

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 5, 2013
3:00 p.m.

PRESENT:

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

BILLS 120338, 120339, 120341, 120651, 130142,
130150, 130163, 130180, 130181, 130183,
130254, 130417, and 130447
RESOLUTION 130190

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COUNCIL PRESIDENT CLARKE: Good afternoon, everyone. Good afternoon. Thank you. Sorry for the delay, but unlike Amtrak, government rarely runs on time. So I want to apologize for that.

I heard somebody in the back say nor does Amtrak.

We're going to start now. Thank you. This is a continuation of the public hearing of the Committee of the Whole regarding Bills No. 120338, 120339, 120341, 120651, 130142, 130150, 130163, 130180, 130181, 130183, 130254, 130417, and 130447 and Resolution 130190.

Please note that the following bills are being considered for action today by this body, and they are Bills No. 130181 and 130417. The 130181 is the bill with respect to homestead and 130417 is the deferral bill.

Ms. Lewis, please read the titles of the bills we are considering today.

THE CLERK: Bill No. 130181,

1 6/5/13 - WHOLE - BILL 120651, etc.
2 amending Chapter 19-1300 and 19-1800 of
3 The Philadelphia Code, entitled,
4 respectively, "Real Estate Taxes" and
5 "School District Tax Authorization," by
6 establishing a tax rate for City real
7 estate tax and authorizing and
8 establishing a tax rate for School
9 District real estate tax; and by revising
10 the homestead exclusion; all under
11 certain terms and conditions; and

12 Bill No. 130417, amending
13 Chapter 19-1300 of The Philadelphia Code,
14 entitled "Real Estate Taxes," by further
15 providing for deferrals for taxpayers
16 experiencing significant increases in
17 their real estate taxes, under certain
18 terms and conditions.

19 COUNCIL PRESIDENT CLARKE:

20 Thank you, Ms. Lewis.

21 We don't have any testimony by
22 the Administration today. They are here
23 to answer any questions. So what we'd
24 like to do is go directly to our
25 witnesses from the audience.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 Just real briefly, you'll be
3 given three minutes to make your
4 presentation. We ask that you please
5 conform with that particular provision.
6 There may be questions from members of
7 the Committee with respect to your
8 testimony; there may not. What we'd like
9 to do is call up panels of three to help
10 us facilitate the process.

11 So at this time, Ms. Lewis,
12 would you please call up the first
13 witnesses.

14 MS. LEWIS: The first three
15 witnesses are John Longacre, Sara
16 Calderon, and Brian Emmons.

17 (Witnesses approached witness
18 table.)

19 MS. LEWIS: If Brian Emmons
20 isn't here, then Anne Fadullon.

21 (Witness approached witness
22 table.)

23 COUNCIL PRESIDENT CLARKE: Good
24 afternoon. Just state your name for the
25 record.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 MR. LONGACRE: John Longacre.

3 COUNCIL PRESIDENT CLARKE:

4 Mr. Longacre, do you want to go first.

5 MR. LONGACRE: Sure. Thank
6 you.

7 Again, my name is John
8 Longacre. I represent the Philadelphia
9 Licensed Beverage Association as well as
10 the Pennsylvania Licensed Beverage
11 Association, which is comprised primarily
12 of Philadelphia business owners that are
13 licensed to sell alcohol in the City.

14 In Philadelphia, we have wage
15 tax, business income and receipt tax,
16 gross receipt tax, sales tax that's 2
17 percent higher than everyone else,
18 across-the-bar tax, hotel tax, tobacco
19 tax, liquor tax, use and occupancy tax,
20 school income tax, amusement tax,
21 mechanical amusement tax, parking tax,
22 valet parking tax, vehicle rental tax,
23 outdoor advertising tax, and my own
24 personal favorite, the Philadelphia
25 Parking Authority tax. These are just a

1 6/5/13 - WHOLE - BILL 120651, etc.
2 few examples of Philadelphia-based taxes
3 that we pay and, in several instances, do
4 not exist among our suburban metro
5 counterparts.

6 In March, national media
7 outlets, the likes of MarketWatch, the
8 Wall Street Journal, and the Huffington
9 Post released reports that indicated
10 Philadelphia residents carry the second
11 highest tax burden of the United States
12 of America. In addition, the Mayor's new
13 AVI initiatives, while absolutely
14 necessary, will raise taxes on the
15 majority of residential property within
16 the City, all while the City has raised
17 property taxes three years in a row.

18 Obviously we have a fundamental
19 problem at the core of our City
20 government. When the City runs out of
21 money consistently and has to
22 continuously raise taxes on businesses
23 and residents alike, there is a problem
24 at the core.

25 The City faced challenging

1 6/5/13 - WHOLE - BILL 120651, etc.
2 economic times in 1994 when City Council
3 approved the first across-the-bar tax at
4 10 percent. Now in 2013, the City faces
5 yet another funding gap, and the City is
6 proposing an increase on an industry
7 that's already being penalized. In
8 addition, the already existing
9 across-the-bar tax that we pay in
10 Philadelphia does not exist in one single
11 county in the State of Pennsylvania other
12 than Philadelphia. What's going to
13 happen the next time the City has
14 difficult financial times? Are they
15 going to increase it to 25 or 30 percent?

16 It's almost as if the City
17 government wants to punish the people and
18 businesses who actually pay taxes and
19 reward the evaders. In the end, we'll be
20 back here next year or the year after
21 having the same fight until someone in
22 this room has the political will and
23 skill to fix this problem.

24 The City of Philadelphia is
25 sitting on a gold mine of uncollected

1 6/5/13 - WHOLE - BILL 120651, etc.
2 taxes, and it's time for the City to dig
3 deep and extract that gold. As an
4 industry, we all understand that the
5 Philadelphia schools need more funding.
6 None of us in this room in our industry
7 is suggesting that the Philadelphia
8 schools should not be properly and
9 adequately funded. What we are opposed
10 to is the creation of yet another
11 quick-fix tax increase on the backs of
12 small businesses without addressing the
13 true rotting, festering problem that
14 exists at the core of our City
15 government.

16 One has to wonder how a city
17 starved for cash that is owed over half a
18 billion dollars in delinquent property
19 taxes could possibly be so permissive in
20 tolerating chronic delinquency on a scale
21 that is unheard of in other major cities
22 across America. How is it possible that
23 a city with the aforementioned dynamic
24 could possibly suggest yet another
25 quick-fix tax on the backs of its

1 6/5/13 - WHOLE - BILL 120651, etc.
2 residents and businesses without
3 collecting the revenue already sitting on
4 the books?

5 Am I done?

6 COUNCIL PRESIDENT CLARKE:

7 Yeah, when the buzzer rings.

8 MR. LONGACRE: I'm sorry. I
9 timed this at three minutes.

10 COUNCIL PRESIDENT CLARKE: You
11 were on a roll.

12 MR. LONGACRE: I was going
13 slow, I guess. I'll stop. Listen, the
14 point is, it's very simple. We're
15 already being penalized as an industry.
16 Five hundred seventeen million dollars on
17 the books, let's try to collect those
18 taxes and close this gap.

19 Thank you.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, sir.

22 (Applause.)

23 COUNCIL PRESIDENT CLARKE: Good
24 afternoon.

25 MS. FADULLON: My name is Anne

1 6/5/13 - WHOLE - BILL 120651, etc.
2 Fadullon. I'm Vice President of the
3 Building Industry Association in
4 Philadelphia, which represents the
5 residential builders in the City. I'm
6 here to talk about the tax abatement
7 bill, Bill 120651.

8 The residential building
9 industry in Philadelphia and the nation
10 is just starting to come out of the worst
11 recession of our lifetime. While
12 building in Philadelphia appears to be on
13 the rise, we're in no way out of the
14 woods yet, and the recovery is tentative
15 at best, and Philadelphia needs every
16 tool and advantage it has to compete in
17 the marketplace.

18 The BIA recently commissioned
19 Dr. Kevin Gillen to prepare a report,
20 which was circulated to various
21 Councilmembers, that verifies the need
22 for the abatement in Philadelphia. We
23 exist in a market with high development
24 costs that unfortunately are not matched
25 by a high-income level on our residents.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 Our low-income level paired with the high
3 cost of development makes it difficult to
4 build profitably in Philadelphia. And I
5 want to be clear that this is a twofold
6 problem. It's not simply high costs.
7 It's a combination with the low-income
8 level of our residents as well, and both
9 sides of this issue has to be addressed
10 in order to balance our market.

11 When the ten-year tax abatement
12 was first implemented in approximately
13 2000, the need for the abatement was a
14 result of several economic factors,
15 including a depressed employment market,
16 high City wage taxes, and low-achieving
17 public schools, and unfortunately we find
18 that most of these factors still exist
19 today.

20 We recently took a poll of our
21 builder members to determine what an
22 impact a change in the ten-year tax
23 abatement would have on their businesses.
24 The results were very clear. Nearly \$440
25 million in development and 700

1 6/5/13 - WHOLE - BILL 120651, etc.
2 construction jobs would be in jeopardy if
3 the abatement were reduced, and that's
4 just the near term impact. The long-term
5 effects are virtually incalculable.

6 We recognize the difficulty
7 that City Council faces trying to pass a
8 responsible budget in a time of
9 continuing economic hardship. Is the
10 City foregoing property tax revenue due
11 to the abatement? Of course, the simple
12 answer is yes. Unfortunately, these
13 questions rarely result in simple
14 answers. Simply calculating how much
15 revenue the City is losing by multiplying
16 the abatement value by the proposed tax
17 rate is a false assumption. But for the
18 abatement, much of the development which
19 has taken place in Philadelphia is likely
20 not to have happened. Thus, any
21 calculation regarding the impact of the
22 abatement on revenue must take this
23 consideration into effect.

24 COUNCIL PRESIDENT CLARKE: Keep
25 going.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 MS. FADULLON: It's okay?

3 COUNCIL PRESIDENT CLARKE: Our
4 timer is actually off.

5 MS. FADULLON: So as per the
6 report that was prepared by Dr. Kevin
7 Gillen, without the value of the projects
8 developed over the past several years as
9 a result of the abatement, the property
10 tax rate being considered by City Council
11 may even have to be a higher rate.

12 This is not even taking into
13 consideration the real estate transfer
14 taxes, business privilege taxes, and wage
15 taxes paid to the City as a result of
16 development done under the abatement.
17 Further, an analysis of all the various
18 tax revenue foregone by the City due to
19 delinquencies and non-collection shows
20 that abatements are only a very small
21 piece of that pie, approximately 6
22 percent. Adjusting the abatement will
23 not result in a windfall in revenue to
24 the City.

25 The best way to increase

1 6/5/13 - WHOLE - BILL 120651, etc.
2 revenue into the City is to grow our
3 population. Although there are many
4 strategies to achieve this end, the one
5 that most impacts the residential housing
6 market is the ability of the City to
7 affect housing choice. Households above
8 a certain income level have what is known
9 as housing choice. They have the ability
10 to choose where they live based on the
11 location of their workplace, proximity to
12 quality schools, recreational facilities,
13 et cetera. Philadelphia needs to be able
14 to compete with the surrounding region to
15 attract households with housing choice.

16 COUNCIL PRESIDENT CLARKE:
17 Ms. Fadullon, that wedding music that you
18 just heard, that was actually the three
19 minutes. The wedding bell music that you
20 just heard -- maybe you didn't hear it --
21 that was actually --

22 MS. FADULLON: I thought maybe
23 we were having a celebration and no one
24 told me.

25 COUNCIL PRESIDENT CLARKE: June

1 6/5/13 - WHOLE - BILL 120651, etc.
2 20th.

3 If you can just conclude.

4 MS. FADULLON: So essentially
5 obviously we're saying we -- just very
6 succinctly, the building industry
7 understands that there's some issues with
8 abatement. We want to work with Council
9 to have a dialogue around that and figure
10 out how to come up with the best policy
11 for the City. Unfortunately, we don't
12 think the bill on the table is that best
13 policy, but we stand here willing, ready
14 to work and figure out what the best
15 policy would be.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you.

18 MS. FADULLON: Thank you.
19 (Applause.)

20 COUNCIL PRESIDENT CLARKE: The
21 Chair recognizes Councilman Goode.

22 COUNCILMAN GOODE: Thank you,
23 Mr. President.

24 This is actually the first
25 witness during the whole budget process

1 6/5/13 - WHOLE - BILL 120651, etc.
2 to testify against the abatement bill,
3 which has since been amended and
4 modified. So my first question is, were
5 you testifying related to the original
6 proposal or the current proposal?

7 MS. FADULLON: So my
8 understanding of what's on the table is a
9 ten-year abatement with a cap at the
10 first \$250,000 of value. Is that the
11 most recent?

12 COUNCILMAN GOODE: And what's
13 wrong with that?

14 And what's wrong with that?

15 MS. FADULLON: I think -- I'll
16 give you an honest answer. What should
17 the cap on the abatement be? Honestly, I
18 don't know, because I'm not sure what the
19 tipping point is.

20 COUNCILMAN GOODE: That's
21 actually what the discussion is about for
22 everyone who wants to have a fruitful
23 discussion.

24 MS. FADULLON: And we want --

25 COUNCILMAN GOODE: I met with

1 6/5/13 - WHOLE - BILL 120651, etc.
2 any number of people, realtors,
3 developers, community activists, and
4 beyond entering the first proposal for
5 discussion in September of 2012 where
6 there was no response, no give and take,
7 I've allowed myself to entertain any
8 number of different ideas, including work
9 that was done from our technical staff on
10 models around the nation. We don't have
11 as much flexibility as we'd like to be
12 able to have different types of
13 abatements, base the abatement on
14 flexible means. So at this point, we
15 have to have a one size fits all.

16 So in sincere discussions with
17 people who are actually concerned about
18 development and not just being greedy,
19 the discussion goes something like this.
20 This is a question of whether there
21 should be a cap or no cap, and I think
22 that that question is simply answered by
23 the fact that there are actually
24 properties that exist in Philadelphia
25 that are worth millions of dollars. I

1 6/5/13 - WHOLE - BILL 120651, etc.
2 know one was cited at \$11 million, and an
3 \$11 million property that's paying taxes
4 on about a \$300,000 assessment, should
5 they be receiving an abatement on \$11
6 million? Clearly, the cost of
7 construction was not \$11 million. It's a
8 property that exists in Rittenhouse
9 Square, and somebody is stupid enough to
10 pay \$11 million to live there. Although
11 it clearly is not really worth \$11
12 million, it's worth it to them to buy.
13 So should they pay taxes on that, pay any
14 taxes or not? Should it be 100 percent
15 abatement on that \$11 million?

16 So the first question is,
17 should there be a cap or not? I believe
18 that there should be a cap. So the
19 question is, should there be a cap?

20 MS. FADULLON: And I think,
21 yeah, we're willing to entertain that
22 there be a cap. What I'm saying is
23 unfortunately I don't have the data here
24 to say exactly what that cap would be.

25 COUNCILMAN GOODE: Well, I have

1 6/5/13 - WHOLE - BILL 120651, etc.
2 a lot of data to help you out.

3 So should the cap be based on
4 the construction cost? Before we even
5 get to what the number should be, should
6 the cap be based on the construction
7 cost? If what we're trying to do is
8 provide a proper public subsidy to make
9 sure that construction goes on, should we
10 just set the cap at the construction
11 cost?

12 MS. FADULLON: And I think
13 that -- and, again, talking off the top
14 of my head, without the data sitting in
15 front of me, I think the cap should
16 probably be based on value.

17 COUNCILMAN GOODE: Based on
18 value?

19 MS. FADULLON: On value of the
20 property.

21 COUNCILMAN GOODE: I don't
22 necessarily know what you mean by
23 "value," but I'm asking --

24 MS. FADULLON: So let's say
25 that there's a property and it costs --

1 6/5/13 - WHOLE - BILL 120651, etc.
2 because we have some different situations
3 in the City. If you're doing a
4 market-rate development, let's say it
5 costs 300,000 to build the property and
6 you sell it at a profit over that that
7 allows you to get financing from the bank
8 and continue your business.

9 COUNCILMAN GOODE: So it costs
10 you \$300,000 to build it?

11 MS. FADULLON: Right, but value
12 of that would be whatever you sold it
13 for.

14 COUNCILMAN GOODE: So should
15 the cap be at \$300,000?

16 MS. FADULLON: No.

17 COUNCILMAN GOODE: Why should
18 it be higher than \$300,000?

19 MS. FADULLON: Because I think
20 it should be at the value, because then
21 we also have a situation in Philadelphia
22 where it costs something to build a
23 property and then the value is less
24 than --

25 COUNCILMAN GOODE: Your

1 6/5/13 - WHOLE - BILL 120651, etc.

2 testimony said that you need the
3 abatement because of construction costs.

4 MS. FADULLON: I said that was
5 one reason why there was the abatement.

6 COUNCILMAN GOODE: And the
7 other reason is?

8 MS. FADULLON: The other
9 reasons why the abatement came in 2000
10 was because we were in a situation --

11 COUNCILMAN GOODE: We're
12 talking about why you need the abatement
13 to continue as it is.

14 MS. FADULLON: Right. And
15 because we were in a situation -- we're
16 in a similar situation -- where folks who
17 have housing choice and the ability to
18 locate wherever I think -- I mean, I
19 believe as a resident of Philadelphia and
20 a business person in Philadelphia, we'd
21 like to attract those people to
22 Philadelphia.

23 COUNCILMAN GOODE: So you're
24 saying --

25 MS. FADULLON: And I think we

1 6/5/13 - WHOLE - BILL 120651, etc.
2 have to provide some incentive given
3 that, yes, do we have high costs and
4 relatively low value? Yes, but we also
5 unfortunately have high unemployment,
6 low-performing schools. We have some
7 other issues that affect how people
8 choose where they're going to live.

9 COUNCILMAN GOODE: So you're
10 saying that long-term homeowners who have
11 poor-performing schools and other issues
12 that you mentioned should carry an extra
13 burden in terms of property taxes to
14 attract new people?

15 MS. FADULLON: I don't believe
16 that we should burden -- I believe that
17 there's a solution that we can get to --

18 COUNCILMAN GOODE: There
19 absolutely is.

20 MS. FADULLON: -- that attracts
21 folks to the City of Philadelphia, that
22 provides protection for existing
23 residents, and also helps spur the
24 residential building industry. I think
25 if we have a dialogue, I really feel that

1 6/5/13 - WHOLE - BILL 120651, etc.
2 we can get there. I don't think a cap at
3 250 gets us there.

4 COUNCILMAN GOODE: I'll make
5 two more comments. If you can tell me
6 what the cost of construction is, and the
7 cost of construction per unit may be
8 \$300,000 -- I think that's probably a
9 good number -- and if we set the cap at
10 \$300,000, you have to explain to me why
11 the cap should be above the cost of
12 construction in the unit, why we would
13 provide a subsidy beyond that,
14 particularly at a time when we're about
15 to move to new a property assessment
16 system.

17 MS. FADULLON: I think part of
18 that is because there's a misnomer that
19 the subsidy goes directly to the
20 developer. In reality, it goes to the
21 home buyer and the --

22 COUNCILMAN GOODE: So why would
23 we subsidize --

24 MS. FADULLON: The abatement
25 allows the home buyer then to leverage

1 6/5/13 - WHOLE - BILL 120651, etc.
2 potentially into a higher value property.

3 COUNCILMAN GOODE: So it
4 artificially inflates the price and
5 allows the bank to make more money. And
6 what else?

7 MS. FADULLON: I can't
8 necessarily agree with that analysis. I
9 think what it does is, it allows the home
10 buyer to have -- to be able to pay their
11 mortgage, but then also maybe have
12 dollars that help bridge the gap between
13 what they may have to pay to send their
14 child to school or to have other
15 amenities. I don't know what the
16 homeowner does with that money.

17 COUNCILMAN GOODE: You cited
18 the Building Industry Association's study
19 that did a comparison of abatement versus
20 no abatement, which is a false comparison
21 because the abatement already existed,
22 continues to exist now, and will exist.
23 There's no proposal to get rid of the
24 abatement.

25 When we analyze the abatements

1 6/5/13 - WHOLE - BILL 120651, etc.
2 that are on the books now and we look at
3 how many are below 250 and how many are
4 above 250, we find that a majority of
5 them, about 61 percent, are above
6 \$250,000. That's not in line with median
7 sales price. So if you look at your
8 study and work that was done by Kevin
9 Gillen, you should also look at other
10 data that's fresh and new done by Kevin
11 Gillen. If you look at median sales
12 prices in 2013 for the first quarter,
13 what sections of the City are actually
14 selling homes anywhere near 250?

15 MS. FADULLON: Well, and I
16 think because that data takes into
17 account resale homes as well, and I
18 think --

19 COUNCILMAN GOODE: I'm simply
20 talking about the median sales price
21 across the City.

22 MS. FADULLON: Right, but the
23 median sales price is affected by resale
24 homes in addition to new construction
25 homes, and I would say given the state of

1 6/5/13 - WHOLE - BILL 120651, etc.
2 the industry over the last several years,
3 a predominant number of sales homes -- or
4 home sales have been existing homes for
5 sale rather than new or rehabilitated,
6 because there hasn't been a lot of
7 activity up until very recently.

8 COUNCILMAN GOODE: That isn't
9 my question. My question is, what is the
10 median sales price citywide?

11 MS. FADULLON: I think it's
12 upwards of \$130,000, \$140,000, something
13 like that.

14 COUNCILMAN GOODE: It's
15 112,500.

16 How many areas of the City
17 actually have a median sales price above
18 \$250,000?

19 MS. FADULLON: I do not know.

20 COUNCILMAN GOODE: Just one
21 area of the City, Center City.

22 Throughout the City, you look
23 at the Lower Northeast, the median sales
24 price 200; Upper Northeast 200; Lower
25 Northeast 168; Central Northeast 150;

1 6/5/13 - WHOLE - BILL 120651, etc.
2 North Delaware 100; Upper Northwest 130;
3 Upper North 68,000; Lower Northeast
4 69,000; Lower Northwest 200,000; North
5 23,000; River Wards 85,000; West Park
6 112,500; Lower North 55,000; West
7 Southwest 33,000; University City
8 230,000. I mentioned Center City
9 385,000; Lower Southwest 59,000; South
10 125,000.

11 The median home sales price is
12 nowhere near the \$250,000 abatement that
13 we're talking about offering to cover
14 construction costs for new residents.
15 Now, if that real number is 300,000
16 rather than 250, I'd be willing to move
17 on that number. I'm not willing to say
18 we should move beyond what the
19 construction costs are, because it's
20 simply not fair. It's nowhere near where
21 most people's homes are.

22 And so at a point when we're
23 moving to a new property tax assessment
24 system and asking people to pay their
25 fair share, for me to have a proposal on

1 6/5/13 - WHOLE - BILL 120651, etc.
2 the table that says we're trying to cover
3 construction costs and offer a subsidy of
4 more than two times the median sales
5 price per unit over ten years, and for
6 that not to be considered fair, it's not
7 an honest conversation.

8 Thank you, Mr. Chairman.

9 (Applause.)

10 MS. CALDERON: Good afternoon.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilman.

13 The Chair recognizes Councilman
14 Squilla.

15 COUNCILMAN SQUILLA: Thank you,
16 Mr. President.

17 During the process of talking
18 about the abated properties tied into
19 AVI, at least a point of information,
20 from working with OPA, no abated property
21 sale price was included into the AVI
22 formula. Therefore, it did not skew the
23 values of the homes in any direction,
24 because they washed those property sales
25 out if they're going to include that into

1 6/5/13 - WHOLE - BILL 120651, etc.
2 an AVI mixture. So at least meeting with
3 OPA during that one of the four-hour
4 training sessions that they had that we
5 went to to try to explain to me how they
6 came up with the assessments, which I'm
7 still not clear on, but that was one of
8 the points that they made to me, that
9 they did not include -- they washed out
10 any abated property was not included into
11 the AVI formula, whatever that formula
12 is.

13 So thank you.

14 COUNCIL PRESIDENT CLARKE: All
15 right. I know I'm not -- well, that's
16 only if I'm up there I'm not supposed to
17 talk.

18 The issue -- and I hate to keep
19 bringing this issue up about the
20 Francisville model, when Mr. McKeithen
21 talked about the speculative or
22 predictive value of a property in
23 Francisville when one was from 45,000 to
24 450,000 and the only properties in that
25 neighborhood that sold for that amount

1 6/5/13 - WHOLE - BILL 120651, etc.
2 were properties that were all under tax
3 abatements that just sold -- the new
4 construction tax-abated properties. So I
5 got to believe that this house that this
6 lady lived in for 40 years, 50 years and
7 still had the original plumbing, the only
8 reason that they speculatively suggested
9 that her property is worth \$450,000 was
10 based on the abated properties, because
11 there had been no comparables whatsoever
12 of existing older homes in that
13 neighborhood. So I got to believe that
14 that had something to do with the fact
15 that her speculative or predictive, as
16 they call it, predictive value of the
17 house was 450.

18 So I do think there is some
19 correlation in spite of them saying we'll
20 take it out of the equation. But it was
21 clearly a predictive equation that caused
22 her to have a \$450,000 assessment. But
23 thank you. Thank you, Councilman.

24 Thank you very much. Next
25 witness.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 MS. CALDERON: Thank you. My
3 name is Sara Calderon and I am a parent.
4 I work in the City of Philadelphia. I
5 live in Mount Airy and have raised four
6 kids here in the City. I currently have
7 two in high school, one at Masterman and
8 one at CAPA, and I'm here to -- I was
9 here to testify regarding funding for
10 public education.

11 I'm here to express my
12 support -- when I signed up, things have
13 continued to change from the time I even
14 took the train to the time I got here,
15 but I was here to express my support
16 actually for the cigarette tax bill,
17 which promised to alleviate in a chunk a
18 few million dollars of the School
19 District's astronomical budget shortfall,
20 and although the 5 percent tax increase
21 on the liquor by the drink bill did not
22 get out of City Council's committee, as I
23 understand, I'm here to say that I would
24 also wholeheartedly support that one as
25 well.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 The support --

3 (Applause.)

4 MS. CALDERON: The support for
5 these measures is not ignorant to the
6 impact these additional taxes would have
7 on businesses, small businesses, and
8 ultimately the working families
9 represented by them for whom the tough
10 economy, increased taxes, and the school
11 budget crisis would be simply too much to
12 bear.

13 My support of these bills is
14 also paradoxically as certain as it is
15 resentful. Why should the subject of
16 education for our children of the
17 Commonwealth of Pennsylvania, regardless
18 of whether they live in one of its large
19 cities or not, have to be tied up to a
20 discussion on an increase in cigarettes
21 or liquor tax is appalling to me.

22 (Applause.)

23 MS. CALDERON: Given the
24 circumstances we're facing for the next
25 school year, I appeal to you all to do

1 6/5/13 - WHOLE - BILL 120651, etc.
2 everything in your power to help infuse
3 our school system with the funds it needs
4 to make our schools truly viable.

5 For schools to be fully
6 functional and in order for them to have
7 the safe environment conducive to
8 learning that we all expect, they need to
9 have teachers and staff and counselors
10 and nurses to run all their programs, not
11 just the four subjects but also --

12 (Applause.)

13 MS. CALDERON: -- music,
14 sports, and art.

15 Those schools my children have
16 been attending they get up for at 5:30 in
17 the morning to catch a 6:30 train so they
18 can make 7:30 choir practice or an
19 additional art class. The dismantling of
20 the budget feels to my children -- and
21 they wrote letters to Harrisburg last
22 night -- feels to my children like the
23 dismantling of their second home. It is
24 scary and disconcerting, and in the one
25 and a half handwritten letters they wrote

1 6/5/13 - WHOLE - BILL 120651, etc.
2 each of them last night, the word "scare"
3 appears over a half a dozen times.

4 Feeling under siege at the end
5 of every school year has become the new
6 normal for the people of the School
7 District of Philadelphia, and it doesn't
8 have to be. The display of this terror
9 in the public and sometimes the drama
10 behind all the desperate measures
11 contributes to this climate as well. And
12 kids who cannot be certain that their
13 second home will be intact again in the
14 fall are getting a very hard lesson on
15 citizenship and one that can easily get
16 distorted, and this is what gives me
17 perspective to consent to these bills
18 that have been proposed.

19 If education is our investment
20 in the future of our children, our state,
21 and our country, why should they have to
22 be scared about the immediate future of
23 their schools? Education is still a core
24 value in our democracy, and it should
25 really be off the political gambling

1 6/5/13 - WHOLE - BILL 120651, etc.
2 tables.

3 I personally will continue to
4 collaborate with all possible efforts at
5 this point to create stability for public
6 education funding, and I hope that my
7 City Council will do the same.

8 COUNCIL PRESIDENT CLARKE:
9 Thank you, ma'am.

10 (Applause.)

11 COUNCIL PRESIDENT CLARKE:
12 Thank you for your testimony.

13 We're done. You're used to
14 being back in the old job.

15 MR. EMMONS: Good afternoon.
16 My name is Brian Emmons. I'm the Vice
17 President for Toll Brothers. I'm here
18 today regarding Bill 120651, the tax
19 abatement bill.

20 I live and work both in the
21 City of Philadelphia. Last week I sent a
22 letter to each of the Councilmembers
23 regarding this bill. I wanted to take
24 just a few seconds to highlight some of
25 the caps or the highlights in that

1 6/5/13 - WHOLE - BILL 120651, etc.
2 letter.

3 We've got one community in
4 Center City -- actually, it's in
5 Councilman Kenyatta Johnson's district --
6 that in the past seven years has brought
7 over 1,200 new residents to the City of
8 Philadelphia. That community is called
9 Naval Square. In case you haven't been
10 there, it is a very nice community.
11 We're lucky to say that the average
12 income of the people that live there is
13 approximately \$225,000. That means that
14 Naval Square residents pay on average
15 \$10.6 million per year to the City of
16 Philadelphia in the wage tax. That's
17 \$10.6 million every single year.

18 Once the purchase of the homes
19 was completed, the real estate transfer
20 tax on these homes has generated
21 approximately \$8.7 million of tax revenue
22 for Philadelphia. The 1,200 residents
23 are going to the restaurants, the shops,
24 the theatre events. The sales tax
25 revenue that we're seeing from these

1 6/5/13 - WHOLE - BILL 120651, etc.
2 residents, most of which didn't live in
3 the City of Philadelphia before, is
4 actually incalculable.

5 With a tax abatement getting
6 ready to expire for some of our early
7 purchasers in the next two to three
8 years, the City of Philadelphia will
9 start realizing the true impact and
10 benefit that the tax abatement has
11 actually had on this amazing city. We
12 estimate that once all the abatements
13 have lapsed, Naval Square alone -- this
14 is just one community -- will generate
15 over \$5 million a year in annual tax
16 revenue. That's just tax revenue. We
17 had actually needed over one million
18 hours of building trades labor to
19 actually construct the community there.
20 We've also created over ten full-time
21 positions to actually maintain and manage
22 the property.

23 Just in case you didn't catch
24 that, the City wage tax \$10.6 million,
25 and once the abatement is expired, it

1 6/5/13 - WHOLE - BILL 120651, etc.
2 will be generating \$5 million. This one
3 community is generating \$15 million worth
4 of tax revenue.

5 In the past ten years, the City
6 of Philadelphia has seen significant
7 development in the City. This
8 development has brought thousands of new
9 residents into the City. New residents
10 from every possible background are moving
11 and relocating here. What has brought
12 them into the City, is it the strength
13 and quality of the Philadelphia schools?
14 Unfortunately not at this point. Is it
15 the cleanliness of the City? No. Is it
16 because Philadelphia is known as the
17 safest city in the region? Unfortunately
18 it's not. People are moving into the
19 City to be closer to the arts, to be
20 closer to the restaurants, and be closer
21 to their jobs.

22 Besides bringing tax revenue to
23 the City, there have been other
24 significant benefits of people moving
25 into the City.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN GREENLEE: Sir, the
3 time is up, so if you could just finish,
4 please.

5 MR. EMMONS: Bill 120651 as
6 proposed will slow and possibly kill much
7 of the development between Washington and
8 Girard Avenue. When the development
9 community asks you -- we, the development
10 community, ask you not to kill the goose
11 that laid the golden egg. Instead I
12 encourage you to focus on ways to keep
13 the thousands of these residents actually
14 in the City. Balance the City budget.
15 Get AVI through there. Make sure it's
16 right. Don't fix the abatement until AVI
17 is right. Once AVI is figured out and
18 you know it's right, then worry about the
19 abatement. Improve our schools.

20 COUNCILMAN GREENLEE: Sir, sir,
21 your time is up. Okay? I'm sorry. We
22 have to stick to the time.

23 The Chair recognizes Councilman
24 Goode.

25 COUNCILMAN GOODE: Thank you,

1 6/5/13 - WHOLE - BILL 120651, etc.

2 Mr. Chairman.

3 It's interesting you said don't
4 fix the abatement. That tells a story in
5 and of itself that --

6 MR. EMMONS: No. I said don't
7 kill the abatement.

8 COUNCILMAN GOODE: You just
9 said fix. But even you used the word
10 "kill," there's been no proposal to kill
11 the abatement, but I'll ask you a similar
12 question I asked the previous question
13 and I'll throw a little spin on it.

14 The first question is, what is
15 the average cost of construction per
16 unit?

17 MR. EMMONS: Cost of the
18 construction or cost of the land?

19 COUNCILMAN GOODE: What is the
20 average cost of construction per unit?

21 MR. EMMONS: It depends on the
22 size of the unit.

23 COUNCILMAN GOODE: Average
24 citywide.

25 MR. EMMONS: I can't answer

1 6/5/13 - WHOLE - BILL 120651, etc.

2 that citywide. It costs me --

3 COUNCILMAN GOODE: I represent
4 the entire City as a legislator, so I'm
5 looking at this holistically. I'm not
6 just looking at your business. I'm
7 looking at what's fair for all taxpayers,
8 particularly property taxpayers as we
9 move to a new property tax system.

10 So if you come here to testify
11 before City Council as somewhat of an
12 expert witness on the real estate market,
13 the question is, do you know what the
14 average cost of construction is citywide
15 per unit.

16 MR. EMMONS: It costs me
17 approximately \$180,000 per unit.

18 COUNCILMAN GOODE: So it costs
19 you \$180,000 per unit --

20 MR. EMMONS: That's for a 1,100
21 square foot condominium.

22 COUNCILMAN GOODE: And this
23 abatement is set at \$250,000 per unit,
24 \$70,000 above what it costs you.

25 MR. EMMONS: Okay. That

1 6/5/13 - WHOLE - BILL 120651, etc.
2 doesn't include my soft costs. This is
3 an abatement to actually attract buyers
4 to the City.

5 COUNCILMAN GOODE: I understand
6 what it is.

7 MR. EMMONS: To attract
8 people -- the residents that don't
9 currently live there.

10 COUNCILMAN GOODE: I understand
11 that.

12 MR. EMMONS: The ones that
13 aren't paying the City wage tax, the ones
14 that aren't coming to the City.

15 COUNCILMAN GOODE: I simply
16 asked you as an expert witness to tell me
17 what the average cost of construction is,
18 and I thank you for your answer. You
19 said it's \$180,000, which actually makes
20 a point in my favor.

21 Now I'm going to ask you a bit
22 deeper question since you're in this
23 business, and I think you intend to stay
24 in this business. Have you done any
25 projections long term to look at where

1 6/5/13 - WHOLE - BILL 120651, etc.
2 population growth is going to happen
3 throughout the United States, and how far
4 out do you go in terms of those
5 projections?

6 MR. EMMONS: My
7 responsibilities are in the City of
8 Philadelphia. One of my core
9 responsibilities is not to look at --

10 COUNCILMAN GOODE: If you do
11 some real homework in terms of where to
12 invest, in terms of where people will be
13 living 30, 40 years out, every objective
14 analysis will tell you that it will be in
15 urban centers. People are already
16 flocking to urban centers, will continue
17 to flock to urban centers. We should
18 have housing available for them, and we
19 should subsidize it at the construction
20 cost. That's my position. If you have a
21 better position that explains why we
22 should go beyond that and actually have
23 long-term homeowners pay more of a burden
24 so that people can pay an artificially
25 inflated price, get a better deal with

1 6/5/13 - WHOLE - BILL 120651, etc.
2 the bank, and move closer to a city where
3 they can enjoy the amenities that many of
4 the people who already live here can't
5 enjoy, if you explain to me why it's fair
6 to offer a subsidy above construction
7 costs, then I might buy what you say, but
8 right now I don't.

9 Thank you, Mr. Chair.

10 COUNCILMAN GREENLEE: Thank
11 you, sir.

12 Thank you, Councilman. Thank
13 you.

14 MR. EMMONS: Can I comment on
15 that?

16 COUNCILMAN GREENLEE: Please,
17 briefly, because we got a lot of people
18 that want to speak.

19 MR. EMMONS: It seems like what
20 you're trying to accomplish and what
21 everybody else in the development field
22 is trying to accomplish is two different
23 things. You're looking at subsidizing
24 construction costs. What we're looking
25 to try to do is strengthen the City.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 We're trying to attract people that
3 currently aren't living in the City. And
4 we're lucky enough that we do sell to
5 affluent buyers, and the first question
6 they ask us is, what is this abatement?

7 Your question earlier, there's
8 a house worth \$11 million. Does this guy
9 deserve to be paying that? Well, if he's
10 making \$11 million -- or paying \$11
11 million for his house, I assume that he's
12 making well more than that, and if he's
13 not -- if he's living in Ardmore now and
14 the City of Philadelphia is not getting
15 3.9 percent of his wage tax, I think
16 we're willing as the City, should be
17 willing in order to subsidize his real
18 estate tax in order to get his
19 Philadelphia city wage tax. He's also
20 coming to the City and he's also spending
21 time here.

22 You got to remember, we're not
23 subsidizing the tax. The tax on that
24 land was always there, and it's still
25 being paid. The balances are still

1 6/5/13 - WHOLE - BILL 120651, etc.
2 there. We need to have more people in
3 the City paying real estate transfer tax
4 to subsidize other houses, to actually
5 pay City wage tax, to actually buy food,
6 to buy restaurants, to create the City to
7 make it a better place, to clean up the
8 streets, to clean up the vacant land.
9 That's what's going to strengthen the
10 City. You've got to come up with a way
11 to get people into the City.
12 Philadelphia doesn't have good schools.
13 As the first gentleman pointed out, we
14 have more taxes in the City of
15 Philadelphia --

16 (Audience members yelling.)
17 COUNCILMAN GREENLEE: Hold up.
18 Hold up. Please.

19 MR. EMMONS: I didn't mean it
20 that way. What we need to do is, we need
21 to strengthen the schools.

22 COUNCILMAN GOODE: I thank you
23 for your --

24 COUNCILMAN GREENLEE: Please.
25 Please.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN GOODE: I thank you
3 for your testimony. I thank you for your
4 frankness. I thank you for two things
5 you said specifically. One, that your
6 cost of construction is only \$180,000 per
7 unit and, two, your mission is to attract
8 affluent people to the City. Thank you
9 very much.

10 COUNCILMAN GREENLEE: Thank
11 you. Thank you, sir.

12 Ms. Lewis, will you please call
13 the next witnesses.

14 MS. LEWIS: The following three
15 witnesses, Sharon Ward, Ed O'Donnell, and
16 Rebecca Poyourow.

17 (Witnesses approached witness
18 table.)

19 COUNCILMAN GREENLEE: And we
20 made adjustments to the clock, so when
21 the time goes off, I'd appreciate you
22 wrapping up your testimony, because we
23 still have a number of people who would
24 like to comment.

25 Ms. Ward, your name was called

1 6/5/13 - WHOLE - BILL 120651, etc.
2 first. Please identify yourself and
3 proceed.

4 MS. WARD: Thanks very much for
5 this opportunity to speak. My name is
6 Sharon Ward. I'm the Director of the
7 Pennsylvania Budget and Policy Center.
8 We are a policy research and advocacy
9 organization based in Harrisburg, and I'm
10 here today to talk about several pieces
11 of legislation in my minutes.

12 I want to make four points.
13 First, although Harrisburg deserves a
14 great deal of the blame for the cuts that
15 have come to the School District of
16 Philadelphia, they are not the solution.
17 The solution is going to have to lie with
18 the City of Philadelphia. They are very
19 unlikely to provide the amount of dollars
20 the School District has requested. The
21 solution really lies here.

22 Let me tell you, last year the
23 Commonwealth of Pennsylvania had a \$650
24 million budget surplus. They gave \$49
25 million to 16 distressed schools, not

1 6/5/13 - WHOLE - BILL 120651, etc.
2 Philadelphia. This year they have a \$500
3 million budget deficit. It is very
4 difficult to get blood from a stone.
5 They don't have \$120 million.

6 Philadelphia has to look at a
7 mix of new revenue in order to fill this
8 hole, otherwise the consequences, as you
9 well know, will be long term and
10 detrimental.

11 So I want to do a couple of
12 things. I want to talk to you
13 particularly about the three taxes and
14 make some suggestions about that and then
15 make a suggestion on strategy.

16 You have agreed, or it seems to
17 be agreement, to raise the cigarette tax.
18 I want to make two points on that. One
19 is, that is a tax that is
20 disproportionately borne by poor people,
21 young people, and City of Philadelphia
22 residents and is a long-term solution.
23 It is going to provide some revenue that
24 will decline pretty precipitously and
25 will get us back in the same situation we

1 6/5/13 - WHOLE - BILL 120651, etc.

2 are today.

3 I know that there's concern
4 over the liquor by the drink tax, so I
5 want to make three points. It has
6 merits, and it will not have a
7 detrimental effect and has not had the
8 detrimental effect that opponents have
9 said. First of all, it's like a sales
10 tax. It's paid by the user. It is not
11 paid by the business.

12 Second of all, it is based on
13 percentage. What that means is, if you
14 go to the bar that I like in South
15 Philadelphia where the wine is \$3, you
16 pay 15 cents more. If you go to, let's
17 say, Iron Hill and you're paying \$10,
18 you're paying 50 cents. So small
19 neighborhood bars and their patrons are
20 going to pay a lot less.

21 Let me also say that this tax
22 has not affected employment or
23 establishments in Philadelphia. I have
24 here, which I can share with you,
25 research that we have done on the

1 6/5/13 - WHOLE - BILL 120651, etc.
2 impact -- and I will give it to the
3 Clerk -- of the liquor by the drink tax
4 when it was enacted. I want to tell you
5 that between 1997 and 2000, Philadelphia,
6 after the drink tax was enacted,
7 Philadelphia had 44 percent of all the
8 job growth in the state in bars and
9 restaurants, and that has continued.

10 I also want to make the point
11 that we continue to do better than our
12 suburban neighbors despite having this
13 drink tax. People want to come to
14 Philadelphia, and this simply is a way
15 for them to pay for the privilege and
16 also to help to contribute to what is
17 critical to the City's vitality, and that
18 is its public schools.

19 Finally, I want to address the
20 use and occupancy tax and talk a little
21 bit about that. It is -- the City has
22 listened to the business community, which
23 has said it has wanted wage tax
24 reductions and profit tax reductions.
25 They have got those. They've said and

1 6/5/13 - WHOLE - BILL 120651, etc.
2 civic leaders have said they want a
3 property tax. That's a property tax.

4 So let me just finally say two
5 things. One, the use and occupancy tax
6 will partially offset the windfall that
7 is received by large commercial property
8 owners under AVI while protecting small
9 businesses.

10 Finally, nobody wants to be
11 where you are. No one wants to be in
12 this situation. No one wants to face the
13 choices that you have to face. They're
14 difficult. No one wants to raise
15 revenue. They don't do it without a
16 reason. You have a reason. Without
17 this, the kids that are in school today
18 will have their futures taken away.

19 Let me finally say this --

20 COUNCIL PRESIDENT CLARKE:

21 Ma'am, you said "finally" three times.
22 Come on.

23 MS. WARD: I got the drill
24 here.

25 I really ask you to send the

1 6/5/13 - WHOLE - BILL 120651, etc.
2 two tax bills to Harrisburg to keep all
3 the options, including the use and
4 occupancy, which you have control over.
5 The others you do not. And I can tell
6 you -- I ask you to do so swiftly. The
7 people in Harrisburg will not make a
8 tough vote on a tax bill if you will not
9 do so. And the sooner you get this to
10 them, the more opportunity we have to
11 turn from City Council to Harrisburg,
12 where at least a piece of this solution
13 is to be found.

14 COUNCIL PRESIDENT CLARKE:

15 Thank you, ma'am.

16 (Appause.)

17 COUNCIL PRESIDENT CLARKE: Hold
18 on a second, sir.

19 The Chair recognizes Councilman
20 Squilla.

21 COUNCILMAN SQUILLA: Thank you,
22 Mr. President.

23 One question. I didn't
24 understand what you said. You said that
25 the state doesn't have any money and you

1 6/5/13 - WHOLE - BILL 120651, etc.
2 can't get blood from a stone. Was that
3 right?

4 (Witness shakes head in the
5 affirmative.)

6 COUNCILMAN SQUILLA: And that,
7 therefore, the City has to come up with
8 the money? Was that correct?

9 MS. WARD: My statement was
10 that the state has a budget deficit,
11 which the City of Philadelphia does not.
12 It has not proven itself to be
13 sympathetic to public education, and what
14 I said was that it is unlikely that they
15 are going to provide the full amount of
16 money that has been requested by the
17 School District in order to close the
18 budget gap.

19 COUNCILMAN SQUILLA: I would
20 agree with your last. It's unlikely they
21 would give us the money, but that doesn't
22 mean we don't need to put pressure on the
23 state to fund our School District. The
24 City has come up with the money in the
25 last three years for the School District.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 The City is going to come up with some
3 money, possibly all or more of the money
4 that was requested again for the School
5 District. To be able to fund the schools
6 solely on the City's backs will never
7 work. We don't have the resources to do
8 that. There's no possible way for that
9 to happen. And if we do try to do that,
10 we would end up losing most of the folks
11 who live in the City of Philadelphia.

12 So we still need to go after
13 the state to help fund our schools. And
14 if we don't do that, we're missing an
15 opportunity. So to say that the City's
16 responsibility -- we're the smallest leg
17 here. The ask was \$60 million, the state
18 was 120 million, and then the giveback by
19 teachers is 133 million. None of this
20 will work without all of it. So we need
21 to go after all of it. That's all I'd
22 like to say.

23 Thank you.

24 MS. WARD: And I appreciate all
25 those comments and everything that has

1 6/5/13 - WHOLE - BILL 120651, etc.
2 been done. You have raised taxes several
3 times. There have been devastating cuts.
4 My point is that the sooner you get this
5 done, the more quickly everyone can turn
6 their attention to Harrisburg, where
7 you're absolutely right, a portion of
8 that --

9 (Applause.)

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, ma'am.

12 Good afternoon, sir. Good
13 afternoon.

14 MR. O'DONNELL: Yes. Ed
15 O'Donnell. And I want to speak in favor
16 of the tax increases on alcohol and
17 cigarettes to fund the schools.

18 (Applause.)

19 MR. O'DONNELL: I also want to
20 thank Councilwoman Blackwell for her
21 consistent support of urban low-income
22 inner city schools. She's always trying
23 to help the people at the bottom.

24 Now, 50 percent crime, mental
25 illness, domestic violence, murder,

1 6/5/13 - WHOLE - BILL 120651, etc.
2 illness, suicide, bankruptcy, you name
3 it, caused by alcohol. Cigarette smoking
4 gives people migraine headaches,
5 emphysema, cancer. They litter the
6 society, the streets, and they bankrupt
7 their families by buying cigarettes.

8 So in terms of public health
9 and the spiritual condition of this city,
10 this would do a lot of good to raise
11 taxes on alcohol and cigarettes.
12 Anything we can do to lessen drinking
13 alcohol and smoking does a lot of good.

14 Thank you.

15 COUNCIL PRESIDENT CLARKE:

16 Thank you, sir, for your testimony.

17 (Applause.)

18 MS. POYOUROW: Good afternoon.
19 My name is Rebecca Poyourow. Thanks for
20 the opportunity to speak with you. I'm a
21 public school parent and a member of
22 Parents United for Public Education and
23 Education Voters Pennsylvania. I have
24 two children, one in first grade and one
25 in third grade, whom I love very much.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 They attend a wonderful neighborhood
3 public school in Roxborough, in
4 Philadelphia, called Cook-Wissahickon,
5 and it is wonderful, like many others
6 across our city, due to its teachers,
7 staff, parents, and students and
8 neighborhood community involvement. But
9 its academic accomplishments, its
10 community, and its safety are all
11 imperiled by the proposed school budget
12 cuts. That's why I'm here today, to
13 testify in favor of the liquor by the
14 drink bill.

15 It's clear that the need of our
16 children and their schools is extreme,
17 and 25 cents or 15 cents or 50 cents
18 added to the cost of a drink will not
19 drive local consumers or tourism away
20 from Philadelphia.

21 (Applause.)

22 MS. POYOURROW: I don't need to
23 repeat the research done by the
24 Pennsylvania Budget and Policy Center, as
25 Sharon Ward just presented is, but that

1 6/5/13 - WHOLE - BILL 120651, etc.
2 the tax was enacted in 1996 and there was
3 no decline in patronage of drinking
4 establishments for the next few years in
5 Philadelphia. Decline after 2001 was
6 shared by many municipalities which did
7 not share this tax. So clearly it was
8 due to other factors such as downturns.

9 Parents have seen
10 Councilmembers hesitate on this
11 initiative and on other proposed
12 measures, such as the use and occupancy
13 tax and the cigarette taxes, and we are
14 appalled. Parents don't have millions to
15 spend on lobbying campaigns. We're not
16 the restaurant lobby or the tobacco
17 industry or the Chamber of Commerce, but
18 we are hundreds of thousands of voters in
19 the City, and we are here to say that
20 Council must pursue every single possible
21 avenue to guarantee that you meet the 60
22 million mark for our kids. It may be the
23 smallest leg on the stool, Councilman
24 Squilla, but it's an important one. And
25 if you guys don't make the 60 million

1 6/5/13 - WHOLE - BILL 120651, etc.

2 mark, our kids won't have counselors or
3 secretaries next year. And if you put
4 all your eggs or our eggs, I should say,
5 in one basket and don't push for all
6 these options and if you just try to play
7 brinksmanship games with Harrisburg and
8 then they come up short, it will be our
9 children, my children who suffer and our
10 city too.

11 If you do not fund our
12 children's schools, you'll be pursuing an
13 educational policy that makes
14 Philadelphia a city of the very rich, the
15 very poor or the childless of whatever
16 economic background, and all the working
17 and middle-class families will be unable
18 to live here.

19 Thank you.

20 COUNCILMAN GREENLEE: Thank
21 you, ma'am.

22 (Applause.)

23 COUNCILMAN GREENLEE: Thank you
24 both.

25 Ms. Lewis, please call the next

1 6/5/13 - WHOLE - BILL 120651, etc.
2 three.

3 MS. LEWIS: The next three
4 speakers are Susan Gobreski, Jerome
5 Donovan, and Eleanor Driscoll. Susan
6 Gobreski, Jerome Donovan, and Eleanor
7 Driscoll.

8 (Witnesses approached witness
9 table.)

10 MS. LEWIS: Greg Rand. Is Greg
11 Rand here?

12 (Witness approached witness
13 table.)

14 COUNCIL PRESIDENT CLARKE: Good
15 afternoon. Just please state your name
16 for the record.

17 MS. GOBRESKI: Hi, Council
18 President. Thank you for having me. My
19 name is Susan Gobreski. I'm the Director
20 of Education Voters of Pennsylvania,
21 which is just an advocacy group of
22 parents and community members who believe
23 that public education is important. And
24 actually I was sitting there thinking
25 about what we could say that would make

1 6/5/13 - WHOLE - BILL 120651, etc.
2 this hearing feel relevant for you guys.
3 I know that you're hearing from people.
4 I know that you're talking about these
5 issues. And actually believe it or not,
6 I don't want anyone to laugh at me, but I
7 know your job is tough. You have to make
8 a lot of difficult choices and balance a
9 lot of priorities. So I thought I would
10 just address a couple of things.

11 One, we are going to
12 Harrisburg. Parents have actually been
13 doing it for years and years. We've been
14 talking to Harrisburg. We've been
15 talking about a funding formula. We've
16 been talking about enough. We've been
17 talking about what it takes to make sure
18 that our City schools and schools across
19 the state are solid, because people know
20 not because we just care about our own
21 kids, but that quality education and kids
22 who are raised well are important to all
23 of us. So we've been fighting very hard
24 in Harrisburg.

25 I heard a lot about taxes, and

1 6/5/13 - WHOLE - BILL 120651, etc.

2 I heard a big list of taxes earlier, and
3 I just wanted to say that actually it
4 struck me as okay, you know. I mean,
5 that's better than just one big horrible
6 tax that just -- I don't mind paying
7 taxes. People in New Jersey don't mind
8 paying taxes for good schools or in New
9 York. What we want is good quality of
10 life, good services, and we want our
11 money to go at the things that we care
12 about and that make life worth living.

13 (Applause.)

14 MS. GOBRESKI: So I think I'm
15 supposed to say that I'm for liquor by
16 the drink tax, and I am. I don't think
17 that anyone will move out of the City
18 because they have to pay 50 cents more
19 for a drink or I don't even think people
20 will stop coming to the City to drink if
21 they have to pay 50 more cents. But
22 people do leave the City if they don't
23 have good schools.

24 (Applause.)

25 MS. GOBRESKI: So we are

1 6/5/13 - WHOLE - BILL 120651, etc.

2 asking -- so I don't care actually where
3 you come up with the money. For me the
4 number is 60 million as a floor, not a
5 max. That's the number I'm going to be
6 watching. That's the number I'm going to
7 be talking to people about. That's the
8 number I'm going to be Tweeting about and
9 telling my friends and my book club and
10 the people at the playground and the kids
11 in my parents' home school association,
12 like we're watching.

13 I think that parents across
14 Pennsylvania, not just in Philadelphia,
15 have woken up, because we realize that
16 unless -- we for a long time took it all
17 for granted, like our schools are going
18 to work, public education is a done deal,
19 it's given. And we're finding out that
20 that's not the case. And even
21 Philadelphia, as much as people are
22 cynical about Philadelphia, I think
23 people are very trusting and we thought
24 that -- we kept giving it another chance.
25 Well, all right, our political leaders

1 6/5/13 - WHOLE - BILL 120651, etc.
2 and our policy leaders will do it. And
3 we realized, because this is what moms
4 do, is that we're going to get it done,
5 because that's who is left at the end of
6 the day.

7 (Applause.)

8 MS. GOBRESKI: So the last
9 thing I wanted to say is, it's our money,
10 and we're asking you to spend our money
11 on the things that we care about and that
12 we want to see happen, and we'll support
13 you if you do and we won't support you if
14 you don't, and that seems like a fair
15 deal.

16 (Applause.)

17 COUNCIL PRESIDENT CLARKE:
18 Thank you. Thank you.

19 MR. RAND: Good afternoon,
20 Council President, Councilmen and
21 Councilwomen. My name is Greg Rand.
22 I've been in the Philly restaurant
23 business since 1986. I'm here to oppose
24 you guys not to pass this drink tax for
25 several reasons.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 This has been going on for 19
3 years. Has it solved the school budget
4 problem? No, it has not. This is not
5 the answer, to let us foot the bill once
6 again for the partial of trying to raise
7 money for the school. I don't have a
8 problem with raising money for the
9 school, but this is not the answer. I
10 could go --

11 (Applause.)

12 MR. RAND: I could go back to
13 1994 when it was enacted then, when we
14 didn't have an opportunity to come fight
15 this because they did it over St. Patty's
16 Day weekend. Again, once again, we find
17 out about this meeting Friday before
18 Memorial weekend, and I know that you
19 guys have business to take care of, but
20 it always seems to be later and later.
21 And as it gets later and later, these
22 people have businesses to go take care of
23 and they can't come up and testify. You
24 guys need to give us an opportunity to
25 fight this bill, and you do not.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 The economy the way it is now,
3 some businesses will pass this on to
4 their guests, which will affect the tips
5 that are made by the employees that are
6 employed by these people. Some
7 businesses will not pass it on and they
8 will, quote/unquote, eat the tax, which
9 is not fair.

10 We lose on both ends. This is
11 just not a 5 percent increase. This is a
12 50 percent increase.

13 (Applause.)

14 MR. RAND: Mayor Nutter said
15 look at all the businesses that are
16 opening, but I ask you to go out into all
17 these neighborhoods and places in
18 Philadelphia and look at the ones that
19 are closed or open that are up for rent
20 or for sale.

21 You're not giving anybody a
22 chance to come to Philadelphia and want
23 to open a business.

24 I hear people saying that
25 people will continue to come. Yes, they

1 6/5/13 - WHOLE - BILL 120651, etc.
2 will, but what is Philadelphia's motto
3 going to be now? Come to Philadelphia
4 where you'll have to pay more? It's just
5 not right.

6 We are currently -- we
7 currently have delinquent taxes that
8 aren't being paid. If you pass this, the
9 only thing that happens is the people
10 that are paying the tax will continue
11 paying the tax, and the people that are
12 not are going to continue being
13 delinquent, and it's just not fair and it
14 is not the answer.

15 My mom always used to say,
16 don't give the problems without giving a
17 solution. So I ask you this: If you do
18 pass this, what are you going to do to
19 help be part of this? Will you take 15
20 percent of your salary and put it towards
21 the School District?

22 (Applause.)

23 MR. RAND: I ask you that.

24 I also can come up with you --
25 Council President, you and I can sit down

1 6/5/13 - WHOLE - BILL 120651, etc.
2 any time you want and I'll give you many,
3 many ways to raise money for the City of
4 Philadelphia. Maybe I should run for
5 City Council. But I'm asking you, this
6 is not the answer. We pull our weight.
7 The restaurant industry pulls their
8 weight in giving this money. My mom used
9 to say six P's, prior planning prevents
10 piss poor performance, and I consider
11 this piss poor.

12 Thank you.

13 (Applause.)

14 COUNCIL PRESIDENT CLARKE:

15 Thank you, sir, for your testimony. A
16 couple of things. With respect to the
17 timing of our process, the timing is
18 essentially established by when we
19 receive the Mayor's budget. We received
20 this in March, which is later than
21 normal. So we didn't control the process
22 in that respect. We actually abbreviated
23 our budget process to try and accommodate
24 timing as much as possible.

25 Second, with respect to you

1 6/5/13 - WHOLE - BILL 120651, etc.

2 running for City Council, trust me, this
3 is not all it's cracked up to be.

4 Rethink that, sir.

5 MR. RAND: Council President, I
6 understand. My mom was a Mayor and
7 Police Commissioner New Jersey for 15
8 years.

9 COUNCIL PRESIDENT CLARKE: You
10 understand.

11 MR. RAND: I'm very well aware.

12 COUNCIL PRESIDENT CLARKE: All
13 right, sir. Thank you.

14 Yes, ma'am.

15 MS. DRISCOLL: Hi. I'm Eleanor
16 Driscoll. I have a small business in the
17 Northeast. And the 15 percent tax is
18 just unreasonable to raise it from 10
19 percent from the people that have been
20 paying it. And 5 more percent, I just
21 feel that you need to find a different
22 group of people to tax instead of taxing
23 us again.

24 My father used to have an
25 expression, if money can fix it, it's not

1 6/5/13 - WHOLE - BILL 120651, etc.
2 a problem. Money can't fix this problem
3 with the schools. We've been spending
4 all this money all this years, and I
5 don't see the schools being one bit
6 better than they were ten years ago.

7 (Audience members booing and
8 clapping.)

9 MS. DRISCOLL: I want the
10 schools to be better. Some of my best
11 friends are teachers, and they complain
12 about it too.

13 The schools do need money. I
14 understand that, but possibly find out
15 why are the charter schools doing so
16 well?

17 (Audience members yelling
18 "they're not.")

19 MS. DRISCOLL: Well, that's my
20 opinion. I disagree with the 15 percent
21 tax --

22 COUNCIL PRESIDENT CLARKE: Hold
23 on a second, ma'am. Ma'am, one second.

24 Folks, we ask that you please
25 respect the witnesses, allow them to

1 6/5/13 - WHOLE - BILL 120651, etc.
2 testify. At the end of the testimony, if
3 you want to clap or cheer, but allow them
4 to testify, please, uninterrupted. Thank
5 you.

6 MS. DRISCOLL: Thank you.

7 COUNCIL PRESIDENT CLARKE:
8 Please proceed, ma'am.

9 MS. DRISCOLL: Find a different
10 group of people to tax is my solution, if
11 you feel that money will fix this.

12 Thank you.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you so much for your testimony.

15 (Applause.)

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

18 COUNCILMAN JONES: For purposes
19 of brevity, I try not to push this
20 button, if you notice, but when I hear
21 things that are butt-naked wrong, I have
22 to say something about it.

23 Our schools have made progress.
24 Our schools have made progress in spite
25 of, in spite of being underfunded, in

1 6/5/13 - WHOLE - BILL 120651, etc.

2 spite of being --

3 (Applause.)

4 COUNCILMAN JONES: -- in spite
5 of being neglected by the Commonwealth,
6 whose constitutional responsibility is to
7 help this out, in spite of us giving them
8 the control over the school board through
9 the SRC, in spite of young people are
10 achieving in phenomenal ways.

11 Now, I don't want us to get
12 into an either this or that, that you
13 clap for bad-performing schools or
14 whatever it is that you think is
15 associated with this tax. Separate
16 issues. There's an issue of taxation on
17 businesses that provide jobs and revenues
18 for us and the issues of supporting our
19 schools. Don't have those interests put
20 us against each other, because at the end
21 of the day, I'm going to choose our young
22 people. So we should try to figure
23 solutions that are win-win as opposed to
24 against us versus them. All right?

25 Thank you.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 (Applause.)

3 MS. GOBRESKI: Councilman

4 Jones, could I just -- actually, there
5 was one quote that I thought was worth
6 mentioning. Somebody said -- and I'm
7 just going to quote it, not perfectly,
8 but they said why is it so hard for
9 people to believe that the solution to
10 being broke is money? I mean, our
11 schools are broke, and they need money.
12 And so I don't think they were wedded to
13 a particular tax. I think we're wedded
14 to reasonable taxes in reasonable places
15 so that we can pay for the needs of our
16 kids.

17 COUNCIL PRESIDENT CLARKE:

18 Thank you.

19 (Applause.)

20 COUNCIL PRESIDENT CLARKE:

21 Thank you all for your testimony. Thank
22 you so much.

23 Ms. Lewis, do you have any
24 additional witnesses?

25 MS. LEWIS: Council President,

1 6/5/13 - WHOLE - BILL 120651, etc.

2 there are no more witnesses to testify
3 this afternoon.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you so very much.

6 That concludes our public
7 hearing. We will now move into our
8 public meeting, and with that, the Chair
9 recognizes Councilman Johnson for an
10 amendment on Bill No. 130417.

11 COUNCILMAN JOHNSON: Thank you,
12 Mr. Chairman. I move that Bill 130417,
13 as amended, be reported from this --

14 COUNCIL PRESIDENT CLARKE: Just
15 do the amendment first, motion on the
16 amendment.

17 COUNCILMAN JOHNSON: Thank you,
18 Mr. Chairman. I move that the amendment
19 to Bill 130417 be adopted.

20 (Duly seconded.)

21 COUNCIL PRESIDENT CLARKE: It's
22 been moved and properly seconded.

23 All in favor of the amendment?

24 (Aye.)

25 COUNCIL PRESIDENT CLARKE:

1 6/5/13 - WHOLE - BILL 120651, etc.

2 Those opposed?

3 (No response.)

4 COUNCIL PRESIDENT CLARKE: The
5 ayes have it.

6 The Chair again recognizes
7 Councilman Johnson for a motion on the
8 amended version.

9 COUNCILMAN JOHNSON: Thank you,
10 Mr. Chairman. I move that Bill No.
11 130417, as amended, be reported from this
12 Committee with a favorable recommendation
13 and further move that the rules of
14 Council be suspended to permit first
15 reading of this bill at the next session
16 of Council.

17 (Duly seconded.)

18 COUNCIL PRESIDENT CLARKE: It's
19 been moved and properly seconded.

20 All those in favor?

21 (Aye.)

22 COUNCIL PRESIDENT CLARKE:
23 Those opposed?

24 (No response.)

25 COUNCIL PRESIDENT CLARKE: The

1 6/5/13 - WHOLE - BILL 120651, etc.
2 ayes have it. Bill No. 130417 is
3 reported out of Committee with a
4 favorable recommendation and rules
5 suspension and will be read at our next
6 session of Council.

7 I would like to recognize -- I
8 think, Councilman Kenney, you would like
9 to propose an amendment to 130181?

10 COUNCILMAN KENNEY: If you're
11 considering that at this moment, I'd like
12 to take the opportunity to submit the
13 amendment, but also to say a couple
14 words, if I can, on why.

15 COUNCIL PRESIDENT CLARKE:
16 Absolutely.

17 COUNCILMAN KENNEY: We started
18 out this possess after delaying AVI for a
19 year because of Councilman Squilla's
20 efforts and other people who supported
21 that wait or we would have been at 1.8
22 mills sitting here today, which talk
23 about angry people in the audience, I
24 think it would be a lot more people and a
25 lot angrier.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 My effort with this whole
3 ongoing process was to try to get
4 ourselves to 1.0 millage rate, which is
5 closer to what major cities charge in a
6 tax rate, similar sized cities as
7 Philadelphia. Apparently I don't have
8 the support for 1.0, so I would like to
9 approach -- because I thought 1.0 would
10 provide enough shortfall that the
11 Administration would be forced to go out
12 and collect the taxes that they failed to
13 collect in the last five and a half
14 years. The real true tax collection
15 discussion -- back tax discussion that
16 we've heard from the Administration is a
17 couple months old since the crisis in the
18 schools and AVI are all coming together.
19 So I don't think there's been really
20 serious efforts until the appointment of
21 Mr. Knudsen to get out and get some of
22 that money.

23 So what this amendment would do
24 is, it would set the tax rate for the
25 year 2015 based on the overall

1 6/5/13 - WHOLE - BILL 120651, etc.
2 collections above and beyond the one
3 billion 96 million dollars that the
4 Administration has asked for, which sets
5 the millage rate currently at 1.34 as
6 proposed with homestead and with other
7 protection and relief measures.

8 I think that anything we
9 collect over what has been projected in
10 revenue and anything that we don't use in
11 gentrification protection, in homestead
12 protection or in appeal losses should be
13 plowed directly into the 2015 rate to
14 bring it down under 1.34 and to get it
15 closer to 1.

16 The School District is not in
17 any way impacted by this amendment. The
18 School District will collect and get
19 whatever it is is coming to them and it
20 won't affect any reduction in 2015 rate
21 as it relates to the School District.

22 Also, the issue of the one
23 billion 96 million dollar current real
24 estate tax projection can be adjusted at
25 any time in the future. I just don't

1 6/5/13 - WHOLE - BILL 120651, etc.
2 believe that if the Administration is
3 saying that this 1.34 -- and I do want to
4 congratulate you and thank you for your
5 hard work in dealing with them back and
6 forth, because I know 1.32 was the
7 original number, which I was not for, but
8 1.34 is not all that much more, because
9 we had heard rumors of 1.39, 1.40. So I
10 want to thank you for trying to keep that
11 in check. But I also believe 1.34 is too
12 high, and I would like to see the
13 Administration be able, the City be able
14 to collect the money they project to
15 collect. If Mr. Knudsen -- I'd like to
16 call it Knudsen Cash -- comes in at a
17 higher rate and we start collecting taxes
18 that we're supposed to be collecting, I
19 think that money should go to reducing
20 the rate from 1.34 closer to 1.

21 I can find a way to vote for
22 the 1.34 with this amendment. If for
23 some reason it fails, I'll be voting
24 against the 1.34.

25 So I'd just like to thank you,

1 6/5/13 - WHOLE - BILL 120651, etc.

2 and the amendment has been circulated.

3 I'd just like to offer the amendment

4 formally. And I need a second.

5 (Duly seconded.)

6 COUNCIL PRESIDENT CLARKE: It's

7 been moved and properly seconded.

8 All those in favor?

9 (Aye.)

10 COUNCIL PRESIDENT CLARKE: I'm

11 sorry. Hold on.

12 Councilman Goode.

13 COUNCILMAN GOODE: Just a

14 simple question. We have two amendments

15 to --

16 COUNCILMAN KENNEY: Yeah. If

17 you look at the --

18 COUNCILMAN GOODE: Not from

19 you.

20 COUNCILMAN KENNEY: Oh, I'm

21 sorry. I'm always ready to respond to

22 you, Wilson.

23 COUNCILMAN GOODE: We have two

24 amendments before us that are different.

25 COUNCIL PRESIDENT CLARKE: Yes.

1 6/5/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN GOODE: Can we adopt
3 both of them? The question is, can we
4 adopt both of them?

5 COUNCIL PRESIDENT CLARKE:
6 Technically probably so, because one
7 impacts the FY15 budget but not the FY14
8 budget.

9 COUNCILMAN GOODE: But they're
10 not the same amendment.

11 COUNCIL PRESIDENT CLARKE:
12 They're definitely not the same
13 amendment.

14 COUNCILMAN GOODE: So they
15 change different things. So we're
16 changing the bill -- if we were to vote
17 on both, if we change the bill, then we
18 change the bill again.

19 COUNCIL PRESIDENT CLARKE: Let
20 me take off my Council President hat and
21 ask for a ruling from our trusty legal
22 staff.

23 (Pause.)

24 COUNCIL PRESIDENT CLARKE: I
25 actually have an answer to the earlier

1 6/5/13 - WHOLE - BILL 120651, etc.
2 question. We actually can't adopt these
3 two because there are different rates, I
4 believe, for '14, 2014. So in No. 2,
5 first page.

6 (Pause.)

7 COUNCIL PRESIDENT CLARKE:

8 We're ready. There was a motion and a
9 second for Councilman Kenney's amendment
10 to 130181. There's been a motion and a
11 second. All those in favor?

12 (Aye.)

13 COUNCIL PRESIDENT CLARKE: All
14 those opposed?

15 (No.)

16 COUNCIL PRESIDENT CLARKE: It
17 appears that the no's have it.

18 Councilman.

19 COUNCILMAN KENNEY: I'm just
20 saying will you record the ayes. I want
21 the record to reflect who voted yes.

22 COUNCIL PRESIDENT CLARKE: You
23 want to say what the record reflects?

24 Oh, let the record reflect that

25 Councilman Kenney and Councilman O'Neill

1 6/5/13 - WHOLE - BILL 120651, etc.
2 and Councilman Squilla are voting aye.

3 The nays have it. The
4 amendment fails.

5 COUNCILMAN KENNEY: Thank you.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you.

8 I now recognize Councilman
9 Jones for an amendment to Bill No.
10 130181.

11 COUNCILMAN JONES: Thank you,
12 Mr. Chairman. I move that an amendment
13 to Bill No. 130181 be adopted.

14 (Duly seconded.)

15 COUNCIL PRESIDENT CLARKE: It's
16 been moved and properly seconded.

17 All those in favor?

18 (Aye.)

19 COUNCIL PRESIDENT CLARKE:

20 Those opposed?

21 (No.)

22 COUNCIL PRESIDENT CLARKE: So I
23 can just let the record reflect,
24 Councilman Squilla, Councilman Johnson,
25 O'Neill --

1 6/5/13 - WHOLE - BILL 120651, etc.

2 COUNCILMAN KENNEY: Is this
3 just on the amendment?

4 COUNCIL PRESIDENT CLARKE: On
5 the amendment.

6 COUNCILMAN KENNEY: I'll vote
7 no on the bill.

8 COUNCIL PRESIDENT CLARKE: On
9 the bill?

10 So against the amendment is
11 Councilman Johnson, Squilla, and O'Neill.
12 Okay. So the amendment passes.

13 Now I ask for a motion on the
14 amended version of 130181, Councilman
15 Jones.

16 COUNCILMAN JONES: Thank you,
17 Mr. Chairman. I move that Bill No.
18 130181, as amended, be reported from this
19 Committee with a favorable recommendation
20 and further move that the rules of
21 Council be suspended to permit first
22 reading of this bill at our next session
23 of Council.

24 (Duly seconded.)

25 COUNCIL PRESIDENT CLARKE: It's

1 6/5/13 - WHOLE - BILL 120651, etc.
2 been moved and properly seconded.

3 All those in favor?

4 (Aye.)

5 COUNCIL PRESIDENT CLARKE:

6 Those opposed?

7 (No.)

8 COUNCIL PRESIDENT CLARKE: Let
9 the record reflect -- the ayes have it.
10 Let the record reflect that Councilman
11 Kenney, O'Neill, Squilla, and Johnson
12 voted nay.

13 Bill No. 130181, as amended, is
14 reported out of this Committee with a
15 favorable recommendation with a rules
16 suspension to allow the reading at the
17 next session of Council.

18 I want to thank you all very
19 much. This concludes the public meeting.

20 This Committee will stand in
21 recess until Wednesday, June 12th, 2013
22 at 2:00 p.m., at which time we will
23 reconvene in Room 400.

24 Thank you.

25 (Committee of the Whole

1 6/5/13 - WHOLE - BILL 120651, etc.
2 adjourned at 4:25 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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A				
abated 28:18,20 29:10 30:10	addition 6:12 7:8 25:24	allowed 17:7	appeal 32:25 79:12	10:3 64:11
abatement 10:6 10:22 11:11,13 11:23 12:3,11 12:16,18,22 13:9,16,22 15:8 16:2,9,17 17:13 18:5,15 21:3,5,9 21:12 23:24 24:19,20,21,24 27:12 35:19 37:5,10,25 39:16,19 40:4,7 40:11 41:23 42:3 45:6	additional 32:6 33:19 74:24	allows 20:7 23:25 24:5,9	appears 10:12 34:3 83:17	Association's 24:18
abatements 13:20 17:13 24:25 30:3 37:12	address 51:19 62:10	amazing 37:11	Applause 9:22 15:19 28:9 32:3 32:22 33:12 35:10 53:16 56:9,18 57:17 58:21 60:22 63:13,24 65:7 65:16 66:11 67:13 68:22 69:13 72:15 73:3 74:2,19	assume 45:11 assumption 12:17 astronomical 31:19
abbreviated 69:22	addressed 11:9	amending 3:2,12	apply 88:20	attend 58:2
ability 14:6,9 21:17	addressing 8:12	amendment 75:10,15,16,18 75:23 77:9,13 78:23 79:17 80:22 81:2,3 82:10,13 83:9 84:4,9,12 85:3,5 85:10,12	appointment 78:20	attending 33:16 attention 56:6 attract 14:15 21:21 22:14 42:3,7 45:2 47:7
able 14:13 17:12 24:10 55:5 80:13,13	adjustments 47:20	amenities 24:15 44:3	appreciate 47:21 55:24	attracts 22:20
absolutely 6:13 22:19 56:7 77:16	Administration 3:22 78:11,16 79:4 80:2,13	America 6:12 8:22	approach 78:9	audience 3:25 46:16 71:7,17 77:23
academic 58:9	adopt 82:2,4 83:2	amount 29:25 48:19 54:15	approached 4:17 4:21 47:17 61:8 61:12	Authority 5:25
accommodate 69:23	adopted 75:19 84:13	Amtrak 2:5,8	approved 7:3	Authorization 3:5
accomplish 44:20 44:22	advantage 10:16	amusement 5:20 5:21	approximately 11:12 13:21 36:13,21 41:17	authorizing 3:7
accomplishments 58:9	advertising 5:23	analysis 13:17 24:8 43:14	Ardmore 45:13	available 43:18
account 25:17	advocacy 48:8 61:21	analyze 24:25	area 26:21	avenue 39:8 59:21
accurately 88:5	affect 14:7 22:7 67:4 79:20	and/or 88:22	areas 26:16	average 36:11,14 40:15,20,23 41:14 42:17
achieve 14:4	affirmative 54:5	angrier 77:25	art 33:14,19	AVI 6:13 28:19 28:21 29:2,11 39:15,16,17 52:8 77:18 78:18
achieving 73:10	affluent 45:5 47:8	angry 77:23	artificially 24:4 43:24	aware 70:11
across-the-bar 5:18 7:3,9	aforementioned 8:23	Anne 4:20 9:25	arts 38:19	aye 75:24 76:21 81:9 83:12 84:2 84:18 86:4
action 2:17	afternoon 2:3,3 4:24 9:24 28:10 35:15 56:12,13 57:18 61:15 65:19 75:3	annual 37:15	asked 40:12 42:16 79:4	eyes 76:5 77:2 83:20 86:9
activists 17:3	ago 71:6	answer 3:23 12:12 16:16 40:25 42:18 66:5,9 68:14 69:6 82:25	asking 19:23 27:24 64:2 65:10 69:5	B
activity 26:7	agree 24:8 54:20	answered 17:22	asks 39:9	back 2:7 7:20 35:14 49:25 66:12 78:15 80:5
added 58:18	agreed 49:16	answers 12:14	assessment 18:4 23:15 27:23 30:22	background 38:10 60:16
	agreement 49:17	anybody 67:21	assessments 29:6	backs 8:11,25 55:6
	Airy 31:5	apologize 2:6	associated 73:15	bad-performing
	alcohol 5:13 56:16 57:3,11 57:13	appalled 59:14	association 5:9,11	
	alike 6:23	appalling 32:21		
	alleviate 31:17	Apparently 78:7		
	allow 71:25 72:3 86:16			

73:13	26:1 27:1 28:1	bottom 56:23	buy 18:12 44:7	14:8 32:14
balance 11:10	29:1 30:1 31:1	brevity 72:19	46:5,6	34:12
39:14 62:8	31:16,21 32:1	Brian 1:15 4:16	buyer 23:21,25	CERTIFICATE
balances 45:25	33:1 34:1 35:1	4:19 35:16	24:10	88:2
bank 20:7 24:5	35:18,19,23	bridge 24:12	buyers 42:3 45:5	certification
44:2	36:1 37:1 38:1	briefly 4:2 44:17	buying 57:7	88:19
bankrupt 57:6	39:1,5 40:1 41:1	bring 79:14	buzzer 9:7	CERTIFY 88:3
bankruptcy 57:2	42:1 43:1 44:1	bringing 29:19		certifying 88:23
bar 50:14	45:1 46:1 47:1	38:22	C	cetera 14:13
bars 50:19 51:8	48:1 49:1 50:1	brinksmanship	calculating 12:14	Chair 15:21 28:13
base 17:13	51:1 52:1 53:1,8	60:7	calculation 12:21	39:23 44:9
based 14:10 19:3	54:1 55:1 56:1	broke 74:10,11	Calderon 4:16	53:19 72:17
19:6,16,17	57:1 58:1,14	Brothers 35:17	28:10 31:2,3	75:8 76:6
30:10 48:9	59:1 60:1 61:1	brought 36:6 38:8	32:4,23 33:13	Chairman 28:8
50:12 78:25	62:1 63:1 64:1	38:11	call 4:9,12 30:16	40:2 75:12,18
basket 60:5	65:1 66:1,5,25	BROWN 1:16	47:12 60:25	76:10 84:12
BASS 1:10	67:1 68:1 69:1	budget 12:8 15:25	80:16	85:17
bear 32:12	70:1 71:1 72:1	31:19 32:11	called 36:8 47:25	challenging 6:25
believe 18:17	73:1 74:1 75:1	33:20 39:14	58:4	Chamber 59:17
21:19 22:15,16	75:10,12,19	48:7,24 49:3	campaigns 59:15	chance 64:24
30:5,13 61:22	76:1,10,15 77:1	54:10,18 58:11	cancer 57:5	67:22
62:5 74:9 80:2	77:2 78:1 79:1	58:24 66:3	cap 16:9,17 17:21	change 11:22
80:11 83:4	80:1 81:1 82:1	69:19,23 82:7,8	17:21 18:17,18	31:13 82:15,17
bell 14:19	82:16,17,18	build 11:4 20:5,10	18:19,22,24	82:18
benefit 37:10	83:1 84:1,9,13	20:22	19:3,6,10,15	changing 82:16
benefits 38:24	85:1,7,9,17,22	builder 11:21	20:15 23:2,9,11	Chapter 3:2,13
best 10:15 13:25	86:1,13 87:1	builders 10:5	CAPA 31:8	charge 78:5
15:10,12,14	billion 8:18 79:3	building 10:3,8	caps 35:25	charter 71:15
71:10	79:23	10:12 15:6	care 62:20 63:11	check 80:11
better 43:21,25	bills 1:19 2:12,17	22:24 24:18	64:2 65:11	cheer 72:3
46:7 51:11 63:5	2:18,23 32:13	37:18	66:19,22	child 24:14
71:6,10	34:17 53:2	burden 6:11	carry 6:10 22:12	childless 60:15
Beverage 5:9,10	bit 42:21 51:21	22:13,16 43:23	case 36:9 37:23	children 32:16
beyond 17:4	71:5	business 5:12,15	64:20	33:15,20,22
23:13 27:18	Blackwell 1:11	13:14 20:8	cash 8:17 80:16	34:20 57:24
43:22 79:2	56:20	21:20 41:6	catch 33:17 37:23	58:16 60:9,9
BIA 10:18	blame 48:14	42:23,24 50:11	caused 30:21 57:3	children's 60:12
big 63:2,5	BLONDELL	51:22 65:23	celebration 14:23	choice 14:7,9,15
bill 2:20,21,25 3:1	1:16	66:19 67:23	Center 26:21 27:8	21:17
3:12 4:1 5:1 6:1	blood 49:4 54:2	70:16	36:4 48:7 58:24	choices 52:13
7:1 8:1 9:1 10:1	board 73:8	businesses 6:22	centers 43:15,16	62:8
10:7,7 11:1 12:1	BOBBY 1:12	7:18 8:12 9:2	43:17	choir 33:18
13:1 14:1 15:1	body 2:18	11:23 32:7,7	Central 26:25	choose 14:10 22:8
15:12 16:1,2	booing 71:7	52:9 66:22 67:3	cents 50:16,18	73:21
17:1 18:1 19:1	book 64:9	67:7,15 73:17	58:17,17,17	chronic 8:20
20:1 21:1 22:1	books 9:4,17 25:2	button 72:20	63:18,21	chunk 31:17
23:1 24:1 25:1	borne 49:20	butt-naked 72:21	certain 3:11,17	cigarette 31:16

49:17 57:3 59:13 cigarettes 32:20 56:17 57:7,11 CINDY 1:10 circulated 10:20 81:2 circumstances 32:24 cited 18:2 24:17 cities 8:21 32:19 78:5,6 citizenship 34:15 city 1:2,6 3:6 5:13 6:16,16,19,20 6:25 7:2,4,5,13 7:16,24 8:2,14 8:16,23 10:5 11:16 12:7,10 12:15 13:10,15 13:18,24 14:2,6 15:11 20:3 22:21 25:13,21 26:16,21,21,22 27:7,8 31:4,6,22 35:7,21 36:4,7 36:15 37:3,8,11 37:24 38:5,7,9 38:12,15,17,19 38:23,25 39:14 39:14 41:4,11 42:4,13,14 43:7 44:2,25 45:3,14 45:16,19,20 46:3,5,6,10,11 46:14 47:8 48:18 49:21 51:21 53:11 54:7,11,24 55:2 55:11 56:22 57:9 58:6 59:19 60:10,14 62:18 63:17,20,22 69:3,5 70:2 80:13 citywide 26:10 40:24 41:2,14	City's 51:17 55:6 55:15 civic 52:2 clap 72:3 73:13 clapping 71:8 CLARKE 1:10 2:2 3:19 4:23 5:3 9:6,10,20,23 12:24 13:3 14:16,25 15:16 15:20 28:11 29:14 35:8,11 52:20 53:14,17 56:10 57:15 61:14 65:17 69:14 70:9,12 71:22 72:7,13 72:16 74:17,20 75:4,14,21,25 76:4,18,22,25 77:15 81:6,10 81:25 82:5,11 82:19,24 83:7 83:13,16,22 84:6,15,19,22 85:4,8,25 86:5,8 class 33:19 clean 46:7,8 cleanliness 38:15 clear 11:5,24 29:7 58:15 clearly 18:6,11 30:21 59:7 Clerk 2:25 51:3 climate 34:11 clock 47:20 close 9:18 54:17 closed 67:19 closer 38:19,20,20 44:2 78:5 79:15 80:20 club 64:9 Code 3:3,13 collaborate 35:4 collect 9:17 78:12 78:13 79:9,18 80:14,15	collecting 9:3 80:17,18 collection 78:14 collections 79:2 combination 11:7 come 10:10 15:10 41:10 46:10 48:15 51:13 52:22 54:7,24 55:2 60:8 64:3 66:14,23 67:22 67:25 68:3,24 comes 80:16 coming 42:14 45:20 63:20 78:18 79:19 comment 44:14 47:24 comments 23:5 55:25 Commerce 59:17 commercial 52:7 commissioned 10:18 Commissioner 70:7 committee 1:3 2:11 4:7 31:22 76:12 77:3 85:19 86:14,20 86:25 Commonwealth 32:17 48:23 73:5 community 17:3 36:3,8,10 37:14 37:19 38:3 39:9 39:10 51:22 58:8,10 61:22 comparables 30:11 comparison 24:19 24:20 compete 10:16 14:14 complain 71:11 completed 36:19	comprised 5:11 concern 50:3 concerned 17:17 conclude 15:3 concludes 75:6 86:19 condition 57:9 conditions 3:11 3:18 condominium 41:21 conducive 33:7 conform 4:5 congratulate 80:4 consent 34:17 consequences 49:8 consider 69:10 consideration 12:23 13:13 considered 2:17 13:10 28:6 considering 2:23 77:11 consistent 56:21 consistently 6:21 constitutional 73:6 construct 37:19 construction 12:2 18:7 19:4,6,9,10 21:3 23:6,7,12 25:24 27:14,19 28:3 30:4 40:15 40:18,20 41:14 42:17 43:19 44:6,24 47:6 consumers 58:19 contained 88:5 continuation 2:10 continue 20:8 21:13 35:3 43:16 51:11 67:25 68:10,12 continued 31:13 51:9 continues 24:22	continuing 12:9 continuously 6:22 contribute 51:16 contributes 34:11 control 53:4 69:21 73:8 88:22 conversation 28:7 Cook-Wissahic... 58:4 core 6:19,24 8:14 34:23 43:8 correct 54:8 88:8 correlation 30:19 cost 11:3 18:6 19:4,7,11 23:6,7 23:11 40:15,17 40:18,20 41:14 42:17 43:20 47:6 58:18 costs 10:24 11:6 19:25 20:5,9,22 21:3 22:3 27:14 27:19 28:3 41:2 41:16,18,24 42:2 44:7,24 Council 1:2,10 2:2 3:19 4:23 5:3 7:2 9:6,10 9:20,23 12:7,24 13:3,10 14:16 14:25 15:8,16 15:20 28:11 29:14 35:7,8,11 41:11 52:20 53:11,14,17 56:10 57:15 59:20 61:14,17 65:17,20 68:25 69:5,14 70:2,5,9 70:12 71:22 72:7,13,16 74:17,20,25 75:4,14,21,25 76:4,14,16,18 76:22,25 77:6 77:15 81:6,10
--	---	---	--	---

81:25 82:5,11 82:19,20,24 83:7,13,16,22 84:6,15,19,22 85:4,8,21,23,25 86:5,8,17 Councilman 1:11 1:12,12,13,13 1:14,14,15,15 1:17 15:21,22 16:12,20,25 18:25 19:17,21 20:9,14,17,25 21:6,11,23 22:9 22:18 23:4,22 24:3,17 25:19 26:8,14,20 28:12,13,15 30:23 36:5 39:2 39:20,23,25 40:8,19,23 41:3 41:18,22 42:5 42:10,15 43:10 44:10,12,16 46:17,22,24 47:2,10,19 53:19,21 54:6 54:19 59:23 60:20,23 72:17 72:18 73:4 74:3 75:9,11,17 76:7 76:9 77:8,10,17 77:19 81:12,13 81:16,18,20,23 82:2,9,14 83:9 83:18,19,25,25 84:2,5,8,11,24 84:24 85:2,6,11 85:14,16 86:10 Councilmembers 10:21 35:22 59:10 Councilmen 65:20 Councilwoman 1:10,11,16,16 56:20	Councilwomen 65:21 Council's 31:22 counselors 33:9 60:2 counterparts 6:5 country 34:21 county 7:11 couple 49:11 62:10 69:16 77:13 78:17 course 12:11 cover 27:13 28:2 cracked 70:3 create 35:5 46:6 created 37:20 creation 8:10 crime 56:24 crisis 32:11 78:17 critical 51:17 current 16:6 79:23 currently 31:6 42:9 45:3 68:6,7 79:5 CURTIS 1:13 cuts 48:14 56:3 58:12 cynical 64:22 D D 1:16 DARRELL 1:10 data 18:23 19:2 19:14 25:10,16 DAVID 1:15 day 65:6 66:16 73:21 deal 43:25 48:14 64:18 65:15 dealing 80:5 decline 49:24 59:3 59:5 deep 8:3 deeper 42:22 deferral 2:21 deferrals 3:15	deficit 49:3 54:10 definitely 82:12 Delaware 27:2 delay 2:4 delaying 77:18 delinquencies 13:19 delinquency 8:20 delinquent 8:18 68:7,13 democracy 34:24 DENNIS 1:14 depends 40:21 depressed 11:15 deserve 45:9 deserves 48:13 desperate 34:10 despite 51:12 determine 11:21 detrimental 49:10 50:7,8 devastating 56:3 developed 13:8 developer 23:20 developers 17:3 development 10:23 11:3,25 12:18 13:16 17:18 20:4 38:7 38:8 39:7,8,9 44:21 dialogue 15:9 22:25 different 17:8,12 20:2 44:22 70:21 72:9 81:24 82:15 83:3 difficult 7:14 11:3 49:4 52:14 62:8 difficulty 12:6 dig 8:2 direct 88:22 direction 28:23 directly 3:24 23:19 79:13 Director 48:6	61:19 disagree 71:20 disconcerting 33:24 discussion 16:21 16:23 17:5,19 32:20 78:15,15 discussions 17:16 dismantling 33:19,23 display 34:8 disproportionat... 49:20 distorted 34:16 distressed 48:25 district 3:5,9 34:7 36:5 48:15,20 54:17,23,25 55:5 68:21 79:16,18,21 District's 31:19 doing 20:3 62:13 71:15 dollar 79:23 dollars 8:18 9:16 17:25 24:12 31:18 48:19 79:3 domestic 56:25 Donovan 61:5,6 downturns 59:8 dozen 34:3 Dr 10:19 13:6 drama 34:9 drill 52:23 drink 31:21 50:4 51:3,6,13 58:14 58:18 63:16,19 63:20 65:24 drinking 57:12 59:3 Driscoll 61:5,7 70:15,16 71:9 71:19 72:6,9 drive 58:19 due 12:10 13:18 58:6 59:8	Duly 75:20 76:17 81:5 84:14 85:24 dynamic 8:23 E earlier 45:7 63:2 82:25 early 37:6 easily 34:15 eat 67:8 economic 7:2 11:14 12:9 60:16 economy 32:10 67:2 Ed 47:15 56:14 education 31:10 32:16 34:19,23 35:6 54:13 57:22,23 61:20 61:23 62:21 64:18 educational 60:13 effect 12:23 50:7 50:8 effects 12:5 effort 78:2 efforts 35:4 77:20 78:20 egg 39:11 eggs 60:4,4 either 73:12 Eleanor 61:5,6 70:15 Emmons 4:16,19 35:15,16 39:5 40:6,17,21,25 41:16,20,25 42:7,12 43:6 44:14,19 46:19 emphysema 57:5 employed 67:6 employees 67:5 employment 11:15 50:22 enacted 51:4,6
---	--	--	---	---

59:2 66:13 encourage 39:12 ends 67:10 enjoy 44:3,5 entering 17:4 entertain 17:7 18:21 entire 41:4 entitled 3:3,14 environment 33:7 equation 30:20,21 essentially 15:4 69:18 established 69:18 establishing 3:6,8 establishments 50:23 59:4 estate 3:4,7,9,14 3:17 13:13 36:19 41:12 45:18 46:3 79:24 estimate 37:12 et 14:13 evaders 7:19 events 36:24 everybody 44:21 evidence 88:4 exactly 18:24 examples 6:2 exclusion 3:10 exist 6:4 7:10 10:23 11:18 17:24 24:22,22 existed 24:21 existing 7:8 22:22 26:4 30:12 exists 8:14 18:8 expect 33:8 experiencing 3:16 expert 41:12 42:16 expire 37:6 expired 37:25 explain 23:10 29:5 44:5 explains 43:21	express 31:11,15 expression 70:25 extra 22:12 extract 8:3 extreme 58:16 F face 52:12,13 faced 6:25 faces 7:4 12:7 facilitate 4:10 facilities 14:12 facing 32:24 fact 17:23 30:14 factors 11:14,18 59:8 Fadullon 4:20 9:25 10:2 13:2,5 14:17,22 15:4 15:18 16:7,15 16:24 18:20 19:12,19,24 20:11,16,19 21:4,8,14,25 22:15,20 23:17 23:24 24:7 25:15,22 26:11 26:19 failed 78:12 fails 80:23 84:4 fair 27:20,25 28:6 41:7 44:5 65:14 67:9 68:13 fall 34:14 false 12:17 24:20 families 32:8 57:7 60:17 far 43:3 father 70:24 favor 42:20 56:15 58:13 75:23 76:20 81:8 83:11 84:17 86:3 favorable 76:12 77:4 85:19 86:15	favorite 5:24 feel 22:25 62:2 70:21 72:11 Feeling 34:4 feels 33:20,22 festering 8:13 field 44:21 fight 7:21 66:14 66:25 fighting 62:23 figure 15:9,14 73:22 figured 39:17 fill 49:7 finally 51:19 52:4 52:10,19,21 financial 7:14 financing 20:7 find 11:17 25:4 66:16 70:21 71:14 72:9 80:21 finding 64:19 finish 39:3 first 4:12,14 5:4 7:3 11:12 15:24 16:4,10 17:4 18:16 25:12 40:14 45:5 46:13 48:2,13 50:9 57:24 75:15 76:14 83:5 85:21 fits 17:15 five 9:16 78:13 fix 7:23 39:16 40:4,9 70:25 71:2 72:11 flexibility 17:11 flexible 17:14 flock 43:17 flocking 43:16 floor 64:4 focus 39:12 folks 21:16 22:21 55:10 71:24 following 2:16	47:14 food 46:5 foot 41:21 66:5 forced 78:11 foregoing 12:10 88:7,19 foregone 13:18 formally 81:4 formula 28:22 29:11,11 62:15 forth 80:6 found 53:13 four 31:5 33:11 48:12 four-hour 29:3 Francisville 29:20 29:23 frankness 47:4 fresh 25:10 Friday 66:17 friends 64:9 71:11 front 19:15 fruitful 16:22 full 54:15 fully 33:5 88:5 full-time 37:20 functional 33:6 fund 54:23 55:5 55:13 56:17 60:11 fundamental 6:18 funded 8:9 funding 7:5 8:5 31:9 35:6 62:15 funds 33:3 further 3:14 13:17 76:13 85:20 future 34:20,22 79:25 futures 52:18 FY14 82:7 FY15 82:7 G gambling 34:25 games 60:7	gap 7:5 9:18 24:12 54:18 generate 37:14 generated 36:20 generating 38:2,3 gentleman 46:13 gentrification 79:11 getting 34:14 37:5 45:14 Gillen 10:19 13:7 25:9,11 Girard 39:8 give 16:16 17:6 51:2 54:21 66:24 68:16 69:2 giveback 55:18 given 4:3 22:2 25:25 32:23 64:19 gives 34:16 57:4 giving 64:24 67:21 68:16 69:8 73:7 go 3:24 5:4 43:4 43:22 50:14,16 55:12,21 63:11 66:10,12,22 67:16 78:11 80:19 Gobreski 61:4,6 61:17,19 63:14 63:25 65:8 74:3 goes 17:19 19:9 23:19,20 47:21 going 2:9 7:12,15 9:12 12:25 22:8 28:25 36:23 42:21 43:2 46:9 48:17 49:23 50:20 54:15 55:2 62:11 64:5 64:6,8,17 65:4 66:2 68:3,12,18 73:21 74:7 gold 7:25 8:3
--	---	---	---	--

golden 39:11 good 2:2,3 4:23 9:23 23:9 28:10 35:15 46:12 56:12,12 57:10 57:13,18 61:14 63:8,9,10,23 65:19 Goode 1:11 15:21 15:22 16:12,20 16:25 18:25 19:17,21 20:9 20:14,17,25 21:6,11,23 22:9 22:18 23:4,22 24:3,17 25:19 26:8,14,20 39:24,25 40:8 40:19,23 41:3 41:18,22 42:5 42:10,15 43:10 46:22 47:2 81:12,13,18,23 82:2,9,14 goose 39:10 government 2:5 6:20 7:17 8:15 grade 57:24,25 granted 64:17 great 48:14 greedy 17:18 GREENLEE 1:12 39:2,20 44:10,16 46:17 46:24 47:10,19 60:20,23 Greg 61:10,10 65:21 gross 5:16 group 61:21 70:22 72:10 grow 14:2 growth 43:2 51:8 guarantee 59:21 guess 9:13 guests 67:4 guy 45:8	guys 59:25 62:2 65:24 66:19,24 H half 8:17 33:25 34:3 78:13 Hall 1:6 handwritten 33:25 happen 7:13 43:2 55:9 65:12 happened 12:20 happens 68:9 hard 34:14 62:23 74:8 80:5 hardship 12:9 Harrisburg 33:21 48:9,13 53:2,7 53:11 56:6 60:7 62:12,14,24 hat 82:20 hate 29:18 head 19:14 54:4 headaches 57:4 health 57:8 hear 14:20 67:24 72:20 heard 2:7 14:18 14:20 62:25 63:2 78:16 80:9 hearing 2:11 62:2 62:3 75:7 help 4:9 19:2 24:12 33:2 51:16 55:13 56:23 68:19 73:7 helps 22:23 HENON 1:12 hesitate 59:10 Hi 61:17 70:15 high 10:23 11:2,6 11:16 22:3,5 31:7 80:12 higher 5:17 13:11 20:18 24:2 80:17	highest 6:11 highlight 35:24 highlights 35:25 high-income 10:25 Hill 50:17 Hold 46:17,18 53:17 71:22 81:11 hole 49:8 holistically 41:5 home 23:21,25 24:9 26:4 27:11 33:23 34:13 64:11 homeowner 24:16 homeowners 22:10 43:23 homes 25:14,17 25:24,25 26:3,4 27:21 28:23 30:12 36:18,20 homestead 2:20 3:10 79:6,11 homework 43:11 honest 16:16 28:7 Honestly 16:17 hope 35:6 horrible 63:5 hotel 5:18 hours 37:18 house 30:5,17 45:8,11 households 14:7 14:15 houses 46:4 housing 14:5,7,9 14:15 21:17 43:18 Huffington 6:8 hundred 9:16 hundreds 59:18 I ideas 17:8 identify 48:2 ignorant 32:5	illness 56:25 57:2 immediate 34:22 impact 11:22 12:4 12:21 32:6 37:9 51:2 impacted 79:17 impacts 14:5 82:7 imperiled 58:11 implemented 11:12 important 59:24 61:23 62:22 Improve 39:19 incalculable 12:5 37:4 incentive 22:2 include 28:25 29:9 42:2 included 28:21 29:10 including 11:15 17:8 53:3 income 5:15,20 14:8 36:12 increase 7:6,15 8:11 13:25 31:20 32:20 67:11,12 increased 32:10 increases 3:16 56:16 indicated 6:9 industry 7:6 8:4,6 9:15 10:3,9 15:6 22:24 24:18 26:2 59:17 69:7 inflated 43:25 inflates 24:4 information 28:19 infuse 33:2 initiative 59:11 initiatives 6:13 inner 56:22 instances 6:3 intact 34:13 intend 42:23	interesting 40:3 interests 73:19 invest 43:12 investment 34:19 involvement 58:8 Iron 50:17 issue 11:9 29:18 29:19 73:16 79:22 issues 15:7 22:7 22:11 62:5 73:16,18 J J 1:15 JAMES 1:14 JANNIE 1:11 jeopardy 12:2 Jerome 61:4,6 Jersey 63:7 70:7 job 35:14 51:8 62:7 jobs 12:2 38:21 73:17 John 4:15 5:2,7 Johnson 1:13 75:9,11,17 76:7 76:9 84:24 85:11 86:11 Johnson's 36:5 Jones 1:13 72:17 72:18 73:4 74:4 84:9,11 85:15 85:16 Journal 6:8 JR 1:11,13 June 1:7 14:25 86:21 K K 1:12 keep 12:24 29:18 39:12 53:2 80:10 Kenney 1:14 77:8 77:10,17 81:16 81:20 83:19,25 84:5 85:2,6
---	---	---	---	--

86:11 Kenney's 83:9 Kenyatta 1:13 36:5 kept 64:24 Kevin 10:19 13:6 25:8,10 kids 31:6 34:12 52:17 59:22 60:2 62:21,21 64:10 74:16 kill 39:6,10 40:7 40:10,10 know 16:18 18:2 19:22 24:15 26:19 29:15 39:18 41:13 49:9 50:3 62:3,4 62:7,19 63:4 66:18 80:6 known 14:8 38:16 Knudsen 78:21 80:15,16	let's 9:17 19:24 20:4 50:16 level 10:25 11:2,8 14:8 leverage 23:25 Lewis 2:22 3:20 4:11,14,19 47:12,14 60:25 61:3,10 74:23 74:25 licensed 5:9,10,13 lie 48:17 lies 48:21 life 63:10,12 lifetime 10:11 likes 6:7 line 25:6 liquor 5:19 31:21 32:21 50:4 51:3 58:13 63:15 list 63:2 Listen 9:13 listened 51:22 litter 57:5 little 40:13 51:20 live 14:10 18:10 22:8 31:5 32:18 35:20 36:12 37:2 42:9 44:4 55:11 60:18 lived 30:6 living 43:13 45:3 45:13 63:12 lobby 59:16 lobbying 59:15 local 58:19 locate 21:18 location 14:11 long 42:25 49:9 64:16 Longacre 4:15 5:2,2,4,5,8 9:8 9:12 long-term 12:4 22:10 43:23 49:22 look 25:2,7,9,11	26:22 42:25 43:9 49:6 67:15 67:18 81:17 looking 41:5,6,7 44:23,24 lose 67:10 losing 12:15 55:10 losses 79:12 lot 19:2 26:6 44:17 50:20 57:10,13 62:8,9 62:25 77:24,25 love 57:25 low 22:4 Lower 26:23,24 27:3,4,6,9 low-achieving 11:16 low-income 11:2 11:7 56:21 low-performing 22:6 lucky 36:11 45:4	Mayor 67:14 70:6 Mayor's 6:12 69:19 ma'am 35:9 52:21 53:15 56:11 60:21 70:14 71:23,23 72:8 McKeithen 29:20 mean 19:22 21:18 46:19 54:22 63:4 74:10 means 17:14 36:13 50:13 88:21 measures 32:5 34:10 59:12 79:7 mechanical 5:21 media 6:6 median 25:6,11 25:20,23 26:10 26:17,23 27:11 28:4 meet 59:21 meeting 29:2 66:17 75:8 86:19 member 57:21 members 4:6 11:21 46:16 61:22 71:7,17 Memorial 66:18 mental 56:24 mentioned 22:12 27:8 mentioning 74:6 merits 50:6 met 16:25 metro 6:4 MICHELE 88:14 middle-class 60:17 migraine 57:4 millage 78:4 79:5 million 9:16 11:25 18:2,3,6,7 18:10,12,15	31:18 36:15,17 36:21 37:15,17 37:24 38:2,3 45:8,10,11 48:24,25 49:3,5 55:17,18,19 59:22,25 64:4 79:3,23 millions 17:25 59:14 mills 77:22 mind 63:6,7 mine 7:25 minutes 4:3 9:9 14:19 48:11 misnomer 23:18 missing 55:14 mission 47:7 mix 49:7 mixture 29:2 model 29:20 models 17:10 modified 16:4 mom 68:15 69:8 70:6 moment 77:11 moms 65:3 money 6:21 24:5 24:16 53:25 54:8,16,21,24 55:3,3 63:11 64:3 65:9,10 66:7,8 69:3,8 70:25 71:2,4,13 72:11 74:10,11 78:22 80:14,19 months 78:17 morning 33:17 mortgage 24:11 motion 75:15 76:7 83:8,10 85:13 motto 68:2 Mount 31:5 move 23:15 27:16 27:18 41:9 44:2 63:17 75:7,12 75:18 76:10,13
L		M		
L 1:10 88:14 labor 37:18 lady 30:6 laid 39:11 land 40:18 45:24 46:8 lapsed 37:13 large 32:18 52:7 laugh 62:6 leaders 52:2 64:25 65:2 learning 33:8 leave 63:22 left 65:5 leg 55:16 59:23 legal 82:21 legislation 48:11 legislator 41:4 lessen 57:12 lesson 34:14 letter 35:22 36:2 letters 33:21,25				

84:12 85:17,20 moved 75:22 76:19 81:7 84:16 86:2 moving 27:23 38:10,18,24 multiplying 12:15 municipalities 59:6 murder 56:25 MURPHY 88:14 music 14:17,19 33:13	67:17 neighbors 51:12 never 55:6 new 6:12 22:14 23:15 25:10,24 26:5 27:14,23 30:3 34:5 36:7 38:8,9 41:9 49:7 63:7,8 70:7 nice 36:10 night 33:22 34:2 non-collection 13:19 normal 34:6 69:21 North 27:2,3,4,6 Northeast 26:23 26:24,25,25 27:3 70:17 Northwest 27:2,4 note 2:16 notes 88:6 notice 72:20 no's 83:17 number 17:2,8 19:5 23:9 26:3 27:15,17 47:23 64:4,5,6,8 80:7 nurses 33:10 Nutter 67:14	85:12 old 35:14 78:17 older 30:12 once 36:18 37:12 37:25 39:17 66:5,16 ones 42:12,13 67:18 ongoing 78:3 OPA 28:20 29:3 open 67:19,23 opening 67:16 opinion 71:20 opponents 50:8 opportunity 48:5 53:10 55:15 57:20 66:14,24 77:12 oppose 65:23 opposed 8:9 73:23 76:2,23 83:14 84:20 86:6 options 53:3 60:6 order 11:10 33:6 45:17,18 49:7 54:17 organization 48:9 original 16:5 30:7 80:7 outdoor 5:23 outlets 6:7 overall 78:25 owed 8:17 owners 5:12 52:8 O'BRIEN 1:14 O'Donnell 47:15 56:14,15,19 O'Neill 1:15 83:25 84:25 85:11 86:11	paradoxically 32:14 parent 31:3 57:21 parents 57:22 58:7 59:9,14 61:22 62:12 64:11,13 Park 27:5 parking 5:21,22 5:25 part 23:17 68:19 partial 66:6 partially 52:6 particular 4:5 74:13 particularly 23:14 41:8 49:13 pass 12:7 65:24 67:3,7 68:8,18 passes 85:12 patronage 59:3 patrons 50:19 Patty's 66:15 Pause 82:23 83:6 pay 6:3 7:9,18 18:10,13,13 24:10,13 27:24 36:14 43:23,24 46:5 50:16,20 51:15 63:18,21 68:4 74:15 paying 18:3 42:13 45:9,10 46:3 50:17,18 63:6,8 68:10,11 70:20 penalized 7:7 9:15 Pennsylvania 1:6 5:10 7:11 32:17 48:7,23 57:23 58:24 61:20 64:14 people 7:17 17:2 17:17 21:21 22:7,14 27:24 34:6 36:12	38:18,24 42:8 43:12,15,24 44:4,17 45:2 46:2,11 47:8,23 49:20,21 51:13 53:7 56:23 57:4 62:3,19 63:7,19 63:22 64:7,10 64:21,23 66:22 67:6,24,25 68:9 68:11 70:19,22 72:10 73:9,22 74:9 77:20,23 77:24 people's 27:21 percent 5:17 7:4 7:15 13:22 18:14 25:5 31:20 45:15 51:7 56:24 67:11,12 68:20 70:17,19,20 71:20 percentage 50:13 perfectly 74:7 performance 69:10 permissive 8:19 permit 76:14 85:21 person 21:20 personal 5:24 personally 35:3 perspective 34:17 phenomenal 73:10 Philadelphia 1:2 1:6 3:3,13 5:8 5:12,14,24 6:10 7:10,12,24 8:5,7 10:4,9,12,15,22 11:4 12:19 14:13 17:24 20:21 21:19,20 21:22 22:21 31:4 34:7 35:21 36:8,16,22 37:3
N				
name 4:24 5:7 9:25 31:3 35:16 47:25 48:5 57:2 57:19 61:15,19 65:21 nation 10:9 17:10 national 6:6 Naval 36:9,14 37:13 nay 86:12 nays 84:3 near 12:4 25:14 27:12,20 Nearly 11:24 necessarily 19:22 24:8 necessary 6:14 need 8:5 10:21 11:13 21:2,12 33:8 46:2,20,20 54:22 55:12,20 58:15,22 66:24 70:21 71:13 74:11 81:4 needed 37:17 needs 10:15 14:13 33:3 74:15 neglected 73:5 neighborhood 29:25 30:13 50:19 58:2,8 neighborhoods	O	P		
	objections 88:4 objective 43:13 obviously 6:18 15:5 occupancy 5:19 51:20 52:5 53:4 59:12 offer 28:3 44:6 81:3 offering 27:13 offset 52:6 Oh 1:15 81:20 83:24 okay 13:2 39:21 41:25 63:4	page 83:5 paid 13:15 45:25 50:10,11 68:8 paired 11:2 panels 4:9		

37:8 38:6,13,16 43:8 45:14,19 46:12,15 48:16 48:18 49:2,6,21 50:15,23 51:5,7 51:14 54:11 55:11 58:4,20 59:5 60:14 64:14,21,22 67:18,22 68:3 69:4 78:7 Philadelphia's 68:2 Philadelphia-b... 6:2 Philly 65:22 pie 13:21 piece 13:21 53:12 pieces 48:10 piss 69:10,11 place 12:19 46:7 places 67:17 74:14 planning 69:9 play 60:6 playground 64:10 please 2:16,22 4:4 4:12 39:4 44:16 46:18,24,25 47:12 48:2 60:25 61:15 71:24 72:4,8 plowed 79:13 plumbing 30:7 point 9:14 16:19 17:14 27:22 28:19 35:5 38:14 42:20 51:10 56:4 pointed 46:13 points 29:8 48:12 49:18 50:5 Police 70:7 policy 15:10,13 15:15 48:7,8 58:24 60:13 65:2	political 7:22 34:25 64:25 poll 11:20 poor 49:20 60:15 69:10,11 poor-performing 22:11 population 14:3 43:2 portion 56:7 position 43:20,21 positions 37:21 possess 77:18 possible 8:22 35:4 38:10 55:8 59:20 69:24 possibly 8:19,24 39:6 55:3 71:14 Post 6:9 potentially 24:2 power 33:2 Poyourow 47:16 57:18,19 58:22 practice 33:18 precipitously 49:24 predictive 29:22 30:15,16,21 predominant 26:3 prepare 10:19 prepared 13:6 PRESENT 1:9 presentation 4:4 presented 58:25 President 1:10 2:2 3:19 4:23 5:3 9:6,10,20,23 10:2 12:24 13:3 14:16,25 15:16 15:20,23 28:11 28:16 29:14 35:8,11,17 52:20 53:14,17 53:22 56:10 57:15 61:14,18 65:17,20 68:25	69:14 70:5,9,12 71:22 72:7,13 72:16 74:17,20 74:25 75:4,14 75:21,25 76:4 76:18,22,25 77:15 81:6,10 81:25 82:5,11 82:19,20,24 83:7,13,16,22 84:6,15,19,22 85:4,8,25 86:5,8 pressure 54:22 pretty 49:24 prevents 69:9 previous 40:12 price 24:4 25:7,20 25:23 26:10,17 26:24 27:11 28:5,21 43:25 prices 25:12 primarily 5:11 prior 69:9 priorities 62:9 privilege 13:14 51:15 probably 19:16 23:8 82:6 problem 6:19,23 7:23 8:13 11:6 66:4,8 71:2,2 problems 68:16 proceed 48:3 72:8 proceedings 88:4 process 4:10 15:25 28:17 69:17,21,23 78:3 profit 20:6 51:24 profitably 11:4 programs 33:10 progress 72:23,24 project 80:14 projected 79:9 projection 79:24 projections 42:25 43:5	projects 13:7 promised 31:17 proper 19:8 properly 8:8 75:22 76:19 81:7 84:16 86:2 properties 17:24 28:18 29:24 30:2,4,10 property 6:15,17 8:18 12:10 13:9 18:3,8 19:20,25 20:5,23 22:13 23:15 24:2 27:23 28:20,24 29:10,22 30:9 37:22 41:8,9 52:3,3,7 proposal 16:6,6 17:4 24:23 27:25 40:10 propose 77:9 proposed 12:16 34:18 39:6 58:11 59:11 79:6 proposing 7:6 protecting 52:8 protection 22:22 79:7,11,12 proven 54:12 provide 19:8 22:2 23:13 48:19 49:23 54:15 73:17 78:10 provides 22:22 providing 3:15 provision 4:5 proximity 14:11 public 2:11 11:17 19:8 31:10 34:9 35:5 51:18 54:13 57:8,21 57:22 58:3 61:23 64:18 75:6,8 86:19 88:15	pull 69:6 pulls 69:7 punish 7:17 purchase 36:18 purchasers 37:7 purposes 72:18 pursue 59:20 pursuing 60:12 push 60:5 72:19 put 54:22 60:3 68:20 73:19 P's 69:9 p.m 1:7 86:22 87:2 Q quality 14:12 38:13 62:21 63:9 quarter 25:12 question 16:4 17:20,22 18:16 18:19 26:9,9 40:12,12,14 41:13 42:22 45:5,7 53:23 81:14 82:3 83:2 questions 3:23 4:6 12:13 quickly 56:5 quick-fix 8:11,25 QUINONES-S... 1:16 quote 74:5,7 quote/unquote 67:8 R raise 6:14,22 49:17 52:14 57:10 66:6 69:3 70:18 raised 6:16 31:5 56:2 62:22 raising 66:8 Rand 61:10,11 65:19,21 66:12 67:14 68:23
---	---	--	--	--

70:5,11 rarely 2:5 12:13 rate 3:6,8 12:17 13:10,11 78:4,6 78:24 79:5,13 79:20 80:17,20 rates 83:3 read 2:22 77:5 reading 76:15 85:22 86:16 ready 15:13 37:6 81:21 83:8 real 3:4,6,9,14,17 4:2 13:13 27:15 36:19 41:12 43:11 45:17 46:3 78:14 79:23 reality 23:20 realize 64:15 realized 65:3 realizing 37:9 really 18:11 22:25 34:25 48:21 52:25 78:19 realtors 17:2 reason 21:5,7 30:8 52:16,16 80:23 reasonable 74:14 74:14 reasons 21:9 65:25 Rebecca 47:16 57:19 receipt 5:15,16 receive 69:19 received 52:7 69:19 receiving 18:5 recess 86:21 recession 10:11 recognize 12:6 77:7 84:8 recognizes 15:21 28:13 39:23 53:19 72:17	75:9 76:6 recommendation 76:12 77:4 85:19 86:15 reconvene 86:23 record 4:25 61:16 83:20,21,23,24 84:23 86:9,10 recovery 10:14 recreational 14:12 reduced 12:3 reducing 80:19 reduction 79:20 reductions 51:24 51:24 reflect 83:21,24 84:23 86:9,10 reflects 83:23 regarding 2:12 12:21 31:9 35:18,23 regardless 32:17 region 14:14 38:17 rehabilitated 26:5 related 16:5 relates 79:21 relatively 22:4 released 6:9 relevant 62:2 relief 79:7 relocating 38:11 remember 45:22 rent 67:19 rental 5:22 repeat 58:23 report 10:19 13:6 reported 75:13 76:11 77:3 85:18 86:14 reporter 88:23 reports 6:9 represent 5:8 41:3 represented 32:9 represents 10:4	reproduction 88:20 requested 48:20 54:16 55:4 resale 25:17,23 research 48:8 50:25 58:23 resentful 32:15 resident 21:19 residential 6:15 10:5,8 14:5 22:24 residents 6:10,23 9:2 10:25 11:8 22:23 27:14 36:7,14,22 37:2 38:9,9 39:13 42:8 49:22 Resolution 1:20 2:15 resources 55:7 respect 2:20 4:7 69:16,22,25 71:25 respectively 3:4 respond 81:21 response 17:6 76:3,24 responsibilities 43:7,9 responsibility 55:16 73:6 responsible 12:8 restaurant 59:16 65:22 69:7 restaurants 36:23 38:20 46:6 51:9 result 11:14 12:13 13:9,15,23 results 11:24 Rethink 70:4 revenue 9:3 12:10 12:15,22 13:18 13:23 14:2 36:21,25 37:16 37:16 38:4,22 49:7,23 52:15	79:10 revenues 73:17 revising 3:9 reward 7:19 REYNOLDS 1:16 rich 60:14 rid 24:23 right 20:11 21:14 25:22 29:15 39:16,17,18 44:8 54:3 56:7 64:25 68:5 70:13 73:24 rings 9:7 rise 10:13 Rittenhouse 18:8 River 27:5 roll 9:11 room 1:6 7:22 8:6 86:23 rotting 8:13 row 6:17 Roxborough 58:3 RPR-Notary 88:15 rules 76:13 77:4 85:20 86:15 ruling 82:21 rumors 80:9 run 33:10 69:4 running 70:2 runs 2:5 6:20 S safe 33:7 safest 38:17 safety 58:10 salary 68:20 sale 26:5 28:21 67:20 sales 5:16 25:7,11 25:20,23 26:3,4 26:10,17,23 27:11 28:4,24 36:24 50:9 Sara 4:15 31:3	saying 15:5 18:22 21:24 22:10 30:19 67:24 80:3 83:20 says 28:2 scale 8:20 scare 34:2 scared 34:22 scary 33:24 school 3:5,8 5:20 24:14 31:7,18 32:10,25 33:3 34:5,6 48:15,20 52:17 54:17,23 54:25 55:4 57:21 58:3,11 64:11 66:3,7,9 68:21 73:8 79:16,18,21 schools 8:5,8 11:17 14:12 22:6,11 33:4,5 33:15 34:23 38:13 39:19 46:12,21 48:25 51:18 55:5,13 56:17,22 58:16 60:12 62:18,18 63:8,23 64:17 71:3,5,10,13,15 72:23,24 73:13 73:19 74:11 78:18 second 6:10 33:23 34:13 50:12 53:18 69:25 71:23,23 81:4 83:9,11 seconded 75:20 75:22 76:17,19 81:5,7 84:14,16 85:24 86:2 seconds 35:24 secretaries 60:3 sections 25:13 see 65:12 71:5 80:12
--	--	---	---	---

seeing 36:25 seen 38:6 59:9 sell 5:13 20:6 45:4 selling 25:14 send 24:13 52:25 sent 35:21 Separate 73:15 September 17:5 serious 78:20 services 63:10 session 76:15 77:6 85:22 86:17 sessions 29:4 set 19:10 23:9 41:23 78:24 sets 79:4 seven 36:6 seventeen 9:16 shakes 54:4 share 27:25 50:24 59:7 shared 59:6 Sharon 47:15 48:6 58:25 shops 36:23 short 60:8 shortfall 31:19 78:10 shows 13:19 sides 11:9 siege 34:4 signed 31:12 significant 3:16 38:6,24 similar 21:16 40:11 78:6 simple 9:14 12:11 12:13 81:14 simply 11:6 12:14 17:22 25:19 27:20 32:11 42:15 51:14 sincere 17:16 single 7:10 36:17 59:20 sir 9:21 39:2,20 39:20 44:11	47:11 53:18 56:12 57:16 69:15 70:4,13 sit 68:25 sitting 7:25 9:3 19:14 61:24 77:22 situation 20:21 21:10,15,16 49:25 52:12 situations 20:2 six 69:9 size 17:15 40:22 sized 78:6 skew 28:22 skill 7:23 slow 9:13 39:6 small 8:12 13:20 32:7 50:18 52:8 70:16 smallest 55:16 59:23 smoking 57:3,13 society 57:6 soft 42:2 sold 20:12 29:25 30:3 solely 55:6 solid 62:19 solution 22:17 48:16,17,21 49:22 53:12 68:17 72:10 74:9 solutions 73:23 solved 66:3 somebody 2:7 18:9 74:6 somewhat 41:11 sooner 53:9 56:4 sorry 2:4 9:8 39:21 81:11,21 South 27:9 50:14 Southwest 27:7,9 speak 44:18 48:5 56:15 57:20 speakers 61:4	specifically 47:5 speculative 29:21 30:15 speculatively 30:8 spend 59:15 65:10 spending 45:20 71:3 spin 40:13 spiritual 57:9 spite 30:19 72:24 72:25 73:2,4,7,9 sports 33:14 spur 22:23 square 18:9 36:9 36:14 37:13 41:21 Squilla 1:17 28:14 28:15 53:20,21 54:6,19 59:24 84:2,24 85:11 86:11 Squilla's 77:19 SRC 73:9 St 66:15 stability 35:5 staff 17:9 33:9 58:7 82:22 stand 15:13 86:20 start 2:9 37:9 80:17 started 77:17 starting 10:10 starved 8:17 state 4:24 7:11 25:25 34:20 51:8 53:25 54:10,23 55:13 55:17 61:15 62:19 statement 54:9 States 6:11 43:3 stay 42:23 stenographic 88:6 stick 39:22 stone 49:4 54:2 stool 59:23 stop 9:13 63:20	story 40:4 strategies 14:4 strategy 49:15 Street 6:8 streets 46:8 57:6 strength 38:12 strengthen 44:25 46:9,21 struck 63:4 students 58:7 study 24:18 25:8 stupid 18:9 subject 32:15 subjects 33:11 submit 77:12 subsidize 23:23 43:19 45:17 46:4 subsidizing 44:23 45:23 subsidy 19:8 23:13,19 28:3 44:6 suburban 6:4 51:12 succinctly 15:6 suffer 60:9 suggest 8:24 suggested 30:8 suggesting 8:7 suggestion 49:15 suggestions 49:14 suicide 57:2 supervision 88:22 support 31:12,15 31:24 32:2,4,13 56:21 65:12,13 78:8 supported 77:20 supporting 73:18 supposed 29:16 63:15 80:18 sure 5:5 16:18 19:9 39:15 62:17 surplus 48:24 surrounding	14:14 Susan 61:4,5,19 suspended 76:14 85:21 suspension 77:5 86:16 swiftly 53:6 sympathetic 54:13 system 23:16 27:24 33:3 41:9
T				
table 4:18,22 15:12 16:8 28:2 47:18 61:9,13 tables 35:2 take 12:22 17:6 30:20 35:23 66:19,22 68:19 77:12 82:20 taken 12:19 52:18 88:6 takes 25:16 62:17 talk 10:6 29:17 48:10 49:12 51:20 77:22 talked 29:21 talking 19:13 21:12 25:20 27:13 28:17 62:4,14,15,16 62:17 64:7 tax 3:5,6,7,8,9 5:15,15,16,16 5:18,18,19,19 5:19,20,20,21 5:21,22,22,23 5:25 6:11 7:3,9 8:11,25 10:6 11:11,22 12:10 12:16 13:10,18 27:23 30:2 31:16,20 32:21 35:18 36:16,20 36:21,24 37:5 37:10,15,16,24				

38:4,22 41:9 42:13 45:15,18 45:19,23,23 46:3,5 49:17,19 50:4,10,21 51:3 51:6,13,20,23 51:24 52:3,3,5 53:2,8 56:16 59:2,7,13 63:6 63:16 65:24 67:8 68:10,11 70:17,22 71:21 72:10 73:15 74:13 78:6,14 78:15,24 79:24 taxation 73:16 taxes 3:4,14,17 6:2,14,17,22 7:18 8:2,19 9:18 11:16 13:14,14 13:15 18:3,13 18:14 22:13 32:6,10 46:14 49:13 56:2 57:11 59:13 62:25 63:2,7,8 68:7 74:14 78:12 80:17 taxing 70:22 taxpayers 3:15 41:7,8 tax-abated 30:4 teachers 33:9 55:19 58:6 71:11 technical 17:9 Technically 82:6 tell 23:5 42:16 43:14 48:22 51:4 53:5 telling 64:9 tells 40:4 ten 28:5 37:20 38:5 71:6 tentative 10:14 ten-year 11:11,22 16:9	term 12:4 42:25 49:9 terms 3:11,18 22:13 43:4,11 43:12 57:8 terror 34:8 testify 16:2 31:9 41:10 58:13 66:23 72:2,4 75:2 testifying 16:5 testimony 3:21 4:8 21:2 35:12 47:3,22 57:16 69:15 72:2,14 74:21 thank 2:4,10 3:20 5:5 9:19,21 15:17,18,22 28:8,12,15 29:13 30:23,23 30:24 31:2 35:9 35:12 39:25 42:18 44:9,10 44:12,12 46:22 47:2,3,4,8,10,11 53:15,21 55:23 56:11,20 57:14 57:16 60:19,20 60:23 61:18 65:18,18 69:12 69:15 70:13 72:4,6,12,14 73:25 74:18,21 74:21 75:5,11 75:17 76:9 80:4 80:10,25 84:5,7 84:11 85:16 86:18,24 Thanks 48:4 57:19 theatre 36:24 thing 65:9 68:9 things 31:12 44:23 47:4 49:12 52:5 62:10 63:11	65:11 69:16 72:21 82:15 think 15:12 16:15 17:21 18:20 19:12,15 20:19 21:18,25 22:24 23:2,8,17 24:9 25:16,18 26:11 30:18 42:23 45:15 63:14,16 63:19 64:13,22 73:14 74:12,13 77:8,24 78:19 79:8 80:19 thinking 61:24 third 57:25 thought 14:22 62:9 64:23 74:5 78:9 thousands 38:8 39:13 59:18 three 4:3,9,14 6:17 9:9 14:18 37:7 47:14 49:13 50:5 52:21 54:25 61:2,3 throw 40:13 tied 28:18 32:19 time 2:6 4:11 7:13 8:2 12:8 23:14 31:13,14 39:3 39:21,22 45:21 47:21 64:16 69:2 79:25 86:22 timed 9:9 timer 13:4 times 7:2,14 28:4 34:3 52:21 56:3 timing 69:17,17 69:24 tipping 16:19 tips 67:4 titles 2:23 tobacco 5:18 59:16	today 2:18,24 3:22 11:19 35:18 48:10 50:2 52:17 58:12 77:22 told 14:24 tolerating 8:20 Toll 35:17 tool 10:16 top 19:13 tough 32:9 53:8 62:7 tourism 58:19 trades 37:18 train 31:14 33:17 training 29:4 transcript 88:8,20 transfer 13:13 36:19 46:3 true 8:13 37:9 78:14 88:7 truly 33:4 trust 70:2 trusting 64:23 trusty 82:21 try 9:17 29:5 44:25 55:9 60:6 69:23 72:19 73:22 78:3 trying 12:7 19:7 28:2 44:20,22 45:2 56:22 66:6 80:10 turn 53:11 56:5 Tweeting 64:8 two 23:5 28:4 31:7 37:7 44:22 47:4,7 49:18 52:4 53:2 57:24 81:14,23 83:3 twofold 11:5 types 17:12	underfunded 72:25 understand 8:4 31:23 42:5,10 53:24 70:6,10 71:14 understanding 16:8 understands 15:7 unemployment 22:5 unfortunately 10:24 11:17 12:12 15:11 18:23 22:5 38:14,17 unheard 8:21 uninterrupted 72:4 unit 23:7,12 28:5 40:16,20,22 41:15,17,19,23 47:7 United 6:11 43:3 57:22 University 27:7 unreasonable 70:18 Upper 26:24 27:2 27:3 upwards 26:12 urban 43:15,16 43:17 56:21 use 5:19 51:20 52:5 53:3 59:12 79:10 user 50:10
V				
vacant 46:8				
valet 5:22				
value 12:16 13:7 16:10 19:16,18 19:19,23 20:11 20:20,23 22:4 24:2 29:22 30:16 34:24				

values 28:23	48:4,6 52:23	18:21 27:16,17	48:22 49:2 60:3	1,100 41:20
various 10:20	54:9 55:24	45:16,17	77:19 78:25	1,200 36:7,22
13:17	58:25	Wilson 1:11 81:22	years 6:17 13:8	1.0 78:4,8,9
vehicle 5:22	Wards 27:5	windfall 13:23	26:2 28:5 30:6,6	1.32 80:6
verifies 10:21	washed 28:24	52:6	36:6 37:8 38:5	1.34 79:5,14 80:3
version 76:8	29:9	wine 50:15	43:13 54:25	80:8,11,20,22
85:14	Washington 39:7	win-win 73:23	59:4 62:13,13	80:24
versus 24:19	watching 64:6,12	witness 4:17,21	66:3 70:8 71:4,6	1.39 80:9
73:24	way 10:13 13:25	4:21 15:25	78:14	1.40 80:9
viable 33:4	46:10,20 51:14	30:25 41:12	yelling 46:16	1.8 77:21
Vice 10:2 35:16	55:8 67:2 79:17	42:16 47:17	71:17	10 7:4 70:18
violence 56:25	80:21	54:4 61:8,12,12	York 63:9	100 18:14 27:2
virtually 12:5	ways 39:12 69:3	witnesses 3:25	young 49:21 73:9	112,500 26:15
vitality 51:17	73:10	4:13,15,17	73:21	27:6
vote 53:8 80:21	wedded 74:12,13	47:13,15,17		12th 86:21
82:16 85:6	wedding 14:17,19	61:8 71:25	\$	120 55:18
voted 83:21 86:12	Wednesday 1:7	74:24 75:2	\$10 50:17	120338 1:19 2:12
voters 57:23	86:21	woken 64:15	\$10.6 36:15,17	120339 1:19 2:12
59:18 61:20	week 35:21	wonder 8:16	37:24	120341 1:19 2:13
voting 80:23 84:2	weekend 66:16,18	wonderful 58:2,5	\$11 18:2,3,5,7,10	120651 1:19 2:13
	weight 69:6,8	woods 10:14	18:11,15 45:8	3:1 4:1 5:1 6:1
W	went 29:5	word 34:2 40:9	45:10,10	7:1 8:1 9:1 10:1
W 1:11	West 27:5,6	words 77:14	\$120 49:5	10:7 11:1 12:1
wage 5:14 11:16	we'll 7:19 30:19	work 15:8,14 17:8	\$130,000 26:12	13:1 14:1 15:1
13:14 36:16	65:12	25:8 31:4 35:20	\$140,000 26:12	16:1 17:1 18:1
37:24 42:13	we're 2:9 9:14	55:7,20 64:18	\$15 38:3	19:1 20:1 21:1
45:15,19 46:5	10:13 15:5	80:5	\$180,000 41:17,19	22:1 23:1 24:1
51:23	18:21 19:7	working 28:20	42:19 47:6	25:1 26:1 27:1
wait 77:21	21:11,15 23:14	32:8 60:16	\$225,000 36:13	28:1 29:1 30:1
Wall 6:8	27:13,22 28:2	workplace 14:11	\$250,000 16:10	31:1 32:1 33:1
want 2:6 5:4 11:5	32:24 35:13	worry 39:18	25:6 26:18	34:1 35:1,18
15:8 16:24	36:11,25 44:24	worst 10:10	27:12 41:23	36:1 37:1 38:1
44:18 48:12	45:2,4,16,22	worth 17:25	\$3 50:15	39:1,5 40:1 41:1
49:11,12,18	55:14,16 59:15	18:11,12 30:9	\$300,000 18:4	42:1 43:1 44:1
50:5 51:4,10,13	64:12,19 65:4	38:3 45:8 63:12	20:10,15,18	45:1 46:1 47:1
51:19 52:2	65:10 74:13	74:5	23:8,10	48:1 49:1 50:1
56:15,19 62:6	80:18 82:15	wrapping 47:22	\$440 11:24	51:1 52:1 53:1
63:9,10 65:12	83:8	wrong 16:13,14	\$450,000 30:9,22	54:1 55:1 56:1
67:22 69:2 71:9	we've 36:3 37:20	72:21	\$49 48:24	57:1 58:1 59:1
72:3 73:11 80:3	62:13,14,15,16	wrote 33:21,25	\$5 37:15 38:2	60:1 61:1 62:1
80:10 83:20,23	62:23 71:3		\$500 49:2	63:1 64:1 65:1
86:18	78:16	Y	\$60 55:17	66:1 67:1 68:1
wanted 35:23	whatsoever 30:11	yeah 9:7 18:21	\$650 48:23	69:1 70:1 71:1
51:23 63:3 65:9	wholeheartedly	81:16	\$70,000 41:24	72:1 73:1 74:1
wants 7:17 16:22	31:24	year 7:20,20	\$8.7 36:21	75:1 76:1 77:1
52:10,11,12,14	WILLIAM 1:12	32:25 34:5	1	78:1 79:1 80:1
Ward 47:15,25	willing 15:13	36:15,17 37:15		81:1 82:1 83:1

84:1 85:1 86:1 87:1 125,000 27:10 130 27:2 130142 1:19 2:13 130150 1:19 2:13 130163 1:19 2:13 130180 1:19 2:14 130181 1:19 2:14 2:19,19,25 77:9 83:10 84:10,13 85:14,18 86:13 130183 1:19 2:14 130190 1:20 2:15 130254 1:20 2:14 130417 1:20 2:14 2:19,20 3:12 75:10,12,19 76:11 77:2 130447 1:20 2:15 133 55:19 14 83:4 15 50:16 58:17 68:19 70:7,17 71:20 150 26:25 16 48:25 168 26:25 19 66:2 19-1300 3:2,13 19-1800 3:2 1986 65:23 1994 7:2 66:13 1996 59:2 1997 51:5 2 2 5:16 83:4 2:00 86:22 20th 15:2 200 26:24,24 200,000 27:4 2000 11:13 21:9 51:5 2001 59:5 2012 17:5 2013 1:7 7:4	25:12 86:21 2014 83:4 2015 78:25 79:13 79:20 23,000 27:5 230,000 27:8 25 7:15 58:17 250 23:3 25:3,4,14 27:16 3 3.9 45:15 3:00 1:7 30 7:15 43:13 300,000 20:5 27:15 33,000 27:7 385,000 27:9 4 4:25 87:2 40 30:6 43:13 400 1:6 86:23 44 51:7 45,000 29:23 450 30:17 450,000 29:24 5 5 1:7 31:20 67:11 70:20 5:30 33:16 50 30:6 50:18 56:24 58:17 63:18,21 67:12 55,000 27:6 59,000 27:9 6 6 13:21 6/5/13 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1	28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 36:1 37:1 38:1 39:1 40:1 41:1 42:1 43:1 44:1 45:1 46:1 47:1 48:1 49:1 50:1 51:1 52:1 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1 86:1 87:1 6:30 33:17 60 59:21,25 64:4 61 25:5 68,000 27:3 69,000 27:4 7 7:30 33:18 700 11:25 8 85,000 27:5 9 96 79:3,23		
---	--	---	--	--