoods,
9 and neighborhoods that employ local people. You
10 know, over 25,000 residents of City of
11 Philadelphia, you know, in a city that is well
12 above the national average of unemployment. I
13 think we have an opportunity to send a message to
14 the nation and globally that we are ready and
15 embrace the manufacturing sector.

16 So you know, I appreciate that the
17 Administration is taking it serious. I think this
18 body is taking it even maybe a step further in
19 entertaining, you know, some bold actions, I
20 guess. I think that is what is necessary in
21 moving forward.

22 I appreciate your testimony and continued
23 work, you know, addressing the manufacturers of
24 the City.

1 MR. GREENBERGER: We will.

2 MR. DUBOW: Thank you.

3 COUNCILMAN GREEN: Any questions from
4 anybody else?

5 Seeing none, thank you very much for your
6 testimony.

7 MR. DUBOW: Thank you.

8 MR. GREENBERGER: Thank you.

9 COUNCILMAN GREEN: Next we have Bill No.
10 120142. I'm not sure who is here from the
11 Administration to testify on that bill.

12 MS. STITT: Good afternoon, Mary Stitt,
13 Chief of Staff from the Managing Director's Office
14 here to testify.

15 COUNCILMAN GREEN: Good to see you.
16 Please --

17 MS. STITT: Good to see you.

18 COUNCILMAN GREEN: -- proceed with your
19 testimony.

20 MS. STITT: Sure. Good afternoon,
21 Councilman Green and Members of the Committee on
22 Finance. My name is Mary Stitt, Chief of Staff
23 for the Managing Director. And I am here today to
24 testify in opposition to bill No. 120142.

1 First, I want to state that the Managing
2 Director's Office strongly agrees with the need to
3 improve business processes throughout the City.
4 These improvements will yield increased
5 proficiencies in productivity. However, based on
6 how the bill is currently proposed, we have
7 significant concerns that the requirements as
8 outlined would pose an administrative and
9 financial burden.

10 Thank you for the opportunity to testify
11 today. I am available to answer any questions.

12 COUNCILMAN GREEN: Thank you.

13 Would you see -- I see our City Chief
14 Innovation Officer in the house. If he would,
15 please, join you.

16 And if you will bear with me. I am going
17 to recess for 30 seconds.

18 - - -

19 (Brief recess taken.)

20 - - -

21 COUNCILMAN GREEN: Excuse me. I had
22 trouble finding the bill. It's right in front of
23 me.

24 MS. STITT: No problem.

1 COUNCILMAN GREEN: The last place I looked.

2 So, I guess my questions are -- would be
3 directed to the CIO, but either -- obviously,
4 either of you can answer.

5 Is there anything that is a bad idea in
6 this ordinance?

7 MR. EBEID: I wouldn't characterize it as a
8 bad idea. I think there are -- we can share with
9 you observations on how to achieve what you are
10 looking for without having it so cumbersome as
11 it's currently written.

12 COUNCILMAN GREEN: Actually, there is
13 nothing cumbersome about this bill that I am aware
14 of. There is no specific requirement that tells
15 you how to achieve the end. The bill simply
16 assigns a duty to the Managing Director's Office
17 to provide an electronic option, make it
18 available. How that is done is entirely and
19 completely up to the Administration.

20 MR. EBEID: I think subparagraph 21-2402,
21 the amount of detail that is requested to be
22 documented, in essence, amounts to we're being
23 asked to document government, how government
24 works.

1 COUNCILMAN GREEN: I think the citizens
2 would like to know that.

3 MR. EBEID: I am not in disagreement with
4 you. I don't --

5 COUNCILMAN GREEN: So the question is, what
6 is a bad idea?

7 MR. EBEID: Well, I think if the bill --
8 the first sentence of 21-2401, subparagraph one
9 starts exactly on the right track. In fact, I
10 think the City's already made great strides in
11 putting a lot of things -- many forms online,
12 performing a lot of transactions online.

13 So, I think this would be a continuation of
14 that vision. So, we fully support the bill if it
15 stopped at that one first sentence. It's the
16 remainder of that subparagraph one and the
17 continuation into two.

18 COUNCILMAN GREEN: So, you don't think
19 that -- it's not your vision to have a unique
20 identifier available for all citizens so that when
21 they interact with the City, they only have to
22 have one ID as opposed to remembering their
23 identifier for property tax versus their
24 identifier for BRT versus their identifier for the

1 L&I license that they are submitting?

2 As you say, we are moving online. And
3 there are many businesses and organizations and
4 people that have multiple transactions with the
5 City, whether it be L&I and the Health Department,
6 OPA, the Revenue Department with BRT or whatever.

7 Are you saying that the City's IT strategic
8 plan does not envision one single identifier for
9 every citizen or business or entity?

10 MR. EBEID: I don't know that you -- that
11 it's useful to prescribe to that level of detail.

12 MS. STITT: And, Councilman Green, let me
13 jump in. I certainly don't think that we -- that
14 any of the suggestions in the bill are certainly
15 bad. We don't feel that way in any way.

16 We think that the efficiencies that could
17 be derived from some of the ideas are good, but we
18 do need to work this out. And we had hoped to
19 work that out probably offline with your
20 department -- I mean, with your office so that we
21 can come to agreement on what's the best way to
22 move forward.

23 Is -- you know, this is -- that's a very
24 detailed ans -- question, you know, is identifier.

1 You know, something that the Administration is
2 looking into. Well, we would like to look at
3 that.

4 Do we think that is the best thing for the
5 citizens?

6 I think we need some time to make sure
7 that's the best thing.

8 Do we want our citizens who are doing
9 business with the Health Department having the
10 same exact identifier as L&I? Maybe not.

11 That's something that I think we might have
12 to work out is that the best. Is a residential
13 citizen who is doing a personal transaction with
14 the City having something similar to a business
15 identifier? That may not be the best.

16 Now, of course, I'm going to defer to the
17 CIO because he knows technology better. But there
18 are some business decisions that have to be made.
19 And we will work in partnership with your office
20 to get there.

21 COUNCILMAN GREEN: Well, the question was
22 is there anything that is a bad idea in this bill?
23 And what I hear you both saying is the answer is
24 no. The problem is, you haven't decided exactly

1 how you are going to achieve some of the goals in
2 the bill that we apparently share.

3 But the beauty of this bill is it doesn't
4 prescribe the method by which you have to achieve
5 the goals. It simply says that there must be a
6 single identifier which would be a service we are
7 providing to citizens, so that it is convenient
8 for them to do business with the City. That
9 option for citizens can be taken by them or not.
10 But we're providing a service of convenience and
11 ease of use in terms of conducting business with
12 us online.

13 It's also important ultimately for
14 accountability and efficiency within government if
15 there is an electronic option available for
16 everything.

17 MS. STITT: And if all of our business
18 partners agree that one identifier is the best.

19 COUNCILMAN GREEN: Well, if there is --
20 well, whether or not they do, obviously, we can --
21 we can say as a service to citizens that we want
22 that to be the case.

23 So, the point here is that the efficiencies
24 that government will achieve through having mostly

1 electronic filing in terms of the elimination of
2 the need for as many records clerks or data entry
3 clerks or other things that don't really serve
4 citizens on the street level. Those aren't people
5 picking up trash or cleaning streets or providing
6 police service. They are positions that exist
7 that perhaps don't need to exist in an electronic
8 world. That is the world I am trying to get to.

9 To make government efficient so its
10 employees can serve citizens rather than push
11 paper and do data entry. That is one of the --
12 one of the great side effects and benefits of
13 providing an electronic option as a service to our
14 citizens.

15 MS. STITT: We agree.

16 MR. EBEID: What you just -- I mean, no one
17 disagrees with what you just described.

18 COUNCILMAN GREEN: Excellent.

19 MR. EBEID: We are all after online
20 transactions. In fact, I think we shared with
21 you -- you and I have had this conversation many
22 times.

23 One of our core operating principles is to
24 make sure that every transaction that does not

1 require face-to-face interaction is a candidate to
2 be put online, so we are in agreement. Our entire
3 web presence is built on that assumption.

4 I encourage you to -- if the bill was to
5 stop after the first sentence of subpart one, then
6 I think that establishes division that you just
7 described. And we would be willing to go back and
8 see if we would -- if the Administration would
9 support that position. Stopping at the first
10 sentence would accomplish what you just said.

11 The problem is going after that first
12 sentence. Then you are prescribing in detail how
13 we should deliver that. In fact, 21-2402 says
14 that the, "MDO or his designee shall report on
15 work flow processes for every citizen and City
16 employee interaction or transaction performed or
17 conducted by a City office or agency."

18 That's everything and everybody, right?

19 COUNCILMAN GREEN: Well, we can put it in
20 this ordinance or we could conduct days of
21 hearings, maybe months of hearings over the summer
22 where I could call in everybody from the
23 Administration, require them to document -- answer
24 the question about their work flow processes.

1 In other words, Council obviously has the
2 authority to find all these things out. And what
3 I am doing is making it convenient for everybody
4 by having it provided in one place. There is
5 no -- and in a single report to Council which, of
6 course, we have the authority to require reports.
7 But we can also just hold hearings and get that
8 information, but I feel like that would be the
9 less efficient way to do it. And it is
10 information, I think, that Council needs in order
11 to determine how effectively and efficiently
12 government is running.

13 So if it's not running effectively
14 efficiently, we and the citizens of the City can
15 know that. Know how many times a piece of paper
16 has to be touched when a fence permit is
17 requested. Is potentially as important as
18 understanding, you know, why every field on a BRT
19 tax receipt is not part of the dataset that is
20 available to people when they are doing research
21 about tax reform and other things.

22 I understand what you are saying. But,
23 obviously, we can get to this information one way
24 or another as a legislative body. We have that

1 authority.

2 MR. EBEID: Would you be open to setting a
3 goal or a target after that first sentence in
4 subpart one that says, let's say, in the next six
5 months or twelve months you are looking for a 10
6 or 20 percent increase in the number of
7 transactions, in the number of forms that are
8 available online? If you don't see that type of
9 increase, you always reserve the right to beef up
10 the ordinance later on in the future.

11 But at least I think it starts out with a
12 goal that is grounded in reality that isn't going
13 to create a -- boil the ocean, you know, concept
14 to try to arrive at just document how government
15 works, frankly, all so we can arrive at a goal of
16 let's do more transactions online instead of
17 paper.

18 We share that goal. We'll get that,
19 frankly, I think is where we are saying can we --

20 COUNCILMAN GREEN: I'm not telling you how
21 to get there. I am just telling you it must be
22 done as a service to our citizens.

23 MS. STITT: And we agree that it would be
24 an excellent service to our citizens. And we

1 certainly want to do it in the most efficient
2 manner. If you as a leader chooses to call us
3 back every week to discuss this, no, I don't think
4 that's the most efficient way. But will we
5 respond? Absolutely.

6 COUNCILMAN GREEN: Okay.

7 MS. STITT: What we are asking for
8 respectfully is that some of the discussion that
9 is actually going on now be taken care of in your
10 office where we can really sit down and parse
11 apart this bill and come to an agreement that
12 really works for both sides. We are all here for
13 the citizens of Philadelphia.

14 COUNCILMAN GREEN: No, absolutely. I
15 appreciate your comment. I have been having this
16 discussion since 2008 with the Administration. I
17 have written entire policy paper on it, and I
18 think I've been very patient. We've all been in
19 office five -- five and a half years.

20 So, I appreciate what you're saying.
21 Working with several CIOs, I have done exactly
22 what you are suggesting. In fact, Adel and I met
23 in my office on a topic like this two weeks ago.
24 So, okay.

1 Any other questions for -- yes.

2 Councilmember Brown.

3 COUNCILWOMAN REYNOLDS-BROWN: Thank you,
4 Mr. Chairman.

5 Good afternoon.

6 MS. STITT: Good afternoon.

7 MR. EBEID: Good afternoon.

8 COUNCILWOMAN REYNOLDS-BROWN: I want to
9 make sure that I -- I yield that he is the expert
10 on this tech world that we are moving into. But
11 I'm always cautioned when it comes to which
12 departments will be impacted in a way where a
13 human face will always count more than pushing
14 some budgets -- pushing some digits on the phone.

15 With that point of information for me,
16 Mr. Chairman, is this measure once enacted, what
17 impact might it have on a department like DHS or
18 Department of Health where the human condition is
19 the driver there versus important documents that
20 we get out of the departments like L&I with all
21 those departments being equal?

22 COUNCILMAN GREEN: Would you like to take a
23 shot at that first, and then I will answer my
24 question?

1 MR. EBEID: No. I am yielding my time to
2 you.

3 COUNCILMAN GREEN: Okay. Well, the answer
4 to the question is, this doesn't -- this will
5 either provide efficiencies in government or will
6 allow the department to -- to take dollars that
7 used to be spent on records clerks which are not
8 serving citizens, and data entry clerks which are
9 not sort of serving citizen or citizen facing and
10 put those dollars towards people who are actually
11 servicing citizens, whether it's in DHS providing
12 whatever services are needed there or additional
13 people to clean our streets.

14 COUNCILWOMAN REYNOLDS-BROWN: Okay.

15 COUNCILMAN GREEN: So that we have a
16 cleaner city.

17 COUNCILWOMAN REYNOLDS-BROWN: It captures
18 back office --

19 COUNCILMAN GREEN: It eliminates positions
20 potentially or provides dollars for additional
21 position potentially for cit -- citizen facing
22 citizen serving --

23 COUNCILWOMAN REYNOLDS-BROWN: Direct
24 service --

1 COUNCILMAN GREEN: -- people.

2 COUNCILWOMAN REYNOLDS-BROWN: Opportunities.

3 COUNCILMAN GREEN: So, the same dollars
4 could be spent with more people serving citizens.

5 COUNCILWOMAN REYNOLDS-BROWN: Okay.

6 The second point of information is
7 Councilman Green, Chair of the Committee, stated
8 for the record that his office has been working a
9 very, very, very, very, very, very, very long time
10 trying -- with the goal of being cooperative with
11 the Administration to get this to a better place.

12 So, how long have either of you been in the
13 positions you're in? Because that -- that too
14 becomes a factor when trying to move something
15 along that he's been working on since 2008 since
16 you been here.

17 MS. STITT: Right. So, I mean, as you, I
18 think may know, that I've been in this particular
19 position relatively new since mid March, which is
20 Chief of Staff for Managing Director. However, as
21 Deputy Commissioner For Procurement, we've
22 actually testified on some of these things with
23 Councilman Green and with you guys as a body.

24 So, one thing I would like to say is that

1 it has been since 2008. I will certainly
2 understand that from Councilman Green, but that
3 doesn't mean that nothing has been done since
4 2008. Departments have been taking steps going
5 forward trying to have work flows and showing step
6 by step what their -- what -- what --

7 COUNCILWOMAN REYNOLDS-BROWN: Improvements?

8 MS. STITT: -- improvements they need to
9 make and looking at what is manual, what can
10 change to automated, which will go to some of the
11 points in the bill. Also, you know, having
12 filings -- having millions of filing cabinets,
13 what you can image. Would that make sense. Does
14 that meet the requirements of different
15 legislation.

16 There is some legislation that says you
17 have to have the original. I am sure that for the
18 Law Department, things can be very different than
19 for the Records Department.

20 So, these are all the things which I was
21 saying in the beginning of the testimony that we
22 need to make sure that we're not taking some of
23 these suggestions and putting them across the
24 board for every department where there may be

1 unintentional impact that doesn't end up working
2 out.

3 COUNCILWOMAN REYNOLDS-BROWN: So, you are
4 suggesting this cannot be a one shoe fits all type
5 of --

6 MS. STITT: I don't believe it can be. And
7 I think it's very similar to what you were saying
8 about, you know, if we change things to the point
9 that it takes out the human content, is that the
10 best? It may be, but I think that needs to be
11 reviewed.

12 COUNCILMAN GREEN: Well, any other
13 questions from Members of the Committee?

14 COUNCILWOMAN REYNOLDS-BROWN: I would just
15 like to hear from the Commissioner on that same
16 point, please.

17 MR. EBEID: Yeah. So, I been here one
18 year, six months and eighteen days.

19 COUNCILMAN GREEN: But who is counting?

20 MR. EBEID: Who's counting. Right.

21 And I personally have been pretty impressed
22 with the agencies that we serve that -- our
23 customers. I provide internal services. Almost
24 every agency that I come in contact with wants to

1 move their transactions to the web.

2 MS. STITT: Absolutely.

3 MR. EBEID: Wants to automate their forms,
4 wants to move business from over the counter to
5 online, wants to receive all the payments and fees
6 by e-payment methods. They all want to streamline
7 the services that they provide to their agencies.

8 I think it comes down to the reality is, is
9 that we just have to prioritize what we are --
10 what we can do so that we can get things done.

11 But I've been very impressed with what the
12 agencies have been able to accomplish in the year
13 and a half that I can speak for.

14 I wasn't here in 2008, but I was certainly
15 here in the last year and a half. And I am very
16 happy with the business portal that went out that
17 really streamlined the interaction between
18 companies who are looking to relocate their
19 business here in Philadelphia. I am happy with
20 the amount of payments that we've increased and
21 being able to receive those payments online almost
22 22 -- I don't know why the 22 stuck in my head,
23 but 22 percent increase in the year over the -- in
24 the amount of fees that we are actually receiving

1 online.

2 COUNCILWOMAN REYNOLDS-BROWN: Really?

3 MR. EBEID: Absolutely. And we have some
4 critical capital projects that are in the works
5 now: Cashiering, L&I, certainly the -- with
6 Revenue. All of those projects are centered
7 around the core -- set of core principles. And
8 one of those is streamline the interaction between
9 the public and government as much as possible.

10 So, none of us enjoy the amount of paper
11 that moves around or the manual interaction that
12 happens. But I think there is a rational way to
13 automate those things without getting into a -- an
14 extremely prescribed method of how to achieve
15 that.

16 COUNCILMAN GREEN: Once again, I have to
17 interrupt you there. There is no method
18 prescribed in here whatsoever. It is entirely up
19 to the Managing Director's Office how to implement
20 the service being provided by citizens. There is
21 information that must be provided to Council.
22 That is a specific outline of information that is
23 required just as we require, for example --

24 COUNCILWOMAN REYNOLDS-BROWN: EOP plans.

1 COUNCILMAN GREEN: Yeah. Exactly.

2 Certainly, we are -- we are saying what
3 information must be provided, but we are not at
4 all in this bill saying how a -- the electronic
5 option must be implemented. We are just saying
6 it's a service. We have to provide citizens and a
7 duty we are giving the Managing Director's Office
8 to make sure it happens.

9 MS. STITT: And with that, because I think
10 we actually all are in somewhat of agreement that
11 we are trying to get there.

12 COUNCILWOMAN REYNOLDS-BROWN: We are all on
13 the same page.

14 MS. STITT: We are all on the same page. I
15 am not sure we know how to get there. I
16 understand the frustration that you have expressed
17 with that.

18 COUNCILMAN GREEN: I am going to interrupt
19 you for one second.

20 MS. STITT: That's fine.

21 COUNCILMAN GREEN: Because I know the
22 Finance Director and Budget Director have to leave
23 and have some more testimony to give.

24 COUNCILWOMAN REYNOLDS-BROWN: On this bill?

1 COUNCILMAN GREEN: On all their bills
2 because they have a four o'clock appointment. And
3 I told them I would try to get them out.

4 COUNCILWOMAN REYNOLDS-BROWN: Okay.
5 Surely.

6 COUNCILMAN GREEN: If you guys would hang
7 around, we can let them testify. And if
8 Councilwoman Brown has any questions after --

9 COUNCILWOMAN REYNOLDS-BROWN: Surely.

10 COUNCILMAN GREEN: -- after they testify,
11 we'll bring you back up.

12 COUNCILWOMAN REYNOLDS-BROWN: Surely.
13 That's fine.

14 MS. STITT: Thank you.

15 MR. EBEID: Thank you.

16 COUNCILMAN GREEN: Mr. Dubow and
17 Ms. Rhynhart. So just proceed in whatever order
18 you would like on all of the bills that you will
19 be testifying on.

20 MR. DUBOW: Okay. And thank you for making
21 that accommodation for us.

22 MS. RHYNHART: Good afternoon. Should I
23 start with -- well, Chairman Green and Members of
24 City Council, my name is Rebecca Rhynhart. I'm

1 the Budget Director for the City. I am here to
2 testify today on Bill No. 120107 which provides
3 for the preparation of Fiscal Impact Statements
4 regarding pending legislation and directing the
5 Finance Director and Controller to provide such
6 statements upon request, all under certain terms
7 and conditions.

8 The Administration believes that financial
9 analysis is an important tool in analyzing
10 proposed ordinances. And we routinely prepare
11 this type of analysis internally. As a result, we
12 think it's appropriate to provide this analysis to
13 City Council. And I can support this bill -- we
14 can support this bill.

15 This concludes my testimony. I am happy to
16 answer any questions you may have at this time.

17 COUNCILMAN GREEN: Are there any questions
18 for Members of the Committee on this bill?

19 Councilmember Johnson.

20 COUNCILMAN JOHNSON: Yes. Thank you,
21 Rebecca.

22 MS. RHYNHART: Sure.

23 COUNCILMAN JOHNSON: How you doing, Rob?
24 Glad you all agree with this bill.

1 Prior to me coming to City Council, my
2 former life I served two terms in the State house,
3 and I served six years working for State Senator.
4 And any bill or piece of legislation that we put
5 forth -- we put forth in the House had to have a
6 Fiscal Impact Statement. And that's how we start
7 to determine really how we would advance certain
8 ideas based upon how much it would actually cost.

9 And so, I am glad you are all in agreement
10 with it. I want to commend my colleague Chairman
11 Green because I think it's also in lines with also
12 performance-based budgeting. And hopefully, one
13 day we will get to that.

14 MS. RHYNHART: We are.

15 COUNCILMAN JOHNSON: Okay. Good. I just
16 want to tell you keep up the good work, and I'm
17 glad y'all on board with this.

18 MS. RHYNHART: Thank you.

19 COUNCILMAN JOHNSON: It's very important
20 piece of legislation.

21 COUNCILMAN GREEN: Thank you. And
22 actually, there is a lot of Members of this
23 Committee on this bill: Councilmember Henon,
24 Johnson, Goode, Bass, Oh and O'Brien.

1 Please proceed with your next bill.

2 MR. DUBOW: I am here now to testify in
3 support of Bill No. 130445, which would exempt new
4 businesses from the net profits tax for their
5 first two years. With me today is T. Afessa,
6 Director of Policy in the Revenue Department and
7 Rebecca Rhyhart Budget Director.

8 The bill amends Chapter 19-3800 of The
9 Philadelphia Code, which is entitled new
10 businesses. That chapter was added by City
11 Council in November 2011 to take effect in the tax
12 year 2012. Provides tax relief to qualifying new
13 businesses by allowing them not to pay for their
14 first two years in business in Philadelphia and by
15 reducing the cost associated with starting a new
16 business in Philadelphia. The chapter is intended
17 to encourage the birth and growth of new
18 businesses and the creation of new jobs.

19 And there were conditions regarded to
20 employment that are laid out in the next
21 paragraph. By extending the tax benefit provided
22 under Chapter 19-3800 to the net profits tax, the
23 bill would allow similarly situated businesses
24 irrespective of their business structure to be

1 treated similarly. While corporations are subject
2 only to the BRT, unincorporated businesses pay
3 both the BRT and the net profits tax. However,
4 the 60 percent BRT credit available against the
5 NPT liability substantially reduces if not
6 entirely eliminates their NPT liability.

7 As a result, when unincorporated businesses
8 qualify for tax relief under Chapter 19-3800 and
9 are not paying the BRT, they will lose their
10 60 percent credit and will wind up paying the
11 entire net profits tax liability. By allowing
12 unincorporated qualifying new businesses not to
13 pay the net profit tax in the first two years of
14 operation within Philadelphia, the bill will give
15 them comparable tax relief to that of
16 corporations.

17 The Department of Revenue estimates the
18 cost of this proposal to be about 1.5 million over
19 the course of the five-year plan. We think the
20 benefits to the proposal outweigh the potential
21 costs. And as a result, we support the
22 legislation.

23 And we're happy to answer any questions you
24 may have.

1 COUNCILMAN GREEN: Thank you.

2 Any questions from the Committee?

3 Seeing none, is there another bill that you
4 are --

5 MS. RHYNHART: No.

6 MR. DUBOW: No.

7 COUNCILMAN GREEN: Okay. Great. Thank you
8 very much.

9 MR. DUBOW: Thank you.

10 MS. RHYNHART: Thank you.

11 COUNCILMAN GREEN: We will take a 30 second
12 recess.

13 - - -

14 (Brief recess taken.)

15 - - -

16 COUNCILMAN GREEN: Adel and Ms. Stitt,
17 Councilmember Brown would just like the record to
18 note that with respect to the information we are
19 requesting in -- about business processes in the
20 City, et cetera, there is 180 days to provide that
21 or six full months. So, we hope that will be
22 sufficient.

23 Is there any issue with being able to
24 provide that data within six months?

1 MR. EBEID: I'm not in a position to commit
2 to that.

3 COUNCILMAN GREEN: Okay. Thank you. Thank
4 you for your testimony.

5 MS. STITT: Thank you.

6 COUNCILMAN GREEN: Is there anyone else
7 here to testify on Bill 120142?

8 Seeing none, we have heard the testimony on
9 Bill 120107.

10 Bill 130458, Mr. Bumb I believe is here to
11 testify on behalf of the Administration. Please
12 state your name for the record and proceed with
13 your testimony.

14 MR. BUMB: Good afternoon, Chairman Green
15 and Members of the Committee on Finance. My name
16 is Duane Bumb. I'm the Senior Deputy Director of
17 Commerce for the City of Philadelphia. I am
18 joined by Vince Dougherty also from the Commerce
19 Department who administers our Keystone
20 Opportunity Zone Program.

21 I am here today on behalf of the
22 Administration to testify in support of Bill
23 130458, a bill authorizing the City of
24 Philadelphia to apply to the Commonwealth of

1 Pennsylvania to extend the term of the Keystone
2 Opportunity Zone designation and benefits for 18
3 unoccupied parcels located throughout the City,
4 and to designate three new Keystone Opportunity
5 Zone expansion zones.

6 The Keystone Opportunity Zone Program was
7 created in 1999 to stimulate private investment on
8 vacant and underutilized properties through a
9 coordinated program that allowed for both state
10 and local business taxes to be waived on targeted
11 sites approved for participation by both levels of
12 government.

13 The KOZ program has been modified several
14 teams over the past 13 years with many new
15 properties added and the benefit terms of others
16 extended since the implementation of the KOZ
17 program. The results in Philadelphia have
18 included over \$1.2 billion in new private
19 investment and approximately ten thousand jobs
20 created or retained.

21 In February 2012, Governor Corbett signed
22 Senate Bill 1237 into law which authorizes local
23 governments throughout the Commonwealth to apply
24 to the State for a seven or ten-year extension for

1 unoccupied properties in existing Keystone
2 Opportunity Zones. The legislation also
3 authorizes the creation of 15 new Keystone
4 Opportunity Zone expansion zones statewide.
5 Applications for the extensions and creation of
6 new zones must be submitted to the Commonwealth by
7 no later than October 1, 2013.

8 Over the past few months, the Department of
9 Commerce in consultation with City Council staff
10 has developed a master list of properties that
11 would generate private investment and job creation
12 as a result of extended Keystone Opportunity Zone
13 benefits or creating new Keystone Opportunity Zone
14 -- expansion zones. The bill before City Council
15 today includes those properties identified through
16 that collaborative process.

17 With this legislation, we are proposing to
18 extend the KOZ term of four parcels. Each of
19 those parcels presents significant opportunity for
20 new investment and job growth in the City. We are
21 also proposing to apply for three new KOEZs as
22 allowed under the state KOZ law. The first of the
23 proposed new KOEZs listed as the City-wide KOEZ
24 consists of 13 vacant parcels, actually 196

1 separate legal properties located throughout the
2 City.

3 These properties include the former Food
4 Distribution Center in South Philadelphia, parcels
5 at the Navy Yard, vacant properties in University
6 City and West Philadelphia, a large development
7 City in the Red Lion North Industrial Park and two
8 large parcels of vacant land in North
9 Philadelphia. All these parcels either have
10 actual major projects already proposed or offer an
11 excellent site for development in the near future.
12 The other two additional new KOEZs that are being
13 proposed consist of a total 700 acres at the
14 former Sunoco refinery site in South Philadelphia.

15 As part of the negotiation with
16 Philadelphia Energy Solutions to acquire and
17 operate the refinery Governor Corbett proposed
18 designating major portions of this large facility
19 as a Keystone Opportunity Zone. Working in close
20 cooperation with the State to retain this
21 important employer, the City is prepared to apply
22 for two new Keystone Opportunity expansion zone
23 designations at the refinery that with the result
24 in the -- would result in the retention of 845

1 existing jobs and position the company for
2 substantial employment growth in the future.

3 PES will be investing an additional
4 \$225 million in capital projects which are either
5 already under way or are in the final planning
6 stages for the refinery as part of its commitment
7 to the future of the refinery. The new capital
8 investments will allow the company to add over 100
9 new permanent jobs at the site.

10 In short, PES is planning not only to make
11 the refinery a more efficient and vibrant business
12 in the short run, but also to expand the operation
13 to include additional processes and products that
14 will fully utilize the South Philadelphia complex
15 going forward.

16 As has been the case in previous rounds of
17 Keystone Opportunity Zone extensions and
18 designations, the City will be requiring all
19 privately owned property owners to pay a payment
20 in lieu of taxes or pilot of 110 percent of the
21 2013 real estate taxes as allowed by the state
22 enabling legislation. These pilots would extend
23 for the life of the KOZ designation.

24 Finally, I would like to submit for your

1 approval an amendment to the bill. This amendment
2 corrects a few technical errors in the bill and
3 efficiently adds Attachment 8 that should have
4 been included with the original bill. These
5 amendments do not materially change the intent of
6 the bill.

7 This concludes my prepared testimony. I
8 respectfully request the committee's support of
9 Bill 130458, and ask that the Rules of Council be
10 waived to allow for first reading at Council's
11 next scheduled meeting. Thank you for your
12 consideration. Be happy to answer any questions.

13 COUNCILWOMAN BLACKWELL: Thank you.
14 Councilmember Brown.

15 COUNCILWOMAN REYNOLDS-BROWN: Yes. Good
16 afternoon. Thank you.

17 So, I want to make sure I understand this.
18 Just by way of back story, you should know that
19 Councilman Bill Green just recently or soon to be
20 passed a piece of legislation around pilots and
21 the like. He can talk in greater detail about
22 that. My office is currently studying and doing a
23 lot of research around pilots because there is
24 some evidence that a lot of companies who get this

1 extraordinary exemption don't honor up as the
2 world moves on.

3 So, what is the -- you say that these
4 pilots will extend for the life of the KOZ
5 designation. How long is the KOZ designation?

6 MR. BUMB: They are all for ten years.

7 COUNCILMAN GREEN: Ten years. And you may
8 not know the answer. I certainly don't know the
9 answer.

10 Who monitors these type of initiatives to
11 ensure that the pilot provision is honored for the
12 life of the effort?

13 MR. BUMB: The pilot agreements are all
14 drafted and enforced by the Law Department.

15 COUNCILWOMAN REYNOLDS-BROWN: On the jobs
16 portion of this, Councilman Goode during budget
17 testimony raised a lot of questions about Commerce
18 in particular not doing a very good job in
19 ensuring that enterprises business efforts like
20 this have a direct link to Philadelphians who can
21 have access to these employment opportunities.

22 What considerations are being given to that
23 fact -- to that fact?

24 MR. BUMB: So any time that we -- we've

1 sort of followed the guidelines of City Council
2 that any sort of projects that require specific
3 City approvals have certain requirements. One of
4 those requirement would be an economic opportunity
5 plan if certain approvals are required for that
6 project.

7 COUNCILWOMAN REYNOLDS-BROWN: And these
8 type of projects would be subject to that, as
9 well?

10 MR. BUMB: I want to be careful to sort of
11 say that for -- again, here we are talking about
12 lots and lots of vacant properties. And we are
13 sort of following the State guidelines very
14 specifically and carefully that sort of say if we
15 apply to the State for a participation in the
16 Keystone Opportunity Zone Program, the State
17 waives certain taxes and requires that the local
18 government waives certain taxes, businesses taxes
19 as part of it.

20 COUNCILWOMAN REYNOLDS-BROWN: I see.

21 MR. BUMB: They are not -- they don't allow
22 us to put any other sort of requirements on the
23 business other than what we are doing here, which
24 is this -- this pilot agreement which they do

1 allow us to sort of put on only for the real
2 estate portion of -- of the sort of foregone taxes
3 otherwise, because we are waiving sales tax,
4 business tax, use and occupancy tax. All taxes
5 that could be assessed on that particular
6 property.

7 So, that's not to sort of say that when a
8 major development actually does happen on one of
9 the sites that we have sort of primed with this
10 great incentive that -- that we don't sort of work
11 with that -- right now we don't even have an
12 identified business to work with. But we would be
13 at that point sort of working directly with the
14 Office of Economic Opportunity and working with
15 the company --

16 COUNCILWOMAN REYNOLDS-BROWN: Okay.

17 MR. BUMB: -- once it's identified to
18 create an economic opportunity plan.

19 COUNCILWOMAN REYNOLDS-BROWN: Okay. In
20 short, then, it's too early to talk about economic
21 opportunity plan because we simply are not at that
22 juncture yet. Is that what I'm hearing?

23 MR. BUMB: That's right. Because this
24 is -- we're not at the deal point yet.

1 COUNCILWOMAN REYNOLDS-BROWN: Okay.

2 MR. BUMB: That's right.

3 COUNCILWOMAN REYNOLDS-BROWN: Okay.

4 Councilman Green, thank you.

5 COUNCILMAN GREEN: Thank you.

6 Any other questions from Members of the
7 Committee?

8 Seeing none, thank you for your testimony.

9 MR. BUMB: Thank you.

10 COUNCILMAN GREEN: Are Alan Levin or Craig
11 Spanek here?

12 Sorry. I will try one more time. Alan
13 Levin? Craig Spanek? Okay.

14 We will move to 130445. For which we have
15 heard the testimony from Mr. Dubow. And we have a
16 letter from Varsovia Fernandez, the President and
17 CEO of Greater Philadelphia Hispanic Chamber of
18 Commerce, which has been provided to
19 Councilmembers and will be made a part of the
20 record.

21 Also, if -- we have a rec -- a letter from
22 Steven Scott Bradley, Chairman of the African
23 American Chamber of Commerce; and a letter from Al
24 Taubenberger, President of Greater Northeast

1 Chamber of Commerce also provided a letter which
2 will be made a part of the record.

3 Is there anyone else here to testify on
4 Bills 130451, 120142, 120107, 130458 or 130445?

5 Seeing none, I would like to take the
6 opportunity to recognize the former Chairman of
7 our PIDC, Peter Longstreth who is in the house.
8 Good to see you here. Thank you for attending. I
9 would have thought once you retired, you would not
10 come back to a City Council hearing, but it's good
11 to see you. Okay.

12 We will now recess the hearing on the bills
13 just mentioned and move into the meeting.

14 - - -

15 (End of Public Hearing and move to
16 Public Meeting.)

17 - - -

18 COUNCILMAN GREEN: And I would ask
19 Councilmember Blackwell to move Bill 130451.

20 COUNCILWOMAN BLACKWELL: Thank you,
21 Mr. Chairman.

22 I move that Bill 130451 be reported out of
23 the Committee. And that a suspension of the rules
24 be permitted so as to permit first reading at our

1 next session of Council.

2 COUNCILWOMAN REYNOLDS-BROWN: Second.

3 COUNCILMAN GREEN: It's been properly moved
4 and seconded that Bill 130451 be reported from
5 this Committee with a favorable recommendation and
6 a suspension of the rules to permit first reading
7 at our next session of Council.

8 All in favor?

9 - - -

10 (Chorus of Ayes)

11 - - -

12 COUNCILMAN GREEN: All against?

13 The ayes have it.

14 I will asking Councilmember Blackwell to
15 move Bill 120142.

16 COUNCILWOMAN BLACKWELL: Thank you,
17 Mr. Chairman.

18 I move that Bill 120142 be reported out of
19 Committee with a favorable recommendation. And
20 further move that the rules of Council be
21 suspended so as to permit first reading at our
22 next session of Council.

23 COUNCILMAN HENON: Second.

24 COUNCILMAN GREEN: Been properly moved and

1 seconded that Bill No. 120142 be reported from
2 this Committee with a favorable recommendation,
3 that the Rules of Council be suspended to permit
4 first reading at our next session of Council.

5 All in favor?

6 - - -

7 (Chorus of Ayes)

8 - - -

9 COUNCILMAN GREEN: All opposed?

10 The ayes have it.

11 I'd ask Councilmember Blackwell to move
12 120107.

13 COUNCILWOMAN BLACKWELL: Thank you,
14 Mr. Chairman.

15 I move that Bill No. 120107 be reported out
16 of Committee with a favorable recommendation; and
17 furthermore, that the Rules of Council be
18 suspended so as to permit first reading at our
19 next session of Council.

20 COUNCILMAN HENON: Second.

21 COUNCILMAN GREEN: It's been properly moved
22 and seconded that Bill No. 120107 be reported from
23 this Committee with a favorable recommendation and
24 suspension of the rules.

1 All in favor?

2 - - -

3 (Chorus of Ayes)

4 - - -

5 COUNCILMAN GREEN: Any opposed?

6 The ayes have it.

7 I'd ask Councilmember Blackwell move
8 130458.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Mr. Chairman.

11 I move that Bill No. 130458 be reported out
12 of Committee with a favorable recommendation. And
13 furthermore, that the Rules of Council be
14 suspended to permit first reading at our next
15 session of Council.

16 COUNCILMAN HENON: Second.

17 COUNCILMAN GREEN: Been moved and properly
18 seconded that the Bill 130458 be reported from
19 this Committee with a favorable recommendation and
20 that Rules of Council be suspended.

21 All in favor?

22 - - -

23 (Chorus of Ayes)

24 - - -

1 COUNCILMAN GREEN: Any opposed?

2 The ayes have it.

3 And I would ask that Councilmember

4 Blackwell to move the amendment --

5 COUNCILWOMAN REYNOLDS-BROWN: Mr. Chairman,

6 I think this gentleman wants your attention.

7 Okay. He wanted to make sure you move the

8 amendment.

9 COUNCILMAN GREEN: There is only one bill
10 with an amendment that I am aware of, 130445.

11 COUNCILWOMAN BLACKWELL: Okay.

12 COUNCILMAN GREEN: We will -- I ask
13 Councilmember Blackwell to move the amendment to
14 Bill 130458.

15 COUNCILWOMAN BLACKWELL: Thank you.

16 I move that the amendment to Bill No.
17 130458 be adopted.

18 COUNCILMAN HENON: Second.

19 COUNCILMAN GREEN: It's been properly moved
20 and seconded that the amendment to Bill 130458 be
21 approved.

22 All in favor?

23 - - -

24 (Chorus of Ayes)

1 - - -

2 COUNCILMAN GREEN: Any opposed?

3 The ayes have it.

4 I ask Councilmember Blackwell to move
5 130458 as amended.

6 COUNCILWOMAN BLACKWELL: Thank you,
7 Mr. Chairman.

8 I move that Bill No. 130458 as amended be
9 reported out of Committee with a favorable
10 recommendation; and furthermore, that the Rules of
11 Council be suspended so as to permit first reading
12 at our next session of Council.

13 COUNCILMAN JOHNSON: Second.

14 COUNCILMAN GREEN: It's been properly moved
15 and seconded that Bill No. 130458 as amended be
16 reported from this Committee with a favorable
17 recommendation, that the rules of Council be
18 suspended to permit first reading at our next
19 session of Council.

20 And we are missing Bill, I think, 130445.
21 I would ask Councilmember Blackwell to move that
22 bill.

23 COUNCILWOMAN BLACKWELL: Thank you,
24 Mr. Chairman.

1 I move that Bill No. 130445 be reported out
2 of Committee with a favorable recommendation; and
3 furthermore, that the Rules of Council be
4 suspended so as to permit first reading at our
5 next session of Council.

6 COUNCILMAN JOHNSON: Second.

7 COUNCILMAN GREEN: It's been properly moved
8 and seconded that Bill No. 130445 be reported from
9 this Committee with a favorable recommendation,
10 that Rules of Council be suspended to permit first
11 reading at our next session of Council.

12 All those in favor?

13 - - -

14 (Chorus of Ayes)

15 - - -

16 COUNCILMAN GREEN: Any opposed?

17 The ayes have it.

18 This will conclude the meeting of the
19 Committee of Finance on Bills No. 130451, 120142,
20 120107, 130458 and 130445.

21 COUNCILWOMAN BLACKWELL: Thank you.

22 - - -

23 (Finance Committee Meeting concluded at
24 4:26 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 that this is a
correct transcript of the same.

Court Reporter - Notary Public

(The foregoing certification of
this transcript does not apply to any
reproduction of the same by any means,
unless under the direct control and/or
supervision of the certifying reporter.)

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