

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, June 1, 2015
10:20 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILLS 140519, 150239, 150264, 150285, 150355,
and 150441

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1
2 COUNCILMAN GREENLEE: Good
3 morning, everyone. Sorry for the delay.

4 This is the Rules Committee.
5 We have a quorum with Councilman Goode,
6 Councilwoman Bass, Councilman Squilla,
7 Councilwoman Reynolds Brown, and myself,
8 Bill Greenlee.

9 Ms. Marconi, will you please
10 read the title of the first bill before
11 us today.

12 THE CLERK: Bill No. 150264, an
13 ordinance amending Title 14 of The
14 Philadelphia Code, entitled "Zoning and
15 Planning," by revising and clarifying
16 certain provisions and making technical
17 changes, all under certain terms and
18 conditions.

19 (Witness approached witness
20 table.)

21 COUNCILMAN GREENLEE: Good
22 morning, Mr. Gregorski.

23 MR. GREGORSKI: Good morning.

24 COUNCILMAN GREENLEE: We are
25 going to start off with an easy one here,

1 6/1/15 - RULES - BILL 150519, etc.

2 sir.

3 MR. GREGORSKI: Good morning.

4 Marty Gregorski. Good morning,

5 Councilman Greenlee, members of the Rules

6 Committee. I'm the Division Director of

7 the Development Division of the

8 Philadelphia City Planning Commission.

9 I'm here to testify on Bill No. 150264,

10 which was introduced into City Council on

11 April 9th, 2015 by Councilmember

12 Greenlee.

13 Bill No. 150264 amends the

14 Philadelphia Zoning Code by making

15 technical and clarifying changes.

16 Changes are made to 21 subsections of the

17 Zoning Code by clarifying rules of

18 measurement, definitions, procedures,

19 making text edits, and clarifying some

20 ambiguous text. An example of a text

21 edit is replacing all instances of the

22 word "he" with or "he or she" and

23 changing the words "gasoline fueling

24 station" to "vehicle fueling station."

25 The Philadelphia City Planning

1 6/1/15 - RULES - BILL 150519, etc.

2 Commission considered Bill No. 150264 at
3 its meeting of April 28, 2015 and
4 recommended approval.

5 I'd be happy to answer any
6 questions at this time.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Gregorski. Just for the record,
9 we made sure this time these really were
10 technical amendments, because I remember
11 a while back we had a technical amendment
12 bill that turned out to be a lot less
13 technical, but this, I think, really fits
14 that category.

15 Any questions for Mr. Gregorski
16 on this?

17 (No response.)

18 COUNCILMAN GREENLEE: Seeing
19 none, anyone else here to testify on Bill
20 No. 150264?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, thank you.

24 Ms. Marconi, please.

25 THE CLERK: Bill No. 150239, an

1 6/1/15 - RULES - BILL 150519, etc.
2 ordinance to amend the Philadelphia
3 Zoning Maps by changing the zoning
4 designations of certain areas of land
5 located within an area bounded by
6 Germantown Avenue, School House Lane,
7 Greene Street, and Armat Street.

8 COUNCILMAN GREENLEE:

9 Mr. Gregorski, before you start, just for
10 the record, on that first bill there will
11 be an amendment submitted at the meeting.

12 Please.

13 MR. GREGORSKI: Good morning,
14 Councilman Greenlee, members of the Rules
15 Committee. I'm Marty Gregorski, Division
16 Director of the Development Division of
17 the City Planning Commission. I'm here
18 to testify on Bill No. 150239, which was
19 introduced into City Council on March
20 26th, 2015 by Councilmember Bass.

21 Bill No. 150239 rezones
22 portions of a block bounded by Germantown
23 Avenue, School House Lane, and Armat
24 Street in Central Germantown in the Upper
25 Northwest planning district of

1 6/1/15 - RULES - BILL 150519, etc.
2 Philadelphia. The bill was drafted to
3 support the construction of a new
4 multipurpose building and the
5 reorganization of outdoor space at the
6 Greene Street Friends School, according
7 to the recommendations of the school's
8 recently prepared conceptual campus plan.

9 A new "CMX-3" Commercial
10 Mixed-Use District is proposed for the
11 portion of the block containing the
12 campus, which includes school buildings,
13 the meeting house, a recently acquired
14 bank building at the corner of Germantown
15 Avenue and School House Lane, and
16 accessory parking. CMX-3 is proposed
17 because it offers enough flexibility to
18 the school to permit the proposed
19 expansion, which will strengthen this
20 longtime neighborhood institution.

21 The City Planning Commission at
22 its meeting of April 28th, 2015
23 recommended Bill No. 150239 for approval.

24 I'd be happy to answer any
25 questions at this time.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Before we get to the other
5 witnesses, any questions for
6 Mr. Gregorski?

7 (No response.)

8 COUNCILMAN GREENLEE: Seeing
9 none, thank you.

10 Since you're already there, why
11 don't you identify yourself for the
12 record and proceed, please.

13 MR. MARSHALL: Good morning.
14 My name is Edward Marshall and I'm the
15 head of --

16 COUNCILMAN GREENLEE: A little
17 closer to the microphone.

18 MR. MARSHALL: Good morning.
19 My name is Edward Marshall and I'm the
20 head of Greene Street Friends School.

21 COUNCILMAN GREENLEE: Good
22 morning.

23 MR. MARSHALL: We are an
24 elementary and middle school of 300
25 students in Central Germantown. We were

1 6/1/15 - RULES - BILL 150519, etc.
2 founded in 1855, seven years before the
3 Civil War, and we have operated there
4 continuously since. We have been here
5 160 years and we plan to keep our roots
6 in Germantown.

7 We are a Quaker school. As you
8 might expect in a Quaker environment,
9 there is no fighting. But also because
10 we believe there is that of God in every
11 person, our goal is to give equal access
12 to the youth of our City.

13 We operate a campus that is
14 open to the Germantown community when our
15 program is not running. Our tuition and
16 financial aid come to \$12,000 to \$14,000
17 per year per student, which is similar to
18 the cost of public education in the City.
19 Just about all of our students live in
20 Philadelphia.

21 Our students graduate and
22 attend the top public and private magnet
23 high schools in our City.

24 We carry no debt.

25 Because we have a strong

1 6/1/15 - RULES - BILL 150519, etc.
2 program and tuition is about half that of
3 the larger private schools, we are
4 finding high demand for our school, and
5 over the past 20 years, we have nearly
6 doubled in size, both in enrollment and
7 in acreage.

8 To accommodate our growth, we
9 are planning a community building that
10 will house a multipurpose gym/auditorium
11 and classrooms.

12 We own something like ten
13 parcels of land, which are either zoned
14 RSA-2 or CMX-2.5. Neither of these
15 designations permit educational use.
16 Each time we have a project, the planning
17 and the permitting requires much staff
18 time and the commitment of scarce school
19 resources.

20 So a couple of years ago we
21 discussed our plans with the City
22 Planning Commission staff, and they
23 recommended that we change our zoning to
24 the most basic designation that would
25 allow for a school, which is CMX-3. We

1 6/1/15 - RULES - BILL 150519, etc.

2 have gone forward with the suggestion,
3 and that's why we're here today.

4 Our school wants to be a good
5 neighbor and a responsible member of our
6 community. We deeply value Germantown's
7 historic character and are always looking
8 to protect our heritage and upgrade our
9 spaces. All but one of our buildings are
10 historically listed on the City's
11 registry. We love them and have no plans
12 to take any of them down. We have
13 developed a master plan of the campus,
14 and this zoning change will greatly
15 facilitate the improvement that we will
16 be implementing today.

17 With me today are Julie
18 Baranauskas, who is the President of Penn
19 Knox Neighbors Association; Betty Turner,
20 who is the President of Germantown
21 Community Connection; Jamie Unkefer of
22 DIGSAU, who is our architect; and Teri
23 Buda, our Business Manager.

24 We're happy to elaborate on
25 this and answer any questions you have.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Marshall.

4 Are other people testifying too
5 or no or just here to answer questions?

6 MR. MARSHALL: I think just --

7 COUNCILMAN GREENLEE: And
8 before anybody else does, just for the
9 record, Councilman O'Brien and Councilman
10 Henon, members of the Committee, are
11 present.

12 So whoever else would like to
13 say something, please.

14 MS. TURNER: Good morning,
15 Councilman Greenlee and members of the
16 Rules Committee. My name is Betty
17 Turner. I have been a resident of
18 Germantown for 54 years. I am a retired
19 educator, co-founder of Germantown
20 Community Connection, a Board member of
21 Greene Street Friends School, and a
22 grandparent of two children at the
23 school, one in 6th grade and the other in
24 the 2nd grade. I am here today in
25 support of the Greene Street Friends

1 6/1/15 - RULES - BILL 150519, etc.

2 School.

3 I believe strongly in the
4 importance of this school in our
5 community, and it is for this reason that
6 I'm here.

7 Greene Street is a good
8 neighbor with an evidence-based
9 commitment to learning and good
10 citizenship. It's the kind of education
11 that educates mind, body, and spirit.
12 The administration and staff are devoted
13 to the students' learning and
14 development, as well as building a
15 conducive, safe, and sustainable
16 environment. Actually, GSFS is a viable
17 part of the fabric of our community and
18 owns the land already. So this is really
19 just a matter of a zoning change.

20 I hope you will support a
21 zoning change for the school. It means a
22 lot for the school to have more
23 flexibility with their property rather
24 than go through the zoning structure each
25 time they are making a change. The

1 6/1/15 - RULES - BILL 150519, etc.
2 school plans to expand to meet the needs
3 for a multipurpose community space and
4 more classrooms. Currently, there is no
5 space for the full school to gather
6 indoors. This ordinance will allow GSFS
7 more space to give the students a full
8 range of opportunities they want and
9 need, as well as supplement the community
10 space in our neighborhood.

11 The approval of this zoning
12 change is vitally important to meeting
13 both the current and future demands and
14 interest of students and family. It
15 definitely will allow Greene Street
16 Friends to continue to provide valuable
17 educational service and as a tangible and
18 visible commitment to our community, to
19 its diversity, to its growth, its social
20 and economic development, and to
21 maintaining a reasonable tuition.

22 So please support the zoning
23 change, Bill 150239, for Greene Street
24 Friends, and I thank you very much.

25 COUNCILMAN GREENLEE: Thank

1 6/1/15 - RULES - BILL 150519, etc.

2 you, Ms. Turner.

3 Is there anyone else who wants
4 to say anything?

5 Please identify yourself and
6 proceed.

7 MS. BARANAUSKAS: Good morning,
8 Council. My name is Julie Baranauskas.
9 I am representing the Penn Knox
10 Neighborhood Association, the community
11 group, the RCO that Greene Street Friends
12 School is a member of.

13 Greene Street has always been a
14 good neighbor. We discussed this at a
15 prior community meeting and it was one of
16 the very few things that we were in
17 unanimous agreement. This change makes
18 sense and this change will make
19 everyone's life easier.

20 Thank you.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 Anyone else want to say
24 anything?

25 (No response.)

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GREENLEE: Any

3 questions or comments?

4 Councilwoman Bass.

5 COUNCILWOMAN BASS: Thank you.

6 I just wanted to take a moment

7 and thank everyone for coming down today

8 for this very important hearing and,

9 Mr. Marshall, for all of your hard work

10 as we prepare to do some of the work that

11 needs to be done in advance, preparing

12 for the future of Greene Street. This is

13 obviously the logical next step.

14 So I just wanted to say that

15 I'm very excited to be able to support

16 this effort, and I know that you worked

17 hard to make sure that we have community

18 support, which is the Greene Street

19 Friends way. So I just wanted to again

20 say thank you so much to you and to

21 Ms. Turner and, of course, Ms.

22 Baranauskas and everyone else who came

23 down from Germantown today.

24 Thank you.

25 (Thank you.)

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Councilwoman.

4 Any other questions or
5 comments?

6 (No response.)

7 COUNCILMAN GREENLEE: Anyone
8 else here to testify on Bill 150239?

9 (No response.)

10 COUNCILMAN GREENLEE: Seeing
11 none, thank you all very much. Thank you
12 for coming down.

13 (Thank you.)

14 COUNCILMAN GREENLEE: Ms.
15 Marconi, our next bill, please.

16 THE CLERK: Bill No. 140519, an
17 ordinance amending Title 14 of The
18 Philadelphia Code, entitled "Zoning and
19 Planning," by amending Section 14-502 to
20 further provide for requirements within
21 the Center City Overlay District and to
22 make technical changes, all under certain
23 terms and conditions.

24 COUNCILMAN GREENLEE:
25 Mr. Gregorski.

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GREGORSKI: Good morning,
3 Councilman Greenlee, members of the Rules
4 Committee. I'm Marty Gregorski, Division
5 Director of the Development Division of
6 the Philadelphia City Planning
7 Commission. I'm here to testify on Bill
8 No. 140519, which was introduced into
9 City Council on June 5th, 2014 by
10 Councilmember Squilla.

11 Bill No. 140519 amends Section
12 14-502 of the Zoning Code, which is the
13 Center City Overlay. The bill created
14 two new control areas - the Center City
15 Commercial District Control Area and the
16 Center City Residential District Control
17 Area.

18 The Center City Commercial
19 District Control Area will include the
20 area bounded by both sides of Spring
21 Garden Street (extended), the Delaware
22 River, both sides of South Street
23 (extended), and the Schuylkill River. In
24 this area, lots zoned "CMX-2"
25 Neighborhood Commercial Mixed-Use that

1 6/1/15 - RULES - BILL 150519, etc.

2 have frontage on at least three streets,
3 two of which must be 50 feet wide, will
4 be permitted a maximum height of 55 feet
5 rather than the base 38 feet.

6 Additionally, within this area,
7 lots zoned "CMX-3" Community Commercial
8 Mixed-Use shall be eligible for floor
9 area ratio, FAR, bonuses, provided the
10 lots have frontage on at least two 50
11 feet wide streets or three 20 feet wide
12 streets. These bonuses must be for Mixed
13 Income Housing or Green Building and may
14 add an additional 250 percent to the base
15 FAR of 500 percent.

16 Lots zoned "CMX-4" Center City
17 Commercial Mixed-Use when located within
18 both Center City Commercial District
19 Control Area and the Center
20 City/University City Floor Area Ratio
21 area may have a maximum FAR of 750
22 percent, up from the base of 550 percent.
23 These lots will also be eligible for a
24 bonus FAR of 450 percent, provided that
25 the lots have frontage on two 50 feet

1 6/1/15 - RULES - BILL 150519, etc.
2 wide streets or three 20 feet wide
3 streets.

4 The Center City Residential
5 Control Area will include the area
6 bounded by both sides of Spring Garden
7 Street (extended), the Delaware River,
8 the north side of Washington Avenue
9 (extended), and the Schuylkill River. In
10 this area, lots zoned "RSA-5" Residential
11 Single Family Attached or "RM-1"
12 Residential Multi-Family may have a
13 minimum lot size of 1,080 square feet,
14 down from the current requirement of
15 1,440 square feet.

16 Additionally, lots zoned "RM-1"
17 that contain at least 1,600 square feet
18 of land may be divided into two lots,
19 with a minimum lot size of 800 square
20 feet, provided that at least 75 percent
21 of the lots adjacent to the lot to be
22 divided are 1,000 square feet or less and
23 each of the new lots meets the minimum
24 lot width requirement of 16 feet.

25 The City Planning Commission

1 6/1/15 - RULES - BILL 150519, etc.
2 will hear Bill No. 140519 at its meeting
3 of June 9th, 2015 with a staff
4 recommendation for approval, as amended.

5 I'll be happy to answer any
6 questions at this time.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Gregorski.

9 Councilman Squilla.

10 COUNCILMAN SQUILLA: Thank you,
11 Mr. Gregorski. Obviously there's a lot
12 of amendments that were changed from the
13 original bill, and working with
14 Councilman Johnson's office, Councilman
15 Clarke's office, to try to come up with
16 the best way to have some as-of-right use
17 with additional FAR for CMX-3 and 4. Do
18 you believe that this fits in the, I
19 guess, mold of having enough information
20 so that people could build as-of-right,
21 but also if they need to build more,
22 using the bonus system to go there gives
23 the community a better chance to add more
24 amenities to that area than just
25 as-of-right?

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GREGORSKI: We believe so,
3 yes.

4 COUNCILMAN SQUILLA: The
5 bonuses for CMX-3, are they something new
6 added just in that Center City District,
7 correct?

8 MR. GREGORSKI: There is a
9 bonus for CMX-3 now in transit-oriented
10 development districts, which none of
11 which are mapped. So this would be new
12 in the Center City District.

13 COUNCILMAN SQUILLA: So as long
14 as they're able to reap some bonuses,
15 they would then be able to get additional
16 FAR?

17 MR. GREGORSKI: Correct.

18 COUNCILMAN SQUILLA: Now, I
19 know we met also with Center City
20 residents on this and some of the other
21 community groups that had some concerns.
22 We believe we met all their concerns on
23 this matter. Do you know of any other
24 serious concerns that they had with this
25 bill up to this point?

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GREGORSKI: No.

3 COUNCILMAN SQUILLA: And during
4 your Planning Commission June 9th, the
5 recommendation will be to approve this
6 with amendments?

7 MR. GREGORSKI: Correct.

8 COUNCILMAN SQUILLA: All right.

9 Thank you very much.

10 COUNCILMAN GREENLEE: Thank
11 you, Councilman.

12 Any other questions?

13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, Mr. Gregorski, thank you.

16 Ms. Marconi, who else do we
17 have?

18 THE CLERK: Anne Fadullon.

19 (Witnesses approached witness
20 table.)

21 COUNCILMAN GREENLEE: And after
22 Ms. Fadullon and Ms. Vidas, is there
23 anyone else here on this bill?

24 (No response.)

25 COUNCILMAN GREENLEE: Okay.

1 6/1/15 - RULES - BILL 150519, etc.

2 Thank you.

3 Please.

4 MS. FADULLON: Hi. My name is
5 Anne Fadullon. I'm President of the
6 Building Industry Association, which
7 represents the region's residential home
8 builders, residential contractors and
9 suppliers. I'd like to thank Chairman
10 Greenlee and the members of the Rules
11 Committee for allowing us to testify on
12 Bill No. 140519, and we thank Councilman
13 Squilla for introducing this legislation
14 on the BIA's behalf and also the work
15 that Councilman Johnson and Council
16 President Clarke have put into this bill
17 as well.

18 I just want to mention briefly,
19 you heard that this bill was originally
20 introduced in June of 2014 and we're now
21 in June of 2015, because we've had
22 several meetings with the Planning
23 Commission, several meetings with the
24 various Council offices and also the
25 community groups to make sure that we had

1 6/1/15 - RULES - BILL 150519, etc.
2 a bill that worked as best as possible
3 for everybody.

4 Philadelphia is a large city
5 with a vibrant urban core and is second
6 in the country in terms of Center City
7 residential population. Although the new
8 Zoning Code adopted a few years ago was a
9 positive step in fostering the economic
10 growth of our City, two plus years of
11 experience with the new Code has resulted
12 in the realization that with some
13 reasonable adjustments, the Code could do
14 even more to foster the growth so
15 important to our City.

16 After meeting with all of the
17 stakeholders, we have asked Councilman
18 Squilla to consider a number of
19 amendments to the bill we originally
20 asked him to introduce. Under these
21 proposed amendments, Bill No. 140519
22 makes only one change to residential
23 zoning, changing the maximum lot size
24 from 1,440 square feet to 1,080 square
25 feet. This provides for a house

1 6/1/15 - RULES - BILL 150519, etc.
2 structure of 18 by 50 feet with a 10 foot
3 rear yard, a very substantial and
4 reasonably sized home within the urban
5 core. This essentially results in a home
6 between 2,400 and 2,700 square feet.

7 It should be noted that the BIA
8 originally advocated for an 800 square
9 foot lot, and then after conferring with
10 Councilmembers and the Planning
11 Commission, that was amended to 960
12 square feet, and after meeting with
13 several community organizations, a
14 compromise was reached at the eventual
15 1,080 square feet.

16 Proposed changes to various
17 commercial zoning districts include a
18 provision to allow capstone buildings
19 where several large streets converge, the
20 ability to use the bonuses currently
21 provided in the Code in CMX-3 district,
22 allowing for an increase in FAR in CMX-4
23 along the central Market corridor, and
24 allowing for increased density of
25 residential units above neighborhood

1 6/1/15 - RULES - BILL 150519, etc.

2 commercial properties.

3 All of these commercial zoning
4 changes will help to promote mixed-use
5 development in Philadelphia's urban core
6 and provide for the density required to
7 facilitate both employment and population
8 growth in our City.

9 Bill No. 140519 incorporates
10 several common-sense changes to the new
11 Code, and so we ask the Rules Committee
12 to amend and approve the bill and support
13 its passage through Council.

14 Thank you for your
15 consideration.

16 COUNCILMAN GREENLEE: Thank
17 you.

18 Ms. Vidas.

19 MS. VIDAS: My name is Lauren
20 Vidas. I'm here as Chair of the South of
21 South Neighborhood Association, which is
22 one of the neighborhoods affected by the
23 bill. I know you guys have a long agenda
24 today, so I'm not going to go too much
25 into detail, but just wanted to echo

1 6/1/15 - RULES - BILL 150519, etc.

2 Anne's sentiments about the process to
3 date.

4 Our neighborhood had a number
5 of concerns initially with the bill as
6 written, and I want to commend Councilman
7 Squilla's office, Councilman Johnson's
8 office, and the BIA for sitting down with
9 us and sort of working through a number
10 of those issues. We are in support of
11 the bill. We believe that the density is
12 going to bring, especially along our
13 commercial corridors, is going to have a
14 tremendous impact both on the economic --
15 economy of our neighborhood as well as
16 the quality of life.

17 COUNCILMAN GREENLEE: Thank you
18 both.

19 Councilwoman Reynolds Brown.

20 COUNCILWOMAN BROWN: Good
21 morning.

22 Good morning, ladies. Just by
23 way of record, provide context on what
24 was the trigger, what was the initiator
25 for this action.

1 6/1/15 - RULES - BILL 150519, etc.

2 MS. FADULLON: Frankly, the BIA
3 went to Councilman Squilla and said we'd
4 like to see some changes made in the
5 Zoning Code. We had a substantial number
6 of our members come forth and say that
7 they were dealing with the same issues
8 over and over and over again at ZBA in
9 variance requirements. So we sort of put
10 a list of those together, and then we
11 drafted the original bill. And then as
12 we spoke, we met with the various
13 Councilpeople, their districts most
14 affected by the bill, and then with the
15 various community organizations and also
16 we met with the Planning Commission about
17 three or four times to figure out what
18 compromise and what on that list kind of
19 worked so that it would be the best thing
20 for everybody.

21 COUNCILWOMAN BROWN: So just
22 cite one example, Lauren, on the common
23 ground that you found as a result of a
24 year's worth of work.

25 MS. VIDAS: Right. So a good

1 6/1/15 - RULES - BILL 150519, etc.
2 example is the South Street West
3 corridor, which was zoned for
4 relatively -- the zoning and the current
5 map there is just -- it's outdated and
6 it's old, and it's a corridor that can
7 support a lot of density and should
8 because it's a burgeoning retail area.
9 So you want to be able to have folks --
10 you want people living above retail shops
11 to provide that sort of -- it provides a
12 customer base, it's a walkable
13 neighborhood. Density, we should be
14 encouraging density along those
15 corridors. And as a neighborhood
16 association, I think we like getting as
17 many things out of the ZBA as possible,
18 because we're a volunteer organization
19 and when you have folks who are staying
20 up every month until midnight at zoning
21 hearings that we're holding to go to the
22 ZBA on a variance that we see three or
23 four times a month when it's a simple fix
24 and we're supporting the variance every
25 single time, this is as much about making

1 6/1/15 - RULES - BILL 150519, etc.
2 it easier, I think, on the developers in
3 the community, but also it really takes
4 some of the pressure off the RCOs that
5 are continually supporting variances for
6 the same issues over and over again.

7 COUNCILWOMAN BROWN: I see.
8 All right, then. Thank you both.

9 MS. FADULLON: Just,
10 Councilwoman, an example is what I gave
11 in my testimony where we started out
12 wanting a residential lot of 800 square
13 feet in size, and then through talking
14 with the Councilpeople, we went to 960
15 square feet, and then talking with the
16 community, we ended up at 1,080 square
17 feet. That's a perfect example of the
18 kind of compromise we went through and
19 also working with the Planning Commission
20 as well.

21 COUNCILWOMAN BROWN: Okay. All
22 right, then. Thank you very much.

23 Thank you, Mr. Chairman.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilwoman.

1 6/1/15 - RULES - BILL 150519, etc.

2 Councilman Squilla.

3 COUNCILMAN SQUILLA: Yes.

4 Thank you.

5 Ms. Fadullon, on the community
6 meetings, how many meetings did you have
7 all together? Because I know I was
8 involved in several of them.

9 MS. FADULLON: I know that I
10 met -- I want to say I met once with the
11 Crosstown Coalition by myself. I met
12 then about -- I think we had two meetings
13 that had Councilpeople there as well as
14 the Crosstown Coalition. I had several
15 meetings with you and with Kenyatta
16 Johnson and also Council President
17 Clarke. I think I had three meetings
18 with the Planning Commission, and then I
19 think we've had a couple meetings with
20 SOSNA and Southwest Center City. So
21 maybe seven or eight all together.

22 COUNCILMAN SQUILLA: Okay.

23 Now, I know there was -- do you know how
24 many amendments from your initial bill?

25 It was quite a few.

1 6/1/15 - RULES - BILL 150519, etc.

2 MS. FADULLON: I think we've
3 amended this bill about five or six times
4 and we now almost have a completely
5 different bill.

6 COUNCILMAN SQUILLA: Completely
7 different bill.

8 MS. FADULLON: Yes.

9 COUNCILMAN SQUILLA: Well, I
10 mean, I think that's a good sign of being
11 willing to work, not that we're going to
12 please everybody, but hopefully by having
13 input from all parties concerned, that we
14 can make this bill the best possible bill
15 and so, therefore, not have to change it
16 again in the future. But hopefully we'll
17 be able to move forward with this and see
18 how we go from there.

19 So thank you for your time,
20 effort, and hopefully a positive result
21 of this bill. Thank you.

22 MS. FADULLON: Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 Just note for the record, that

1 6/1/15 - RULES - BILL 150519, etc.
2 was a lot of amendments, but it's not the
3 40 amendments from sick leave, sir.

4 Any other questions or
5 comments?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, again, anyone else here to testify
9 on Bill No. 140519?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, thank you.

13 Ms. Marconi, our next bill,
14 please.

15 THE CLERK: Bill No. 150285, an
16 ordinance amending Section 14-517 of The
17 Philadelphia Code, entitled "/UED Urban
18 Experiential Display Overlay Control
19 District," to provide for further
20 regulations regarding urban experiential
21 displays, under certain terms and
22 conditions.

23 COUNCILMAN GREENLEE: Mr.
24 Gregorski.

25 MR. GREGORSKI: Good morning,

1 6/1/15 - RULES - BILL 150519, etc.
2 Councilman Greenlee and members of the
3 Rules Committee. Marty Gregorski,
4 Director of the Development Division of
5 the Philadelphia City Planning
6 Commission, here to testify on Bill No.
7 150285, which was introduced into City
8 Council on April 9th, 2015 by
9 Councilmember Squilla.

10 Bill No. 150285 amends the
11 Philadelphia Zoning Code section entitled
12 "/UED Urban Experiential Display Overlay
13 Control Districts" to provide for further
14 regulations regarding UED installations.
15 Bill No. 150285 also clarifies the rules
16 of the City Planning Commission, the
17 Civic Design Review Committee, the Art
18 Commission, and the Pennsylvania
19 Department of Transportation in regard to
20 UED installations.

21 The amendments include the
22 following:

23 Number one, no zoning permits
24 for urban experiential displays shall be
25 issued unless the applicant shall first

1 6/1/15 - RULES - BILL 150519, etc.
2 submit it to the City Planning
3 Commission, and the City Planning
4 Commission, after receipt of a
5 recommendation from the Civic Design
6 Review Committee, shall have, A,
7 submitted a recommendation to the Art
8 Commission regarding the proposed design
9 and placement of the UED. The City
10 Planning Commission's recommendation
11 shall reflect the Commission's judgment
12 as to whether the particular proposal is
13 appropriate in its scale, density,
14 character, and use for the surrounding
15 community.

16 B, approved an executed
17 agreement between the applicant and a
18 government entity to provide for a
19 financial contribution by the applicant
20 to the governmental entity.

21 Two, no UED may be erected or
22 maintained without Art Commission
23 approval.

24 Three, no UED may be erected or
25 maintained unless the applicant receives

1 6/1/15 - RULES - BILL 150519, etc.
2 clearance from the Pennsylvania
3 Department of Transportation. If PennDOT
4 does not have jurisdiction, the applicant
5 needs clearance from the Department of
6 Streets.

7 The City Planning Commission at
8 its meeting of April 28th, 2015
9 recommended Bill No. 150285 for approval.

10 I'd be happy to answer any
11 questions at this time.

12 COUNCILMAN GREENLEE: Thank
13 you, Mr. Gregorski.

14 Councilman Squilla.

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

17 Just for clarification
18 purposes, the zoning permits for urban
19 experiential displays shall not be issued
20 unless the applicant has submitted to the
21 City Planning Commission, and the
22 Planning Commission, after receipt of the
23 recommendation from the Civic Design
24 Review. That is basically what was in
25 the previous bill, correct?

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GREGORSKI: It's very
3 similar, yes.

4 COUNCILMAN SQUILLA: Right.

5 And then the basic change to this here is
6 that the Planning Commission gets to make
7 recommendations, shall reflect the
8 Commission's judgment on specific
9 categories, which are scale, density,
10 character, and use for the surrounding
11 community?

12 MR. GREGORSKI: Correct.

13 COUNCILMAN SQUILLA: Now, what
14 is the difference between that and the
15 original bill; do you know?

16 MR. GREGORSKI: I don't think
17 the original bill had the categories, and
18 this recommendation then goes to the Art
19 Commission.

20 COUNCILMAN SQUILLA: So the
21 added part is that the Planning
22 Commission gets specific categories to
23 make recommendations on?

24 MR. GREGORSKI: Correct.

25 COUNCILMAN SQUILLA: To then

1 6/1/15 - RULES - BILL 150519, etc.
2 forward to the Art Commission for
3 approval?

4 MR. GREGORSKI: Correct.

5 COUNCILMAN SQUILLA: And I'm
6 not sure if this is your expertise, but
7 my next question, approve an executed
8 agreement between the applicant and the
9 government entity, provide for financial
10 contribution by the applicant.

11 There seems to be some
12 confusion on how that will work. I don't
13 think we have an answer to date on that.
14 Are you familiar with that part of this
15 legislation?

16 MR. GREGORSKI: In that I agree
17 that I don't believe that it's been fully
18 fleshed out, yeah. It's going to need to
19 be before any permits are issued.

20 COUNCILMAN SQUILLA: Because I
21 think what we're going to end up doing is
22 actually getting it out of Committee and
23 holding it until we could get an answer
24 from the Administration on how this
25 works. This was one of the major

1 6/1/15 - RULES - BILL 150519, etc.
2 concerns of the Administration during the
3 time, and I think they need to figure out
4 how it would work or whether we have to
5 amend it out at that point.

6 And the third one was that if
7 PennDOT had approval powers in the first
8 bill, it would be amended; that if for
9 some reason they do not have
10 jurisdiction, the applicant needs
11 clearance from the Streets Department.

12 MR. GREGORSKI: Correct.

13 COUNCILMAN SQUILLA: Correct?

14 So they are the main three
15 aspects of the changes to this bill?

16 MR. GREGORSKI: That's correct.

17 COUNCILMAN SQUILLA: All right.

18 Thank you very much.

19 COUNCILMAN GREENLEE: Thank
20 you, Councilman. If I could just ask
21 you, Councilman Squilla, my understanding
22 was -- and I know how much you worked on
23 this whole issue for many, many months.
24 This bill was actually at the request of
25 the Administration, correct?

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN SQUILLA: Yes. It
3 was a compromise by us and the developer
4 and the community groups, non-profits, to
5 make these amendments, but I don't think
6 it was thought out all the way and I
7 think -- maybe, Marty, could you explain
8 just what they needed to find out on how
9 this government entity works with money.

10 MR. GREGORSKI: Well, they have
11 to clear everything through the Law
12 Department, first and foremost, to make
13 sure that however the money is put into
14 the City is the way that basically is
15 legal and is enforceable, and I think
16 that that's kind of the crux of the
17 question, how it's going to work
18 specifically, where does the money go, to
19 what pot the money goes into.

20 COUNCILMAN SQUILLA: And then
21 how it is disbursed.

22 MR. GREGORSKI: And then how
23 it's disbursed to the appropriate
24 community organization.

25 COUNCILMAN SQUILLA: Well,

1 6/1/15 - RULES - BILL 150519, etc.
2 hopefully since this was an idea that
3 came from the Administration they could
4 figure it all out before this moves
5 forward.

6 Thank you.

7 COUNCILMAN GREENLEE: Thank
8 you, Councilman.

9 I just want to echo that.
10 Since it was the Administration bill, I
11 would hope they would have figured this
12 out before we got here since certainly
13 Councilman Squilla has tried to work with
14 them to work all this situation out. But
15 at the sponsor's request, we'll move this
16 out of Committee today, but we'll hold it
17 at the meeting, and if there are any more
18 or any amendments or any other
19 explanation, that will be considered at
20 our June 9th, the last meeting before our
21 summer break.

22 MR. GREGORSKI: I understand.

23 COUNCILMAN GREENLEE: So if
24 that could be made clear, that we want to
25 work that all out by June 9th. Thank

1 6/1/15 - RULES - BILL 150519, etc.
2 you. And I know that's not your call,
3 Mr. Gregorski. I'm just getting that on
4 record for anybody from the
5 Administration that may be listening to
6 us. Thank you.

7 Anyone else here to testify on
8 Bill No. 150285?

9 (No response.)

10 COUNCILMAN GREENLEE: Seeing
11 none, moving right along, Ms. Marconi,
12 our next bill, please.

13 THE CLERK: Bill No. 150355, an
14 ordinance to amend the Philadelphia
15 Zoning Maps by changing the zoning
16 designations of certain areas of land
17 located within an area bounded by Fifth
18 Street, Reed Street, Fourth Street, and
19 Dickinson Street. Further to approve the
20 Residential Mixed-Use-2 District (RMX-2)
21 Master Plan for the site generally
22 bounded by Fifth Street, Reed Street,
23 Fourth Street, and Dickinson Street,
24 formerly known as Mount Sinai Hospital.

25 (Witnesses approached witness

1 6/1/15 - RULES - BILL 150519, etc.
2 table.)

3 MR. GREGORSKI: Good morning,
4 Councilman Greenlee, members of the Rules
5 Committee. I'm Marty Gregorski, Division
6 Director of the Development Division of
7 the Philadelphia City Planning
8 Commission, here to testify on Bill No.
9 150355, which was introduced into City
10 Council on April 16th, 2015 by
11 Councilmember Squilla.

12 Bill No. 150355 amends the
13 Philadelphia Zoning Maps by rezoning an
14 area bounded by Fifth Street, Reed
15 Street, Fourth Street, and Dickinson
16 Street, the site of the former Mount
17 Sinai Hospital.

18 Bill No. 150355 rezones the
19 former hospital site from its existing
20 "RSA-5" Residential Single-Family
21 Attached to a new designation of "RMX-2"
22 Residential Mixed-Use district. The new
23 RMX-2 district requires both a rezoning
24 of the property and the approval of a
25 Master Plan in order for the zoning to

1 6/1/15 - RULES - BILL 150519, etc.
2 become effective. This bill both changes
3 the zoning of the property and approves
4 the Master Plan for the site.

5 The Master Plan for this site
6 includes a residential townhome
7 development for 95 units with 133
8 accessory parking spaces. The Master
9 Plan has a floor area ratio of 221
10 percent, which is under the 250 percent
11 maximum for the district, and has an open
12 area of 44 percent, where only 25 percent
13 is required.

14 At its meeting of May 19th,
15 2015, the City Planning Commission
16 recommended that Bill No. 150355 be
17 approved with the following provisos
18 concerning the approval of the Master
19 Plan:

20 First, an additional 4 feet
21 must be added to the currently proposed 5
22 feet setback from the rear property lines
23 of the existing rowhomes on the 400 block
24 of Dickinson Street, making the proposed
25 development setback to the north of these

1 6/1/15 - RULES - BILL 150519, etc.

2 properties a total distance of 9 feet.

3 Secondly, upon the review of
4 the proposal by the Civic Design Review
5 Committee, which is required for issuance
6 of the zoning permit, the Master Plan
7 should be amended to take into account
8 the findings and recommendations of the
9 Committee.

10 Lastly, the developers are
11 required to provide the Master Plan and
12 any subsequent changes to the plan to the
13 Registered Community Organizations whose
14 boundaries include the former hospital
15 site.

16 The developer has responded to
17 these provisos and has made the requested
18 changes to the Master Plan.

19 I'll be happy to answer any
20 questions at this time.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 Councilman Squilla.

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

1 6/1/15 - RULES - BILL 150519, etc.

2 On the final version that we
3 have now, how wide is the setback from
4 the Dickinson Street neighbors?

5 MR. GREGORSKI: Nine feet.

6 COUNCILMAN SQUILLA: Nine feet?
7 And that was the requested amount?

8 MR. GREGORSKI: The request of
9 the Planning Commission.

10 COUNCILMAN SQUILLA: Request to
11 the Planning Commission?

12 And also I know early on the
13 project has also changed several times
14 from its initial plan.

15 MR. GREGORSKI: Correct.

16 COUNCILMAN SQUILLA: And they
17 added a through street; is that correct?

18 MR. GREGORSKI: It's not a
19 street. It's a through driveway, but it
20 was requested and basically mandated by
21 the Fire Department for fire truck
22 access.

23 COUNCILMAN SQUILLA: And that
24 was for safety and to be able to access
25 homes in case there is a fire?

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GREGORSKI: Correct.

3 COUNCILMAN SQUILLA: And that
4 is approved by the Fire Department also
5 at this time?

6 MR. GREGORSKI: Correct.

7 COUNCILMAN SQUILLA: All right.
8 Thank you very much.

9 COUNCILMAN GREENLEE: Thank
10 you.

11 Any other questions for
12 Mr. Gregorski?

13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, whoever else would like to testify.
16 Mr. Patterson, please identify yourself
17 and proceed.

18 MR. PATTERSON: Good morning.

19 COUNCILMAN GREENLEE: Good
20 morning.

21 MR. PATTERSON: Thank you,
22 Chairman Greenlee. My name is Ron
23 Patterson. I'm with Klehr Harrison Law
24 Firm of Philadelphia. I represent the
25 proposed owner and developer of this

1 6/1/15 - RULES - BILL 150519, etc.
2 property.

3 The property regards the old
4 Mount Sinai Hospital. It sits on three
5 acres. It has existing buildings that
6 approach up to 146 feet tall. It's been
7 vacant since 1997. There have been
8 several zoning variances approved for
9 this project to reuse the existing
10 buildings, but none have come to fruition
11 because they frankly were not viable.

12 The property fronts on 4th
13 Street, although we don't occupy full
14 street frontage. It borders 4th, 5th,
15 Reed, and Dickinson. So our group looked
16 at it again to see if we could reuse the
17 existing buildings and many consultants
18 looked at it, but it was best determined
19 to just demolish the building and came up
20 with a plan to construct 95 homes.

21 It's currently zoned RSA-5,
22 which is conducive to single-family
23 dwelling units, of course, but not
24 conducive to a reuse of the building for
25 multi-unit residential dwelling units.

1 6/1/15 - RULES - BILL 150519, etc.
2 And to develop an RSA-5, we would have to
3 have put through streets, City streets
4 through there so that each lot could have
5 its own street frontage. But, again,
6 because we don't control all four
7 streets, that was really unlikely. So
8 working with the Planning Commission and
9 the Fire Department, Councilman Squilla,
10 Pennsport Civic Association, Dickinson
11 Square West, and the Commerce Department,
12 we arrived at this plan through many
13 iterations. The Planning Commission
14 recommended RMX-2, which allows for
15 single-family dwelling units. And our
16 design, we'll just go through briefly.
17 It also allows planned urban development,
18 which we will have with a homeowners
19 association that will impose use
20 restrictions such as no commercial uses
21 and also provide for the maintenance and
22 repair of the common areas such as the
23 streets and the green space. And, most
24 importantly, there's a Master Plan, as
25 was mentioned by the Planning Commission,

1 6/1/15 - RULES - BILL 150519, etc.
2 that's attached to this, and that ensures
3 that what we show and what you approve is
4 what we build. Unless there are changes,
5 we would have to return back to the
6 Planning Commission. And as
7 Mr. Gregorski mentioned, this also has to
8 go through Civic Design Review because of
9 the number of residential dwelling units
10 and the amount of square feet we're
11 constructing and then back to the
12 Planning Commission for final review
13 before we can have our zoning permit.

14 So with that said, I want to
15 introduce Greg Hill, who can just briefly
16 give you the details of the plan. I'm
17 going to page through the boards as he
18 speaks, and then I'll give a 30-second
19 closing.

20 Thank you.

21 COUNCILMAN GREENLEE: Before
22 any more testimony, and you may have said
23 this, Mr. Patterson, I'm sorry. There is
24 an Equal Opportunity Plan, an EOP, that's
25 being offered as an amendment today,

1 6/1/15 - RULES - BILL 150519, etc.

2 correct?

3 MR. PATTERSON: That is
4 correct. It's dated May 29, although we
5 are -- the group are very experienced
6 developers. We did seek the expertise of
7 Jeffrey Smith with Global Synergies, who
8 is to my right, to help us navigate
9 through the Equal Opportunity Plan
10 program. So we do have it signed as of
11 Friday, and I have copies for you if you
12 need.

13 COUNCILMAN GREENLEE: And that
14 will be put forward as an amendment at
15 the meeting.

16 I'm sorry. Please proceed.
17 Please identify yourself and proceed.

18 MR. HILL: Hi. I'm Greg Hill.
19 Good morning, Chairman Greenlee, members
20 of the Rules Committee. Thank you. As
21 Ron mentioned, we've been studying this
22 project for some time. We initially
23 looked very hard at reuse of the existing
24 hospital. It is an interesting historic
25 structure, but unfortunately it closed in

1 6/1/15 - RULES - BILL 150519, etc.
2 the mid '90s and has been deteriorating
3 significantly since, and after an
4 exhaustive study, we've determined that
5 it really is not suitable for reuse.

6 So we've created a fairly
7 low-density residential community. There
8 is parking in every home. Many of the
9 homes have more than one space. So we
10 believe this is going to be very low
11 impact on the community from a parking
12 standpoint.

13 We've been able to create some
14 nice open green space that will reduce
15 the lot coverage as well as accommodate
16 stormwater management issues.

17 The parking is actually in the
18 homes. There's garages in each house.

19 This plan has changed several
20 times based on inputs from the Planning
21 Commission and the Fire Department to
22 make sure we have adequate access for
23 fire trucks and so forth.

24 The architecture is basically a
25 fairly traditional design that will be

1 6/1/15 - RULES - BILL 150519, etc.
2 very much in keeping with the
3 neighborhoods of South Philadelphia, and
4 we believe this is going to be a fairly
5 low-impact, quality amenity that should
6 blend well with the existing fabric of
7 this residential neighborhood.

8 COUNCILMAN GREENLEE: I'm
9 sorry.

10 MR. PATTERSON: Thank you.

11 COUNCILMAN GREENLEE: We can
12 take questions or do you have something
13 else to add?

14 MR. PATTERSON: No. I was
15 going to say thank you. If there's
16 anything else, we're happy to answer
17 questions.

18 COUNCILMAN GREENLEE: Okay.
19 Councilman Squilla.

20 COUNCILMAN SQUILLA: Thank you,
21 Mr. Chairman.

22 Mr. Hill, on the work with the
23 community, I know you met with two
24 community groups and several neighbors
25 independently, and from that, changes

1 6/1/15 - RULES - BILL 150519, etc.
2 also come, beside the Planning Commission
3 and Fire Department request. You also
4 made changes from community concerns; is
5 that correct?

6 MR. HILL: Yes, that's correct.
7 We met with both Pennsport and Dickinson
8 Square. We got a variety of comments
9 back that we tried to accommodate in the
10 plan. One of the concerns was that this
11 not feel like a gated community. This is
12 not a gated community. The streets are
13 open. We've created a major thoroughfare
14 through the center of the site that does
15 have a landscaped pedestrian walkway that
16 will basically connect through 4th to 5th
17 Street and really enhance the
18 permeability of the project.

19 COUNCILMAN SQUILLA: Is it a
20 walkway; no cars could go through there?

21 MR. HILL: There is a center
22 drive aisle that is for vehicle use as
23 well as a pedestrian sidewalk on the
24 side.

25 COUNCILMAN SQUILLA: And is

1 6/1/15 - RULES - BILL 150519, etc.

2 that two-way traffic?

3 MR. HILL: Yes, it is.

4 COUNCILMAN SQUILLA: I know

5 because we received some concerns too. I

6 know you went back to the drawing board

7 several times, and I appreciate that as a

8 Councilperson representing the people

9 there in Dickinson Square West and

10 Pennsport. On the neighbors that -- the

11 south side of the plan, which is

12 Dickinson Street, their main concern I

13 know was the setback. Initially you had

14 a 2-foot setback and now it's a 9-foot

15 setback?

16 MR. HILL: Yes. We've

17 increased that to 9 feet and created a

18 landscaped buffer on that side of the

19 site as well.

20 MR. PATTERSON: And the rear

21 yards of those homes have at least 9 feet

22 of rear yard open space, which is in

23 accordance with their RSA-5 zoning. So

24 our setback and their setback adds a

25 substantial amount of open space between

1 6/1/15 - RULES - BILL 150519, etc.
2 the two buildings.

3 COUNCILMAN SQUILLA: And are
4 those neighbors now on Dickinson Street,
5 south side, in favor of the plan?

6 MR. HILL: Yes. We've met with
7 them subsequent to the revision of the
8 plan and they are comfortable with this
9 layout.

10 COUNCILMAN SQUILLA: And I also
11 received an e-mail from Ms. Westcott on
12 that and she was very, I guess, happy
13 that you were willing to work with her
14 and make some of those changes to the
15 requested concerns there.

16 Now, how many -- there's 95
17 total homes?

18 MR. HILL: Yes, 95 homes.

19 COUNCILMAN SQUILLA: And how
20 many parking spaces?

21 MR. HILL: We have 133 parking
22 spaces.

23 COUNCILMAN SQUILLA: 133. So
24 it's like 1.4, 1.3?

25 MR. HILL: Yes. Some of the

1 6/1/15 - RULES - BILL 150519, etc.

2 homes are 20 feet wide that permit a
3 two-car garage. The balance are 16 or
4 18, and they have one car.

5 COUNCILMAN SQUILLA: So every
6 house has at least one car and the
7 20-foot homes have two-car garage?

8 MR. HILL: Yes. Correct.

9 COUNCILMAN SQUILLA: So the
10 surrounding area, how many curb cuts were
11 added to that facility from original?

12 MR. HILL: We've actually
13 reduced the curb cuts. There were a
14 number of curb cuts that served the
15 various parking lots for the old hospital
16 facility. At this point we're down to
17 just two curb cuts.

18 COUNCILMAN SQUILLA: So just
19 two curb cuts from the whole project?

20 MR. HILL: Yes, sir.

21 MR. PATTERSON: The two curb
22 cuts regard that drive throughway and the
23 walkway. There's also an emergency cut
24 on one of the streets in case fire trucks
25 need access, but it's not to be used.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN SQUILLA: Reed
3 Street probably, up at the top, right.
4 So we really didn't remove any parking
5 places from the street surrounding the
6 homes?

7 MR. HILL: No. There will
8 actually be an increase in parking on the
9 perimeter of the site.

10 COUNCILMAN SQUILLA: Very good.
11 Thank you very much.

12 COUNCILMAN GREENLEE: Thank
13 you, Councilman.

14 Councilwoman Reynolds Brown.

15 COUNCILWOMAN BROWN: I'm just
16 curious to know what is the price point
17 range for potential home buyers?

18 MR. HILL: The price point is
19 in the high 400,000 range.

20 COUNCILWOMAN BROWN: All right,
21 then. Thank you very much.

22 Thank you, Mr. Chairman.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilwoman.

25 Any other questions on this

1 6/1/15 - RULES - BILL 150519, etc.

2 bill?

3 (No response.)

4 COUNCILMAN GREENLEE: Anyone

5 else here to testify on Bill 150355?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing

8 none, thank you all very much. Good luck

9 with the project.

10 MR. PATTERSON: Thank you.

11 COUNCILMAN GREENLEE: Our final

12 bill today. Ms. Marconi, please.

13 THE CLERK: Bill No. 150441, an

14 ordinance amending Chapter 9-3900 of The

15 Philadelphia Code, entitled "Property

16 Licenses and Owner Accountability,"

17 Chapter 14-600 of The Philadelphia Code,

18 entitled "Use Regulations," and Chapter

19 19-2400 of The Philadelphia Code,

20 entitled "Hotel Room Rental Tax," to

21 facilitate short-term rentals of

22 accommodations, to clarify the imposition

23 and collection of Hotel Tax on the same,

24 and to make technical and clarifying

25 changes, all under certain terms and

1 6/1/15 - RULES - BILL 150519, etc.
2 conditions.

3 (Witnesses approached witness
4 table.)

5 COUNCILMAN GREENLEE: Good
6 morning. Whoever would like to go first,
7 please.

8 DEPUTY COMMISSIONER WAXMAN:
9 Good morning. My name is Deputy Revenue
10 Commissioner Marisa Waxman. I am here
11 testifying this morning on behalf of
12 Revenue Commissioner Clarena Tolson.

13 Good morning, Chairman Greenlee
14 and members of the Committee on Rules.
15 I'm here to testify in support of Bill
16 No. 150441, introduced by Councilman
17 Greenlee, as amended.

18 My testimony today is focused
19 on the changes to Chapter 19-2400 of The
20 Philadelphia Code concerning the Hotel
21 Room Rental Tax. I would like to begin
22 by noting that Bill 150441 does not
23 change who is subject to the hotel tax,
24 the amount of tax due or the usage of
25 these funds. What Bill 150441 does from

1 6/1/15 - RULES - BILL 150519, etc.
2 a tax perspective is make it easier for
3 those who owe the hotel tax to file and
4 pay.

5 The hotel tax has always been
6 applied to visitor accommodations,
7 whether it is in a traditional hotel,
8 motel or bed and breakfast or any other
9 building such as a home. The definition
10 of a rental subject to the hotel tax is
11 any lodging offered to the general public
12 for less than 30 consecutive nights. As
13 such, this tax has always been applied to
14 short-term rentals of rooms or entire
15 houses and apartments, like those listed
16 with booking agents like Airbnb or
17 HomeAway.

18 The hotel tax is paid by the
19 patron and collected and remitted to the
20 City on a monthly basis by the hotel
21 operator. The tax rate collected by the
22 City of Philadelphia is 8.5 percent.
23 Additionally, there is a 6 percent
24 Pennsylvania hotel tax, plus a 1 percent
25 PICA hotel tax collected by the State on

1 6/1/15 - RULES - BILL 150519, etc.
2 our behalf. The revenue collected by the
3 City for the hotel tax go into the Hotel
4 Tax Fund and are distributed per the
5 state-enabling legislation for
6 tourism-related activities, including
7 debt service for the construction of the
8 Convention Center and tourism marketing.
9 Bill 150441 will not change that.

10 While traditional hotels can be
11 expected to have professional staff to
12 manage things like tax filings and
13 payments, we understand that individuals
14 occasionally renting out their spare room
15 may not have a tax professional at their
16 disposal. Bill 150441 allows booking
17 agents used to advertise listings, manage
18 reservations, and facilitate payment for
19 the lodging to also collect and remit the
20 hotel tax for the bookings they
21 coordinate, freeing individuals from that
22 administrative burden. We believe this
23 also creates efficiencies for the
24 Department of Revenue in the collection
25 of this tax.

1 6/1/15 - RULES - BILL 150519, etc.

2 For those that do not use a
3 booking agent or use a booking agent that
4 has opted not to collect and remit the
5 hotel tax on behalf of those renting out
6 rooms in homes, we are in the process of
7 launching a new easy-to-use online hotel
8 tax filing and payment system designed
9 for Mario, not Marriott.

10 Thousands of rentals of rooms
11 for short-term accommodation in
12 non-traditional settings are already
13 happening in Philadelphia and are
14 becoming mainstream. The administration
15 of our hotel tax must keep up with the
16 changes in the hospitality sector, and
17 Bill 150441 does that by creating options
18 to streamline the tax filing and payment
19 process.

20 For people to voluntarily
21 comply with their tax obligations, it is
22 important that we as a city make filing
23 and paying the smartest and easiest
24 choice for taxpayers. We aim to minimize
25 the hassle for people who want to do the

1 6/1/15 - RULES - BILL 150519, etc.
2 right thing, and make doing the wrong
3 thing, such as failing to pay your taxes,
4 hard to do and with great likelihood of
5 consequences. For this reason, Bill
6 150441 includes a provision that booking
7 agents that opt not to collect and remit
8 hotel tax on behalf of their customers
9 will have to share contact information
10 about what properties are being rented so
11 we can ensure that everyone pays their
12 fair share.

13 We are pleased to support
14 150441 with the amendments and thank
15 Councilman Greenlee and members of this
16 Committee for your efforts to make sure
17 that our tax code and administration
18 reflect the reality of today's economy
19 and is easy for Philadelphians to comply
20 with.

21 Thank you again for giving me
22 the opportunity to testify today and
23 we're happy to take any questions after
24 Ms. Sharpe's testimony.

25 COUNCILMAN GREENLEE: Thank

1 6/1/15 - RULES - BILL 150519, etc.

2 you.

3 Ms. Sharpe, please.

4 MS. SHARPE: Good morning,

5 Chairman Greenlee and members of the

6 Rules Committee. I am Eleanor Sharpe,

7 Deputy Executive Director of the

8 Philadelphia City Planning Commission. I

9 am here to testify on Bill 150441, which

10 was introduced into City Council by

11 Councilmember Greenlee on May 7th, 2015.

12 Currently, the Philadelphia

13 Zoning Code does not authorize short-term

14 rentals in residentially zoned areas

15 throughout the City. Activity of this

16 kind has arisen in recent years with the

17 rise of online intermediaries like Airbnb

18 and HomeAway. This bill will provide a

19 straightforward, accessible means for

20 Philadelphians to provide short-term

21 rentals for those renting by way of a

22 booking agent in a compliant way while

23 imposing appropriate standards that will

24 ensure these short-term rentals are

25 always a benefit to all and never a

1 6/1/15 - RULES - BILL 150519, etc.
2 detriment.

3 The City Planning Commission at
4 its meeting of May 19th, 2015 recommended
5 Bill No. 150441 for approval. Since that
6 meeting, City Planning staff has been
7 working along with the Mayor's
8 Legislative Office, the Department of
9 Revenue, Law, and L&I on amendments to
10 improve the bill. The bill, as amended,
11 establishes "limited lodging," "limited
12 lodging, short-term," and "limited
13 lodging, home" classifications to the
14 Zoning Code. These will authorize
15 short-term rentals made via a booking
16 agent that is no longer than 30 days by
17 any renter under the following
18 conditions:

19 Limited lodging must strictly
20 comport with the character and livability
21 of the neighborhood.

22 Owner-occupants, meaning
23 occupants who are eligible for a
24 homestead exemption for the property that
25 is being rented, can provide short-term

1 6/1/15 - RULES - BILL 150519, etc.
2 rentals for up to 90 nights a year, not
3 consecutively, with no additional
4 regulatory requirements. In order to
5 rent between 91 and 180 nights, which
6 would be the maximum, the owner must
7 obtain a use permit that can be revoked
8 at any time for non-compliance. No
9 rentals are permitted beyond 180 nights
10 in a year.

11 Renter-occupants, meaning a
12 permanent resident who is renting the
13 dwelling with the permission of the owner
14 of the property that is being rented, can
15 provide short-term rentals for up to 90
16 nights a year with no additional
17 regulatory requirement. In order to rent
18 between 91 and 180 nights, the owner of
19 the property must obtain a use permit
20 that can be revoked at any time for
21 non-compliance. No rentals, again, are
22 permitted beyond 180 nights in a year.

23 Non-occupant owners, meaning
24 owners of a property who are not eligible
25 for a homestead exemption for the

1 6/1/15 - RULES - BILL 150519, etc.
2 property that is being rented, are not
3 eligible to rent in this manner.

4 Thank you for giving me the
5 opportunity to testify here today, and we
6 would be happy to take any questions you
7 may have.

8 COUNCILMAN GREENLEE: Thank
9 you. I was just told that there still
10 might be one more change in the works. I
11 have to sarcastically say when you talk
12 about all those departments being
13 involved -- this isn't your two faults --
14 I'm just totally confused at this point,
15 but in any event, before I recognize
16 Councilwoman Reynolds Brown, I just want
17 to make -- and both of you said this, but
18 I want to be clear for the record.
19 Number one, the hotel tax for these kind
20 of rentals was always -- the owner was
21 always liable, correct, Ms. Waxman?

22 DEPUTY COMMISSIONER WAXMAN:
23 Correct.

24 COUNCILMAN GREENLEE: And,
25 Ms. Sharpe, the other issue is that these

1 6/1/15 - RULES - BILL 150519, etc.
2 kind of short-term rentals by these
3 companies technically was not legal,
4 correct?

5 MS. SHARPE: Correct.

6 COUNCILMAN GREENLEE: Okay.

7 All right. Because I won't put on record
8 it was --

9 MS. SHARPE: They're not
10 regulated. They're currently not
11 regulated.

12 COUNCILMAN GREENLEE: All
13 right. Because I want to make it clear,
14 Airbnb came to us to ask that these
15 issues be worked out, because they have
16 been worked out in other cities, and we
17 wanted to make clear that, or try to be
18 clear, that everything is fair both to
19 the company, the booking company, the
20 person renting, and the host.

21 MS. SHARPE: And the
22 neighborhood.

23 COUNCILMAN GREENLEE: And the
24 community. And the community, which is
25 very important. And we think we've

1 6/1/15 - RULES - BILL 150519, etc.

2 gotten there.

3 MS. SHARPE: We think.

4 COUNCILMAN GREENLEE: Maybe.

5 Councilwoman Reynolds Brown and
6 then Councilman Henon.

7 COUNCILWOMAN BROWN: Thank you,
8 Mr. Chairman. And I think it's a maybe
9 that may give us some caution as we
10 proceed, so a couple of questions first.

11 The sponsor of the bill said
12 the effective date is July 1?

13 COUNCILMAN GREENLEE: Correct,
14 yes.

15 MS. WAXMAN: Correct.

16 MS. SHARPE: Yes.

17 COUNCILWOMAN BROWN: So we're
18 looking at less than 90 days conceivably.
19 Actually, we're looking at less than 30.
20 So knowing that it takes a minute for new
21 measures like this to be made aware to
22 citizens and particularly those persons
23 that will be impacted, what measures are
24 you taking within your department to
25 ensure, A, awareness; B, awareness; and,

1 6/1/15 - RULES - BILL 150519, etc.
2 C, awareness? Because there are
3 consequences if they're not aware. So
4 within your departments, what measures do
5 you have in place?

6 DEPUTY COMMISSIONER WAXMAN: So
7 within the Department of Revenue,
8 obviously we're most concerned with folks
9 being able to file and pay appropriately
10 and not have any problems doing that.
11 We've been, one, developing informational
12 materials for folks just to say, Okay,
13 I'm engaged in this activity, what am I
14 supposed to do, and we've worked with L&I
15 and other folks to develop and will then
16 distribute once this is in place --

17 COUNCILWOMAN BROWN: So what
18 timeframe is that, if we're looking at a
19 July 1 effective date?

20 DEPUTY COMMISSIONER WAXMAN:
21 Those we'll be able to get out via web
22 and other channels within a week or two.
23 Very quickly. We're also by July --
24 probably six weeks away, about six to
25 eight weeks away from having a new hotel

1 6/1/15 - RULES - BILL 150519, etc.
2 tax online filing and payment system that
3 basically we've designed -- we're
4 designing to be as simple as possible.
5 While the hope is that many of the
6 booking agents will opt to collect and
7 remit on behalf of these residents and
8 owners doing this, which means they have
9 no tax filing obligation if it's entirely
10 taken care of, that will be great.
11 That's what makes it really simple for
12 Philadelphians. There's nothing new that
13 they have to do. We are putting in place
14 this new system for the folks that will
15 need to do that and attempting to make it
16 incredibly simple to do, and we'll be
17 letting folks know.

18 Also as part of this, for the
19 folks that do need to file on their own,
20 that they don't have a booking agent
21 doing it, the booking agents will be
22 required to provide us with information
23 so that we're able to reach out and
24 target directly. Our effectiveness is
25 much greater when we can talk directly to

1 6/1/15 - RULES - BILL 150519, etc.
2 the folks who have this obligation as
3 opposed to try and talk to 1.5 million
4 Philadelphians. So we're working on ways
5 to really target our communications to
6 the folks that need to know this
7 information.

8 COUNCILWOMAN BROWN: And so in
9 no way to be presumptuous, the
10 hospitality and tourism agency support
11 this measure?

12 DEPUTY COMMISSIONER WAXMAN: I
13 believe they're in a subsequent panel.

14 COUNCILMAN GREENLEE: They'll
15 be testifying, yes.

16 COUNCILWOMAN BROWN: Great.
17 All right. So if they'll be testifying,
18 then have you begun to work with the
19 hospitality and tourism community to
20 ensure that this new measure is well
21 advertised?

22 DEPUTY COMMISSIONER WAXMAN:
23 We're happy to continue the conversations
24 we've had to make sure that everyone has
25 all of the information they need.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILWOMAN BROWN: Okay. All
3 right, then. Thank you.

4 Congratulations, Mr. Sponsor.

5 COUNCILMAN GREENLEE: Thanks, I
6 think.

7 Councilman Henon.

8 COUNCILMAN HENON: Thank you,
9 Mr. Chairman. Did we already vote?

10 Good morning, and thank you for
11 your testimony. I too want to thank the
12 sponsor for putting this out there, and I
13 think the shared economy is exciting and
14 I think it's a direction that we need to
15 go here in the City of Philadelphia at
16 various levels. But we want to get it
17 right, and we want to get it right the
18 first time and tweak as need be.

19 I have a few questions.
20 Homestead exemption, you said anybody who
21 qualifies for Airbnb does not -- they're
22 not qualified for homestead exemption; is
23 that correct?

24 DEPUTY COMMISSIONER WAXMAN:

25 No.

1 6/1/15 - RULES - BILL 150519, etc.

2 MS. SHARPE: No.

3 COUNCILMAN GREENLEE: No.

4 DEPUTY COMMISSIONER WAXMAN: So

5 when we were trying to figure out what's
6 the standard of who is a homeowner, there
7 was a bunch of different ways that you
8 could try and figure out are you a
9 homeowner, is this person not a
10 homeowner, and we realized that because
11 we already have a homestead exemption,
12 which the state-enabling legislation sort
13 of says this is the definition of
14 homeowner, we're just going to use that
15 same definition. So if you're a
16 homeowner for the purposes of getting the
17 homestead exemption, you're a homeowner
18 for the purposes of this bill as well.

19 It was important to us to have one
20 definition so that folks know, Okay, I've
21 got a homestead exemption, I'm treated as
22 a homeowner under these provisions as
23 well. It was to simplify and not create
24 any new definitions.

25 COUNCILMAN HENON: So if it's

1 6/1/15 - RULES - BILL 150519, etc.

2 your primary residence, you would still
3 qualify for homestead exemption?

4 DEPUTY COMMISSIONER WAXMAN:

5 Absolutely. Yeah. This will not
6 impact --

7 COUNCILMAN HENON: Even if
8 it's, I'm going to say, rented out to the
9 capacity of 180 days, you would still
10 qualify?

11 DEPUTY COMMISSIONER WAXMAN:

12 Still under the --

13 MS. SHARPE: Still qualify.

14 COUNCILMAN GREENLEE: If I
15 could just add, Councilman, just so we're
16 clear, because in a lot of cases when
17 these are used through Airbnb, the person
18 still is living there. They're often
19 sharing. So it's not like they're not
20 living there while they're renting out,
21 say, for the Pope's visit or whatever.

22 MS. SHARPE: All we did was
23 grab the definition. It doesn't impact
24 the homestead exemption at all.

25 COUNCILMAN HENON: I think

1 6/1/15 - RULES - BILL 150519, etc.
2 having consistency is important, which
3 leads me to that consistency across multi
4 departments in the City of Philadelphia,
5 with Streets Department and trash
6 collection and other kinds of -- L&I,
7 property maintenance issues and
8 violations I'm sure still would apply to
9 somebody who is in their primary
10 residence for Airbnb; is that correct?

11 MS. SHARPE: Correct.

12 COUNCILMAN HENON: Tax
13 clearance before a use permit or any
14 other kind of issuance of commercial
15 licenses?

16 DEPUTY COMMISSIONER WAXMAN:
17 Everything that occurs now would continue
18 to occur with this, as well as the
19 additional enforcement on the hotel tax
20 of ensuring that that's being properly
21 paid.

22 COUNCILMAN HENON: So in L&I,
23 in the Department of L&I, for housing
24 inspection license, you'd need to be tax
25 cleared through the Department of

1 6/1/15 - RULES - BILL 150519, etc.
2 Revenue, as you well know. Would this
3 apply to Airbnb similar?

4 DEPUTY COMMISSIONER WAXMAN:
5 We're going to defer to L&I.

6 MS. SHARPE: L&I is here.

7 COUNCILMAN HENON: I assume
8 you're going to be receiving a city
9 benefit as far as a use permit that's
10 issued and --

11 (Witness approached witness
12 table.)

13 COUNCILMAN GREENLEE: Please
14 identify yourself.

15 DEPUTY COMMISSIONER FINK: Good
16 morning, Chairman Greenlee and members of
17 the Rules Committee. My name is Michael
18 Fink. I'm Deputy Commissioner at License
19 and Inspections assigned to Deputy Mayor
20 Greenberger's office.

21 Councilman Henon, the same
22 rules that apply for any permit and
23 license will apply in this case too. So
24 when a license is required because you
25 have a tenant-occupied property, a

1 6/1/15 - RULES - BILL 150519, etc.
2 license will be required here. The only
3 exemption will be for those folks that
4 are conducting these activities for up to
5 90 days through a year and you're a
6 homeowner, then you wouldn't have to have
7 a license in that case.

8 COUNCILMAN HENON: And I agree.
9 So I'm not disputing. I just want to
10 make sure that the same type of process
11 for tax clearances before permitting
12 somebody to have their primary residence
13 for Airbnb is applied the same as an HIL?

14 DEPUTY COMMISSIONER FINK: That
15 will be correct, sir.

16 COUNCILMAN HENON: Or permits
17 or any other kind of issuance from any
18 departments?

19 DEPUTY COMMISSIONER FINK: That
20 would be correct, sir, yes.

21 COUNCILMAN HENON: Great. A
22 use permit, is that by-right or is that
23 administrative clearance?

24 DEPUTY COMMISSIONER FINK: The
25 use permit would be by-right for those

1 6/1/15 - RULES - BILL 150519, etc.

2 that are --

3 COUNCILMAN HENON: That
4 qualify, right?

5 DEPUTY COMMISSIONER FINK: That
6 qualify for this and agree to adhere to
7 the standards of the Zoning Code.

8 COUNCILMAN HENON: Wonderful.
9 And back-end work for effective date, we
10 have about six to eight months. What is
11 the effective date?

12 COUNCILMAN GREENLEE: The
13 effective date is July 1st of this year.

14 MS. SHARPE: Thirty days.

15 COUNCILMAN HENON: Thirty days.
16 All righty. Well, we have our work cut
17 out for us.

18 COUNCILMAN GREENLEE: In
19 fairness, when we first met on this,
20 Councilman, we talked about getting the
21 information out. So they have been
22 working on getting all this together. We
23 couldn't officially do it until the bill
24 was passed obviously, but everything is
25 sort of ready to go out.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN HENON: Well, I
3 mean, in anticipation of this hearing and
4 the opportunity for final passage, I'm
5 sure a lot of the back-end work is
6 already pretty much where it needs to be.
7 I mean, you answered a lot of my
8 questions. I just want to ensure that we
9 are holding people accountable for tax
10 clearances and that the District
11 Councilperson or the Administration has
12 the proper documentation, everything like
13 that, that's reported back to them.

14 DEPUTY COMMISSIONER FINK:
15 Correct, sir.

16 COUNCILMAN HENON: I have no
17 further questions. Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you, Councilman.

20 Councilman Squilla and then
21 back to Councilwoman Reynolds Brown.

22 COUNCILMAN SQUILLA: Thank you,
23 Mr. Chairman.

24 On that, if it's clear, if they
25 just rent it for a couple times, they

1 6/1/15 - RULES - BILL 150519, etc.

2 don't need a permit; is that correct?

3 MS. SHARPE: Correct, up to 90
4 days per year, for the year.

5 COUNCILMAN SQUILLA: So over 90
6 days, if they rent their property over 90
7 days, then they would need to go through
8 getting a permit?

9 MS. SHARPE: Correct.

10 COUNCILMAN SQUILLA: So there's
11 really no way to really go, I guess, for
12 tax clearances or anything like that if
13 they just rent it five or six times a
14 year, correct or no?

15 DEPUTY COMMISSIONER WAXMAN:
16 For the folks who are doing this for less
17 than 90 nights a year, even though they
18 don't need a permit, the tax is still
19 due. So we'll continue to be collecting
20 the hotel tax and then sort of be aware
21 of what else they're doing if there's
22 other tax liabilities that arise out of
23 that.

24 COUNCILMAN SQUILLA: Also, so I
25 understand Airbnb and some other quality

1 6/1/15 - RULES - BILL 150519, etc.
2 rentals will be hopefully taking the tax
3 out of the initial payment and then
4 forwarding to the City, but how about
5 like a Craigslist type listing or people
6 who do things that don't usually go
7 through an organization like that? Now,
8 you said they have to give you the people
9 who rent their properties, but what are
10 the ramifications if they don't?

11 DEPUTY COMMISSIONER WAXMAN: So
12 there are penalties already in The
13 Philadelphia Code for failing to report
14 required information under Chapter 1900.
15 I believe in this bill we've gone to the
16 maximum \$2,000 a month -- or per
17 occurrence, which is each month the
18 report is not filed from those booking
19 agents that are required to turn over
20 that information. The baseline amount,
21 the default in the Code is \$300 per
22 occurrence.

23 COUNCILMAN SQUILLA: So a
24 Craigslist or other type of agency --

25 DEPUTY COMMISSIONER WAXMAN:

1 6/1/15 - RULES - BILL 150519, etc.
2 Just simply advertising. So perhaps --
3 I'm not sure whether Craigslist would
4 qualify, but say any other booking agent
5 that helps facilitate the reservation and
6 the payment, they would be required to
7 turn over that information to us, and if
8 they don't, there are penalties for that.

9 COUNCILMAN SQUILLA: But those
10 other agencies that aren't booking
11 agencies that people get together and
12 rent properties and other things off of,
13 but there's no way we would know --

14 DEPUTY COMMISSIONER WAXMAN:
15 Right. So we'll -- and that gives us
16 some room for enforcement and other
17 things that we'll have to do to make sure
18 that folks are filing. We're creating
19 the ability for everyone to comply
20 voluntarily, but we will maintain our
21 right to make sure that those that don't
22 comply voluntarily comply involuntarily.

23 COUNCILMAN SQUILLA: Okay.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 6/1/15 - RULES - BILL 150519, etc.

2 you, Councilman.

3 Before I recognize Councilwoman
4 Reynolds Brown, the basic idea behind
5 this was at least trying to make the
6 booking agents this a more smooth
7 process. We know that there are others
8 that are doing stuff sort of behind the
9 scenes, under the table, whatever word
10 you want to use, and that's something
11 that these good folks will have to try to
12 enforce, but we wanted to at least make
13 the folks that were trying to do it
14 right, which in fairness Airbnb and
15 all -- again, I want to emphasize, they
16 came to us. We want to make clear or try
17 to make it as easy as possible. And I
18 think now we have about the fifth change
19 in the amendments, but we're getting
20 there. Thank you.

21 Councilwoman Reynolds Brown.

22 I'm sorry.

23 COUNCILWOMAN BROWN: In the
24 spirit of Councilman Henon's remarks,
25 let's try to get this right. What

1 6/1/15 - RULES - BILL 150519, etc.
2 provisions are or could be in place --
3 because we're going to miss somebody.
4 When we look at -- when we listen to the
5 level of questioning around the
6 implementation, we're going to miss
7 someone by July 1. And so is there any
8 grace period or whatever to accommodate
9 those who are not going to hear about it,
10 participate in the action, and then be
11 penalized for it because they didn't know
12 about it? So let's walk in the shoes of
13 the citizens right now.

14 DEPUTY COMMISSIONER WAXMAN:

15 One thing that I would mention is because
16 folks who are doing this in their home
17 for fewer than 90 nights per year after
18 the effective date, that almost builds in
19 an automatic three-month grace period of
20 folks that -- so that nobody could
21 actually violate that portion of needing
22 a permit for three months anyway after
23 July 1, and that's assuming that they
24 rented out their property every single
25 night for those three months. So I think

1 6/1/15 - RULES - BILL 150519, etc.
2 that buys us some time to make sure folks
3 get the word before it's really a
4 problem.

5 COUNCILWOMAN BROWN: Okay.
6 Then I offer this up as food for thought.
7 When the menu labeling bill was passed
8 now five, six years ago, I worked with
9 L&I and Health where we actually had
10 orientation sessions for restaurateurs
11 who were now going to be required to
12 honor the spirit of that legislation. So
13 I'd like to suggest that over the next
14 year, you invite in those members of the
15 industry so that you can hear from them
16 up close and personal that which they
17 don't understand in an effort to be
18 hospitable to those that are now expected
19 to pay taxes.

20 DEPUTY COMMISSIONER WAXMAN:
21 Yes. Fabulous.

22 COUNCILWOMAN BROWN: Thank you.
23 Thank you, Mr. Chairman.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilwoman. Good suggestion.

1 6/1/15 - RULES - BILL 150519, etc.

2 Any other questions or
3 comments?

4 (No response.)

5 COUNCILMAN GREENLEE: Seeing
6 none, thank you all very much. Thank you
7 for all the work you've done on this.

8 Ms. Marconi, I know we have a
9 few panels here. Who is next?

10 THE CLERK: Max Pomeranc.
11 (Witness approached witness
12 table.)

13 COUNCILMAN GREENLEE: Still
14 morning. Good morning, sir.

15 MR. POMERANC: Good morning.
16 Max Pomeranc.

17 COUNCILMAN GREENLEE: A little
18 closer to the microphone.

19 MR. POMERANC: Sure. Max
20 Pomeranc. I'm the regional head of
21 public policy for Airbnb on the East
22 Coast. So thank you here.

23 Councilman Greenlee, members of
24 the Rules Committee, thank you for having
25 me here today to discuss home sharing as

1 6/1/15 - RULES - BILL 150519, etc.
2 you move forward on creating thoughtful
3 and fair regulation in Philadelphia.
4 Over the past few years, we have worked
5 with cities across the country to find
6 the right balance of regulating a growing
7 industry while not slowing down
8 innovation. Over the past few months, we
9 have had ongoing and productive
10 discussions with Philadelphia's elected
11 leaders and look forward to continuing
12 the conversation.

13 I'd like to start with a little
14 bit about Airbnb. Founded in 2008,
15 Airbnb is a trusted community marketplace
16 for people to list and book
17 accommodations in more than 35,000 cities
18 around the world. Airbnb connects
19 travelers to unique, local experiences.
20 Simply put, Airbnb allows anyone to
21 belong anywhere. Our platform helps
22 strangers see the City as a local does
23 and let's local hosts become ambassadors
24 for the communities that they love.

25 So here's how it works. People

1 6/1/15 - RULES - BILL 150519, etc.
2 take extra space, sometimes an extra
3 bedroom, sometimes an entire home. They
4 post it online for potential guests to
5 book. People who share their homes --
6 and we call them hosts -- take photos,
7 they set the rules, they make their home
8 welcoming to guests from all over the
9 world. Prior to any reservation, guests
10 and hosts get to know one another, thanks
11 to detailed profiles and authentic
12 two-way reviews. Airbnb only allows
13 reviews from either guests or hosts that
14 partook in the reservation. This helps
15 ensure that users get benefit from
16 meaningful feedback.

17 Home sharing allows working and
18 middle-class Philadelphians to turn what
19 is typically one of their greatest
20 expenses into a tool to help make ends
21 meet. The vast majority of our hosts, on
22 average about 82 percent, are simply
23 renting the home in which they live.
24 Many hosts use Airbnb as a supplemental
25 source of income. Most of our hosts tend

1 6/1/15 - RULES - BILL 150519, etc.

2 to be regular residents who share their
3 homes to pay the bills.

4 Airbnb guests generate
5 sustainable, local economic activity that
6 supports small businesses across the
7 City. In the past year, the number of
8 guests on Airbnb in Philadelphia has
9 doubled to over 53,000 per year, a number
10 we will expect to grow as Philadelphia
11 soon hosts many exciting events and
12 attractions and attracts people from all
13 over the world.

14 As more and more local
15 residents embrace this new economy and
16 are empowered to safely make this
17 supplemental income, it's important to
18 avoid unnecessary hurdles.

19 The approach Philadelphia has
20 taken and the proposal presented today
21 are good steps in the right direction.
22 While this proposal would enable some
23 hosts to share their homes, we do have
24 strong concerns regarding language
25 clarifications, the registration process,

1 6/1/15 - RULES - BILL 150519, etc.
2 and the unusual step of requiring
3 landlord permission.

4 In terms of language
5 clarifications, we noticed the bill has
6 certain inconsistencies that do not make
7 it clear if renters can partake in home
8 sharing. We are uncertain who exactly is
9 required to get a permit and what is the
10 actual process of permitting. Will there
11 be questions -- we have other questions
12 such as is the process to get a permit
13 going to be online? Is there a waiting
14 period? And what will the cost be?
15 Furthermore, what about someone who only
16 has one home in Philadelphia, but it's
17 not their primary residence? Many people
18 have one home, but it's not the home they
19 live in 180 days a year and they choose
20 to rent it out when they're not here.

21 In general, our hosts are
22 regular residents of the City who tend to
23 only occasionally rent their home, and we
24 believe that greater clarity and
25 simplification around who can rent and

1 6/1/15 - RULES - BILL 150519, etc.
2 how would improve the proposal and make
3 it easier to implement.

4 There's one last concern I'd
5 like to single out. This is a
6 requirement for renters to get landlord
7 permission. This could mean that a
8 tenant would be required to get
9 permission from a landlord even if his or
10 her lease already has permission in it.
11 As a general principle, we believe that
12 the contractual aspects of
13 landlord-tenant relationships should be
14 left to the tenant and the landlord to
15 agree upon.

16 But even with these concerns,
17 we want to reiterate there's lots of room
18 for good regulation around this activity,
19 and we applaud the approach taken by the
20 leaders in this City. At this point, we
21 know the bill is a bit of a work in
22 progress, but we are very eager to be a
23 part of the conversation.

24 I congratulate the members of
25 this Committee for addressing this issue

1 6/1/15 - RULES - BILL 150519, etc.
2 and look forward to working with you.
3 And I'm happy to answer any questions.

4 COUNCILMAN GREENLEE: Thank
5 you, sir. First, again, I want to
6 recognize for the record and thank you,
7 because you came to us. You could have
8 tried to keep being behind the scenes
9 there and you didn't do that, so we
10 really appreciate that. Most people
11 don't volunteer to get regulated, so
12 thank you.

13 Let me just say on your -- now,
14 have you seen the latest -- I made
15 reference to a number of amendments here.
16 Have you seen the latest one?

17 MR. POMERANC: I think it
18 literally just -- so like I got it right
19 before I came up. So the answer is yes
20 and no.

21 COUNCILMAN GREENLEE:
22 Unfortunately, we operate like that
23 sometimes here.

24 Let me just touch on the one
25 last thing you said about the renter. I

1 6/1/15 - RULES - BILL 150519, etc.
2 really feel -- because, remember, what I
3 said in the beginning was, there's a
4 whole lot of people we want to do right
5 by, certainly your company or companies
6 like yours, the host, the person coming
7 in, the renter, the visitor, but also the
8 community, and it seems to me that
9 getting -- making clear that a rental
10 property -- that the renter has the
11 permission of the owner seems to me to be
12 pretty important as a protection for the
13 community, and that's why I actually
14 think that personally -- I don't know how
15 anybody else feels -- I think that's a
16 pretty good idea. And I understand it
17 might be another hurdle, and I get that,
18 but I think there is something here that
19 the liability issue is where, first, one
20 of these amendments was on the company,
21 it is now on the owner of the property;
22 am I right?

23 MR. POMERANC: Sure. And I
24 understand. That's a strong concern. I
25 guess it's with the actual how broad the

1 6/1/15 - RULES - BILL 150519, etc.
2 language is, like what is permission, and
3 our concern -- and we've seen this in
4 other cities and other places -- is when
5 this comes down to the actual like making
6 of the process, like what will permission
7 be? Will it be written? Will it be
8 notarized? And so it depends on where
9 you go on that spectrum. If the question
10 is have they had a conversation with
11 their landlord and informed them, that's
12 one thing. Have they gotten written --
13 I'm saying this is a spectrum and
14 depending on where it is. Because a lot
15 of landlords have told us, My tenant
16 tells me, my tenants let me know, it
17 helps them pay the rent, I'm good with
18 it. Some landlords say, I don't want it
19 in my building and I don't want it at
20 all, and we fully respect and expect
21 people not to do it when their landlord
22 doesn't want it. My main concern is
23 that.

24 COUNCILMAN GREENLEE: No. I
25 understand. I would think there would

1 6/1/15 - RULES - BILL 150519, etc.
2 have to be something in writing, though,
3 just maybe even to protect you folks in
4 case down the road something -- the owner
5 said, Well, I never said that, that kind
6 of thing.

7 But, again, I think that's
8 worked through regulations and will be
9 worked out over the period of time as we
10 implement. And I understand it is a
11 quick process, but I think given the
12 circumstances, I think we might be able
13 to work this stuff out. I understand
14 what you're saying, but I think that last
15 point that you made, I really think -- I
16 lean towards protection for the community
17 in there.

18 MR. POMERANC: And we support
19 those sorts of protections. We really
20 do. We just want to make sure that when
21 this gets to the process of the
22 permitting, it doesn't become something
23 that deters regular people from saying,
24 You know what -- like some landlords just
25 don't respond or want to do this. They

1 6/1/15 - RULES - BILL 150519, etc.
2 say, Sure, but they're not going to go
3 through the process of sending you a
4 letter. I think we've all at times dealt
5 with landlords who say, Yeah, go do it,
6 but I'm not going to go out of my way for
7 it. So we worry about that, because this
8 process sometimes gets cumbersome, but
9 it's an important flag for us. But thank
10 you.

11 COUNCILMAN GREENLEE: Okay. I
12 got you.

13 Any other questions or
14 comments?

15 (No response.)

16 COUNCILMAN GREENLEE: Okay.
17 Again, thank you, sir. Thank you for
18 coming here.

19 MR. POMERANC: Thank you.

20 COUNCILMAN GREENLEE:
21 Ms. Marconi, who do we have next?

22 THE CLERK: Cindy Ray, Wanda
23 Paul, and Ed Grose.

24 (Witnesses approached witness
25 table.)

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GREENLEE: Good
3 morning. Whoever would like to start.
4 It looks like we got more than three
5 people coming up, but okay. Whoever
6 would like to start, please identify
7 yourself and proceed.

8 MR. GROSE: Good morning. My
9 name is Ed Grose. I'm the Executive
10 Director of the Greater Philadelphia
11 Hotel Association, which represents over
12 90 hotels around the region, including
13 all of the hotels in Center City and most
14 within Philadelphia. I'm here today to
15 thank Councilman Greenlee for introducing
16 Bill No. 150441 and to express the hotel
17 industry's support for this legislation,
18 which would require non-hotels that rent
19 guest rooms, such as those listed on the
20 Airbnb website, to collect the
21 Philadelphia hotel tax.

22 Bill No. 150441 is about
23 fairness. Philadelphia hotels contribute
24 over \$53 million annually in hotel taxes,
25 which is in addition to the 7 percent

1 6/1/15 - RULES - BILL 150519, etc.
2 state and local sales tax. The revenue
3 from the hotel tax pays the bonds on the
4 Pennsylvania Convention Center and funds
5 both the PHLCVB and Visit Philadelphia,
6 the two marketing agencies that attract
7 almost 40 million visitors to
8 Philadelphia each year. Additionally,
9 the \$44 million sales tax generated
10 annually by a healthy hotel industry and
11 the billions of dollars of positive
12 economic impact generated by the
13 convention and tourism industry
14 contributes mightily to help our schools,
15 pave our roads, and provide social
16 services for our residents and enables
17 the employment of approximately 65,000
18 residents.

19 If passed, this bill will
20 require Airbnb to collect the hotel tax
21 for rooms rented on their website, just
22 as they do in other cities like Chicago,
23 San Francisco, Portland, and Washington,
24 DC. When considering the additional tax
25 requirements hotels face, such as wage,

1 6/1/15 - RULES - BILL 150519, etc.
2 liquor, use and occupancy, BIRT, and
3 amusement taxes, it seems reasonable to
4 at least mandate the hotel tax for
5 Airbnb-operated rooms. Otherwise, they
6 are being granted an enormous operating
7 advantage, no taxes and no regulation,
8 while directly competing with one of the
9 most heavily taxed and regulated
10 industries in our City. We welcome and
11 support an open, sharing economy. We
12 only seek a level playing field for our
13 members, for Philadelphia, and for our
14 guests. If passed, this bill also has an
15 important valuable consequence for
16 Airbnb. It legalizes their right to
17 operate in Philadelphia. Technically,
18 Airbnb does not currently have a legal
19 right to operate in Philadelphia.

20 Many think Airbnb is an
21 early-stage entrepreneurial venture. The
22 truth is their market valuation is
23 greater than both Hyatt and Wyndham and
24 is growing far faster than any hotel
25 company. Their CEO last year said that

1 6/1/15 - RULES - BILL 150519, etc.
2 while Marriott added 30,000 rooms to
3 their inventory, Airbnb matched that
4 amount in just two weeks. They will only
5 continue to grow and eventually be a
6 major part of the Philadelphia
7 hospitality industry.

8 Please pass Bill No. 150441 and
9 let Airbnb help fund the Pennsylvania
10 Convention Center, the PHLCVB, and Visit
11 Philadelphia. Airbnb benefits from all
12 of those organizations and should have
13 the same responsibility to provide the
14 necessary funding to support them. More
15 importantly, they should contribute to
16 Philadelphia's economy and the well-being
17 of Philadelphia's citizens rather than
18 diluting one of Philadelphia's most vital
19 and yet still fragile industries. The
20 Greater Philadelphia Hotel Association
21 urges you to pass this bill.

22 Thank you very much.

23 COUNCILMAN GREENLEE: Thank
24 you, sir.

25 We'll hear from the others and

1 6/1/15 - RULES - BILL 150519, etc.
2 then if there's any questions. Whoever
3 would like to -- Ms. Paul, do you want to
4 go.

5 MS. PAUL: Thank you,
6 Councilman Greenlee and members of the
7 Rules Committee for the opportunity to
8 speak in support of Council Bill 150441,
9 which will subject short-term rentals of
10 private residences such as those services
11 offered by Airbnb to the Philadelphia
12 hotel tax as well as the Philadelphia
13 hospitality tax.

14 I'm Wanda Paul, Senior Vice
15 President of Finance and Administration
16 of the Philadelphia Convention and
17 Visitors Bureau, PHLCVB. As the official
18 tourism promotion agency for the City and
19 the sales and marketing arm of the
20 Pennsylvania Convention Center, the
21 PHLCVB markets Philadelphia as a
22 world-class convention and global tourism
23 destination to our national and
24 international audience. As of the end of
25 2014, PHLCVB booked over three million

1 6/1/15 - RULES - BILL 150519, etc.
2 future hotel room nights, which will
3 generate an estimated economic impact of
4 \$4.4 billion. Also in 2014, hotel
5 occupancy in Center City enjoyed its
6 highest rates since 1949 at 75.5 percent.

7 As Philadelphia continues to
8 grow as a premiere convention and tourism
9 destination, hotel room demand grows
10 exponentially, as we are experiencing
11 with the upcoming World Meeting of
12 Families in September and the Democratic
13 National Convention next year. It is
14 evident that more and more travelers are
15 turning to web-based applications such as
16 Airbnb, where residents offer their rooms
17 up for short-term rent to visitors as an
18 alternative to traditional overnight
19 commercial hotel accommodations. As this
20 trend continues to grow in popularity, it
21 is also imperative and fair that these
22 private lodging transactions be subject
23 to the same rules and regulations as an
24 overnight accommodation in a commercial
25 hotel.

1 6/1/15 - RULES - BILL 150519, etc.

2 We applaud Airbnb and the City
3 in their efforts to apply and collect the
4 hotel room tax component at the point of
5 sale involving a short-term rental of a
6 Philadelphia residence and also maintain
7 the current distribution of the hotel tax
8 revenue. The PHLCVB supports the same
9 taxation and collection standards be
10 applied to these web-based applications
11 as those which commercial hotels in the
12 City are subject involving a short-term
13 accommodation. By doing so, the City and
14 web-based short-term residential rental
15 providers demonstrate an understanding of
16 tax fairness and a continued investment
17 in our City's hospitality industry. The
18 PHLCVB, the Pennsylvania Convention
19 Center, and Visit Philadelphia are all
20 the beneficiaries of the hotel tax
21 revenue and together, with our marketing
22 partners, use that revenue to market
23 Philadelphia as a convention and tourism
24 destination.

25 In 2014, the PHLCVB focused our

1 6/1/15 - RULES - BILL 150519, etc.
2 portion of the Philadelphia hotel tax
3 revenues to increase Convention Center
4 bookings and attract international
5 visitor travelers for leisure and
6 business. One of the highlights of those
7 marketing efforts is the PHL: Here for
8 the Making campaign, produced in
9 partnership with the Greater Philadelphia
10 Chamber of Commerce and key hospitality
11 organizations, along with support from
12 the City of Philadelphia, which has been
13 driving positive results for our industry
14 and region. According to the most recent
15 statistics available, Philadelphia
16 climbed from 14th to 13th most visited
17 city in the United States by
18 international visitors from 2012 to 2013.

19 As funding for convention and
20 tourism marketing continues to decline
21 from traditional sources such as the
22 Commonwealth, the PHLCVB and our
23 hospitality partners depend on the City
24 hotel tax revenue collections now more
25 than ever. We urge you to support Bill

1 6/1/15 - RULES - BILL 150519, etc.
2 150441.

3 Thank you. I'll be happy to
4 answer questions after Cindy.

5 COUNCILMAN GREENLEE: Thank
6 you, Ms. Paul.

7 MR. RAY: Good morning. I'm
8 Cindy Ray, Chief Financial Officer of
9 Visit Philadelphia, a non-profit
10 organization that promotes Philadelphia
11 through advertising campaigns, media
12 relations, websites, and social media.
13 Visit Philadelphia operates the City's
14 official visitor website,
15 visitphilly.com. These efforts build
16 Philadelphia's image, drive visitation,
17 and boost the economy.

18 Thank you, City Council, for
19 all the support you've provided to Visit
20 Philadelphia through the years. We've
21 worked together to achieve tremendous
22 growth of our travel and tourism
23 industry.

24 I am testifying today on behalf
25 of Visit Philadelphia's Board and staff,

1 6/1/15 - RULES - BILL 150519, etc.
2 led by Manual Stamatakis, Board Chairman,
3 and Meryl Levitz, President and CEO, and
4 joined here by my colleagues Fritz Smith,
5 Vice President, Research and Hotel
6 Initiatives; Jim Werner, Senior Director
7 of Industry Relations; and Aaron Horton,
8 Senior Web Producer, in support of Bill
9 No. 150441, an ordinance that expands the
10 imposition of the hotel tax already
11 imposed on hotel rooms to short-term
12 limited lodging rentals. This is not a
13 new tax. It is a necessary expansion of
14 the tax for today's sharing economy and
15 travel industry. As with the hotel tax
16 in general, visitors will pay this tax,
17 not local property owners.

18 The ordinance calls for
19 regulating limited lodging
20 accommodations, which already exist in
21 Philadelphia, so that the proprietors
22 adhere to safety and quality-of-life
23 standards. In turn, residents should
24 know that their quality of life will
25 remain intact. Proper, respectful

1 6/1/15 - RULES - BILL 150519, etc.
2 regulation means ensuring a positive
3 experience for both visitors and
4 residents without being overbearing.

5 The City is made up of dozens
6 of personality-packed neighborhoods that
7 are serviced by these limited lodging
8 options. Visitors benefit from the
9 opportunity to experience a distinct side
10 of the City, and we want to foster that
11 sense of "like a local" travel in
12 Philadelphia.

13 The additional tax revenue
14 generated by these stays would be
15 allocated to Visit Philadelphia, the
16 Philadelphia Convention and Visitors
17 Bureau, and the Pennsylvania Convention
18 Center Authority in the distribution
19 formula as mandated by state-enabling
20 law. While we appreciate receiving any
21 additional revenue, we anticipate that
22 the funds generated by taxing limited
23 lodging accommodations will be minimal.
24 However, those funds would support our
25 marketing efforts to draw people to

1 6/1/15 - RULES - BILL 150519, etc.

2 Philadelphia.

3 Thanks to your support and in
4 part to Visit Philadelphia's successful
5 marketing campaign, including Philly's
6 More Fun When You Sleep Over; With Love,
7 Philadelphia XOXO; Philly 360;
8 Philadelphia - Get Your History Straight
9 and Your Nightlife Gay; and Con Carino,
10 Philadelphia XOXO, visitation to
11 Philadelphia has been on the rise and is
12 a true success story for our city.

13 In 2014, travelers booked a
14 record 3.1 million room nights in Center
15 City Philadelphia alone. Nearly a third
16 of those room nights were booked by
17 leisure travelers, those people who come
18 here to have fun, enjoy our museums,
19 explore our neighborhoods, take in our
20 art, discover our history, and eat our
21 fantastic food. They're choosing to
22 spend their time and money here.

23 Leisure travel has dramatically
24 increased since the City's collective
25 will focused on making Philadelphia a

1 6/1/15 - RULES - BILL 150519, etc.
2 destination and Visit Philadelphia began
3 marketing. Leisure hotel room nights in
4 Center City have grown an impressive 273
5 percent from 254,000 in 1997 to 948,000
6 in 2014. What's more, Philadelphia's
7 Saturday night hotel occupancy, which is
8 a major indicator of a destination's
9 leisure strength, is the busiest night of
10 the week.

11 I thank the Greater
12 Philadelphia Hotel Association for
13 leading this effort and Philadelphia
14 Convention and Visitors Bureau and the
15 Pennsylvania Convention Center Authority
16 for their support of this ordinance and
17 Philadelphia City Council for considering
18 my testimony today.

19 COUNCILMAN GREENLEE: Thank
20 you, Ms. Ray.

21 Any questions or comments?

22 Before I recognize Councilwoman
23 Reynolds Brown, Mr. Grose, you used the
24 word "fairness," and I think I would
25 certainly extend that certainly to what

1 6/1/15 - RULES - BILL 150519, etc.
2 you're talking about here, but the whole
3 process of what we're trying to do.
4 We're trying to be fair to everybody.
5 Certainly fair that the City gets its
6 money and that it's filtered to you good
7 folks, but also that, again, it's
8 fairness to the renter, fairness to the
9 host, fairness to the booking company,
10 and fairness to the community. So I
11 think fairness is maybe the one word I
12 could wrap everything up with when it
13 comes to this bill.

14 Councilwoman Reynolds Brown.

15 COUNCILWOMAN BROWN: Yes.

16 Could you please, Visit Philadelphia,
17 outline for me the composition of your
18 budget? I'm curious to know what
19 percentage of any -- does the City of
20 Philadelphia contribute in any way to the
21 work of Visit Philadelphia by way of
22 budget allocation? So outline for me the
23 specifics of your budget, where you get
24 your funding.

25 MR. RAY: We get our funding

1 6/1/15 - RULES - BILL 150519, etc.
2 primarily from the hotel tax, and at this
3 point in time, that amounts to about 80
4 percent of our budget. In addition, we
5 do seek funding from foundations and
6 other donors in order to support our
7 marketing efforts and specific campaigns,
8 and we also have other sources of
9 revenue. We work with marketing partners
10 and so forth.

11 COUNCILWOMAN BROWN: I know a
12 few years ago the hospitality industry in
13 general in the City was adversely
14 impacted by former Governor Corbett's
15 decision. Are you receiving any dollars
16 from the State yet or again?

17 MR. RAY: We are not receiving
18 funding from the State at the level that
19 was received back in -- prior to the
20 previous administration.

21 COUNCILWOMAN BROWN: So if 80
22 percent comes from the hotel tax, what
23 percentage now comes from the State? You
24 said not at the level before. So what
25 was the level before and what's the level

1 6/1/15 - RULES - BILL 150519, etc.

2 now?

3 MR. RAY: I'm sorry. I don't
4 have those percentages available. I'm
5 happy to provide them to you.

6 COUNCILWOMAN BROWN: Okay.
7 That would be helpful.

8 MR. RAY: I don't have the
9 paperwork in front of me.

10 COUNCILWOMAN BROWN: All right,
11 then. Thank you very much.

12 Thank you, Mr. Chairman.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilwoman.

15 Councilman Squilla.

16 COUNCILMAN SQUILLA: Thank you,
17 Mr. Chairman.

18 I just want to say this is --
19 listening to the testimony is great and
20 you have all these people coming here in
21 support of a tax and how great the tax
22 is. It's really interesting. But I
23 think it's for the better and I think
24 everybody agrees that it puts everybody
25 on the same playing field, which is what

1 6/1/15 - RULES - BILL 150519, etc.

2 we want to do here in the City of
3 Philadelphia. So thank you all for your
4 testimony.

5 COUNCILMAN GREENLEE: Thank
6 you. Thank you, Councilman.

7 Any other questions or
8 comments?

9 (No response.)

10 COUNCILMAN GREENLEE: Seeing
11 none, again, thank you all very much.

12 Did any of you want to testify
13 or you're here for moral support? Okay,
14 moral support. Okay. Thank you very
15 much.

16 Ms. Marconi, I think we have --

17 THE CLERK: Rachel Hewitt and
18 John Boris.

19 COUNCILMAN GREENLEE: As
20 they're approaching, is there anyone else
21 other than the two witnesses coming
22 forward that wish to testify?

23 You do back there? Why don't
24 you -- how many we got here? Hold on.
25 One, two. Ma'am, why don't you come

1 6/1/15 - RULES - BILL 150519, etc.

2 forward too.

3 Anyone else other than these
4 three people?

5 Why don't you sit in the back
6 there so we can move -- no. You sit
7 right there, ma'am.

8 Okay. Which one of you are
9 testifying?

10 MS. HEWITT: Rachel Hewitt.
11 I'm here on behalf of Hilary.

12 COUNCILMAN GREENLEE: My humor
13 escapes a lot of people. Go ahead.

14 MS. HEWITT: I apologize.

15 COUNCILMAN GREENLEE: That's
16 all right.

17 MS. HEWITT: So hopefully what
18 I lack in --

19 COUNCILMAN GREENLEE: Pull the
20 microphone a little closer, please. It's
21 sometimes hard to hear.

22 MS. HEWITT: Is this better?

23 COUNCILMAN GREENLEE: And just
24 say your name again for the record.

25 MS. HEWITT: Rachel Hewitt.

1 6/1/15 - RULES - BILL 150519, etc.

2 I'm a host with Airbnb and I became a
3 host after my experience as a guest. We
4 purchased a home in the Art Museum
5 district and when we arrived --

6 COUNCILMAN GREENLEE: That
7 would be Fairmount, correct?

8 MS. HEWITT: Fairmount,
9 correct. We're at 20th and Fairmount.
10 Excuse me if I misspoke. What some
11 people call Fairmount. And when we got
12 here, our home wasn't ready and it was
13 pushed back a week at a time four times,
14 but my husband's job started right away
15 at Thomas Jefferson, so to be quite
16 honest, we couldn't afford any of the
17 hotels in this City, and if it weren't
18 for Airbnb, we probably would have gone
19 to New Jersey, which would have been
20 difficult, but we would have eaten in New
21 Jersey and shopped in New Jersey, but
22 because of Airbnb, we were able to stay
23 in a different location of the City each
24 week. And in the first month, I got a
25 crash course on how amazing it is. We

1 6/1/15 - RULES - BILL 150519, etc.
2 stayed in South Philly. We stayed in
3 Center City by the hospitals. We stayed
4 just north of Fairmount and had such an
5 incredible time that we decided to open
6 up two of the rooms in our three-bedroom
7 home in Fairmount for Airbnb guests. And
8 if you want to talk about community,
9 that's been my favorite way to learn
10 about the City. We've had someone from
11 Belgium come in to audition for the
12 Kimmel Center as a cellist. We've had
13 exchange students from China who are here
14 for research council, and we have had
15 people coming here looking for places to
16 live. And in their conversations with
17 me, they exchange ideas with what the
18 best places are to go and what the best
19 places are to visit, and I do the same
20 for them. And instead of giving a call
21 downstairs for room service, they ask me
22 what the best restaurants are in the
23 area, and I send them there. And I have
24 my list of favorites, and we send them to
25 visitphilly.com, because we're proud of

1 6/1/15 - RULES - BILL 150519, etc.
2 our city, and I know that people do come
3 here to visit because there are so many
4 sites to see, but because they have such
5 a good time at my house, they want to
6 come back. So we get a lot of repeat
7 guests, which is so wonderful. And,
8 honestly, I wouldn't let people I didn't
9 trust sleep down the hall from my
10 daughter. And I have loved every single
11 person I have met.

12 And the tax -- paying the taxes
13 is so easy, and when it comes to
14 information, I don't mind that there are
15 all these addendums going around and all
16 of this paperwork that took a while to
17 print out and staple and get to me,
18 because I know that if Airbnb gives it to
19 me, I'll probably get it on my phone and
20 I get to read it in the grocery store,
21 which makes it so easy, because I have
22 that support system. But I'm only
23 renting out two rooms in a place that I'm
24 really proud of.

25 So I'm happy to answer any

1 6/1/15 - RULES - BILL 150519, etc.

2 questions, as any good host would.

3 COUNCILMAN GREENLEE: We'll
4 hear from all three, but I'm sure one of
5 the restaurants you direct people to are
6 all those great restaurants on Fairmount
7 Avenue, correct?

8 MS. HEWITT: Yeah, but we also
9 know restaurants in Center City because
10 my husband works down there as well.

11 COUNCILMAN GREENLEE: Okay.

12 MS. HEWITT: So they just take
13 the 33 bus right down to the Liberty
14 Bell.

15 COUNCILMAN GREENLEE: There you
16 go. There you go.

17 Whoever would like to go next,
18 please.

19 MS. EPUM: My name is Krystle
20 Epum. I'm also an Airbnb host. So I'm
21 very much in support of the hotel tax
22 that is going to be implemented, but I
23 guess my main concern is the restriction
24 for like the 90 days and having to get a
25 permit and everything. It's definitely

1 6/1/15 - RULES - BILL 150519, etc.
2 important to be fair, but what we have to
3 recognize is that it's not just like
4 Airbnb versus like hotels. It's us
5 people. We are the hosts. We are the
6 ones who have to go through all of this
7 paperwork, right? So there are hotels
8 that have huge staff on hand, but I am
9 the maid, I'm the concierge, I'm the bell
10 person, I'm all of those things. So to
11 also add on top of that having to go
12 through like getting permits and all that
13 stuff, that would just complicate things,
14 I think, unnecessarily. But, yes. So
15 that's all.

16 COUNCILMAN GREENLEE: Okay. I
17 have a comment on that, but I'll let the
18 gentleman speak first.

19 Please.

20 MR. BORIS: My name is John
21 Boris. I am an attorney. I have a home
22 in which my wife and I live in
23 Philadelphia and --

24 COUNCILMAN GREENLEE: A little
25 closer to the mike.

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. BORIS: So we're renting
3 out a room there, just one room, and it's
4 not all about profit. We get a lot of
5 joy in meeting people from different
6 professions and countries and regions and
7 industries and all walks of life, and the
8 networking value to this is really good,
9 and we also refer people, as others do,
10 to local businesses for food and supplies
11 and restaurants.

12 This is not a bed and breakfast
13 nor is it being offered as a bed and
14 breakfast. I just want to make that
15 clear. So there's no implications for
16 the food licensing and liquor licensing
17 and taxing. And I intend to rent over
18 180 days a year and, you know, other
19 organizations, other people use their
20 home over 180 days a year. So like, for
21 example, if you're selling stuff out of
22 your home over the Internet. So we don't
23 think the 180-day restriction should
24 count against the cap. Also this is not
25 a whole space rental. We're staying

1 6/1/15 - RULES - BILL 150519, etc.

2 there and living there while people are
3 there.

4 I also believe this is already
5 legal, despite the prior testimony,
6 because, well, I have a permit for it.

7 Now, regarding the original
8 character of the neighborhood, this is
9 not new. Since colonial times, mostly
10 older single women have been offering
11 rooms in houses all over the colonies for
12 fellowship and for money. And we here
13 get to show other people why we love the
14 City. Now, some homeowners like me would
15 rent over 180 days a year and others
16 would rent maybe just four nights a year.
17 My concern is the tax should not be
18 Draconian and harsh and have the
19 unintended consequences of not wanting to
20 rent rooms.

21 So, for example, over at the
22 zoo, they use very heavy chains to
23 control the elephants. They don't use
24 heavy chains to control the foxes and the
25 small coyotes. So that's my analogy on

1 6/1/15 - RULES - BILL 150519, etc.
2 the topic of why that shouldn't -- the
3 tax should not be as high, the hotel tax.
4 This is not a hotel. None of these
5 things are -- no meals, no room service,
6 no more than three non-family friends in
7 the building at one time, no concierge,
8 no phone in the room, no maintenance or
9 cleaning employees, no alcoholic
10 beverages served or offered, no pool, no
11 spa, no meeting rooms, no sauna, no
12 restaurant or gym, no bar, no lobby shop,
13 no taxi stand, no waiters, no
14 entertainment encouraging guests to
15 linger around, no lock on the room door,
16 no large unmonitored hallways, no 200 or
17 100 or 50 or even five guest rooms.
18 There's typically only one. And it's
19 never approved as an event space. No one
20 is advocating that, despite the horror
21 stories you might have seen on the
22 Internet.

23 We're as interested as
24 everybody here about the safety of our
25 houses and communities. So we're all

1 6/1/15 - RULES - BILL 150519, etc.

2 pretty careful about who we're inviting
3 in. So that should give people a lot of
4 comfort. We've made investment in our
5 houses just like you all have.

6 Just one other comment here.

7 Oh, it's -- my wife is from Turkey and as
8 they say in Ancient Greece, all things in
9 moderation. So we realize how vital it
10 is to be watchful and vigilant as to
11 what's going on. I'm sure in your places
12 there's no hazardous activities being
13 conducted, no criminal activity, no
14 strange equipment being stored, no loud
15 music, defecating, all of that. It's
16 just a room. And it's great for making
17 even business connections, because people
18 are not inclined to be hanging out all
19 day long. They want to get up and go to
20 the Convention Center to go to these
21 important conventions you're hosting or
22 go to the fabulous tourist destinations
23 right here in Center City.

24 Let's see.

25 COUNCILMAN GREENLEE: Sir, we

1 6/1/15 - RULES - BILL 150519, etc.

2 got the point, yeah. Thank you.

3 Let me just say, one of the
4 ideas behind this bill was actually to
5 make it easier for the host, that the
6 Airbnb or other booking agents now have
7 the ability to collect the tax and they
8 really deal more with the renter than the
9 host. So I think you'll find that this
10 bill will not, in my opinion, put further
11 regulations on you. I think it should
12 make things easier and it won't be any
13 concern later that the City could come
14 after you for anything, because the
15 booking agent, booking company will be
16 handling that. And I think that was
17 misunderstood a lot, because when this
18 bill was first introduced, I was called
19 some names I never even heard of before
20 by some people who called, because I
21 don't think they understood the purpose
22 behind this bill. This bill is really to
23 make it easier for everybody.

24 But I do think, like in any
25 other endeavor, there has to be

1 6/1/15 - RULES - BILL 150519, etc.
2 regulations, and where you folks, I have
3 no doubt, do things the right way, there
4 are folks who might not do things the
5 right way. So you try to find
6 reasonable -- and we can all debate on
7 what's reasonable, but we try to find
8 reasonable regulations on what was an
9 unregulated industry or business, if you
10 will. And, again, we could debate
11 whether we've reached that perfect point,
12 but I think we've gotten pretty close to
13 it. Again, using Mr. Grose's words, as
14 fairness for everybody.

15 So anyway, I just throw that
16 out there, because I don't think you will
17 experience problems. And let me just ask
18 you, Ms. Hewitt, do you find it more
19 comforting in dealing with a company like
20 Airbnb that you know they have vetted the
21 person who will be coming to your
22 property?

23 MS. HEWITT: Yes. Absolutely.

24 COUNCILMAN GREENLEE: And,
25 again, we want to make sure that they are

1 6/1/15 - RULES - BILL 150519, etc.

2 legal to do what they're doing.

3 MS. HEWITT: And because I went
4 through the process of verification, I
5 know how detailed it is. So I know that
6 everyone coming to me had to go through
7 the same process.

8 COUNCILMAN GREENLEE: Right.

9 MS. HEWITT: So that really
10 puts everyone on a level playing field
11 and it brings out the best behavior,
12 because I want to have a good report
13 with Airbnb just like the people renting.

14 On your note on regulation, I
15 don't think any of us minds the
16 regulation, because if it is for our
17 benefit, it's going to make our job
18 easier, and I agree with that. My
19 concern is the 180-day cap. Our first
20 year we rented almost 200 days and it was
21 an extraordinary experience. And so the
22 difference between restriction and
23 regulation I think is really important
24 for us, that that sort of cap seems
25 unnecessary and detrimental, but we're

1 6/1/15 - RULES - BILL 150519, etc.
2 more than happy to comply with the
3 regulations.

4 COUNCILMAN GREENLEE: We went
5 around with those numbers a lot. They
6 were actually lower at first and we
7 brought them up higher. I do think,
8 though, there comes a point where if
9 you're renting space in your property, if
10 the person is staying with you or you're
11 not there, I think it crosses into a
12 different kind of business after a while,
13 and I would say if you're renting a space
14 for more than half a year, which is
15 basically what we're talking here, I
16 think you're doing a little bit different
17 business than a short-term rental, which
18 is what we're trying to do here.

19 So that was the idea behind the
20 90-day, 180-day thing, to show that you
21 in one sense are different from other
22 businesses.

23 MS. HEWITT: Well, from my
24 experience renting almost 200 days -- and
25 I will probably rent more this year --

1 6/1/15 - RULES - BILL 150519, etc.

2 it's still my house.

3 COUNCILMAN GREENLEE: No. I
4 understand.

5 MS. HEWITT: The kitchen is
6 shared. The common area is shared. I do
7 the laundry. I mean, it has not changed.
8 If anything, I take care of my home with
9 such precision because I know it's going
10 to be shared. These people are living in
11 our space. And I think that that may be
12 the case, but it would be the exception
13 that renting -- if I rented year-round
14 with Airbnb, these are not long-term
15 renters. These are maybe single nights.
16 The longest I think we've had is ten
17 days. If I rented year-round for them,
18 it would still be an exchange of
19 short-term guests in my personal space
20 that I am allowing to come into. And so
21 because I have to live there as well, it
22 will never change. That environment is
23 actually what draws people to me. If you
24 want to go and look at my profile, you
25 can. You can read my over 30 reviews and

1 6/1/15 - RULES - BILL 150519, etc.
2 my four and a half to five stars on both
3 of my rooms and you can see that they say
4 she made me feel at home. That's the
5 point.

6 COUNCILMAN GREENLEE: I'm
7 sure -- I don't doubt --

8 MS. HEWITT: And to restrict
9 that -- and I will be respectful, but to
10 restrict that to 180 days I think will be
11 an unnecessary restriction that will
12 limit the experience for guests and
13 hosts.

14 COUNCILMAN GREENLEE: We don't
15 totally agree on that, but, again, I
16 think we have to look at everybody. I'm
17 not doubting anything you say or how you
18 handle your property, but there's
19 different people. So we're trying to
20 find that middle ground, as we always do
21 in these kind of legislation.

22 Councilwoman Reynolds Brown.

23 COUNCILWOMAN BROWN: Good
24 afternoon. You mentioned how you serve
25 as great referrals for restaurants, which

1 6/1/15 - RULES - BILL 150519, etc.
2 is great. I'm interested in, formally or
3 informally, what is it you do to talk up,
4 promote arts and culture offerings to the
5 City?

6 MR. BORIS: Brochures. We
7 stack a bunch of brochures. We have
8 friends even who have ideas of what are
9 the different kinds of food that certain
10 people might like from different
11 countries and different cultures.

12 I am a big eater. Maybe you
13 could tell by looking at me. And the
14 entertainment in Philadelphia, we just
15 love it. We hosted a couple people from
16 joining The Roots concert and, oh, my
17 God, I mean, you wouldn't even know that
18 they were there. I mean, we cannot just
19 generalize and discriminate and say,
20 well, certain kind of people are going to
21 make certain kind of trouble. It's not
22 true. It's just not true. We've had
23 some terrific people, and they've enjoyed
24 our help even in shopping, because we
25 even shop around the area, so we know

1 6/1/15 - RULES - BILL 150519, etc.
2 what they can buy at the CVS and the
3 corner stores, of which there are a few
4 on Market Street in our neighborhood in
5 Old City.

6 COUNCILWOMAN BROWN: So I would
7 imagine now that this industry will be
8 regulated, the City may have a stronger
9 or better handle on the numbers of bed
10 and breakfasts in our area. And so the
11 follow-up question is, is there an
12 official or unofficial organization or
13 association of bed and breakfasts?

14 MR. BORIS: Association --

15 COUNCILWOMAN BROWN: Folks in
16 the industry who live and breathe what
17 you do.

18 COUNCILMAN GREENLEE: If I
19 could just interject. I think,
20 Councilwoman, they're saying they're
21 really not a bed and breakfast because
22 they don't provide --

23 MR. BORIS: Food or alcohol.

24 COUNCILMAN GREENLEE: Food or
25 anything. So they're a little different

1 6/1/15 - RULES - BILL 150519, etc.

2 than -- and that's why we're making it
3 different --

4 MR. BORIS: But we're all
5 associated through Airbnb, if that helps
6 understand your question.

7 MS. EPUM: I have like a
8 multi-page guidebook that has like the
9 top restaurants, like top by what I've
10 rated it in my area, and then also like a
11 whole list of shopping and like a little
12 description under each one, and every
13 single one of my guests like go through
14 the book and they try to go to at least
15 one or two places under the food and
16 under the shopping too. And I also have
17 a book where they can leave a little note
18 after their stay just to talk about their
19 experience, and they always have like an
20 additional suggestion that the next guest
21 can read when they come.

22 COUNCILWOMAN BROWN: Is this
23 the first time you three are meeting as a
24 result of this hearing?

25 MS. HEWITT: Yes.

1 6/1/15 - RULES - BILL 150519, etc.

2 MS. EPUM: Yes.

3 COUNCILWOMAN BROWN: So I would
4 imagine there are other citizens
5 similarly situated in doing what you do.

6 MS. HEWITT: Yes.

7 COUNCILWOMAN BROWN: So here's
8 recommendation, food for thought. You do
9 with it what you will. Ten years ago I
10 introduced a tour guide bill, and we met
11 with concerns raised by a number of men
12 and women in that industry. Ultimately
13 they organized, created an association to
14 be helpful to each other with matters
15 like this and others that are specific
16 for the industry. So you may want to
17 consider organizing for what that means
18 for folks in your industry since you
19 share a similar concern. You could be
20 helpful to each other and have a critical
21 mass in the role that you play in the
22 hospitality and tourism industry for the
23 City.

24 MS. HEWITT: I think I
25 understand what you were saying about an

1 6/1/15 - RULES - BILL 150519, etc.
2 association a little bit better now.
3 Airbnb has online forums for hosts to
4 communicate and exchange ideas, and
5 that's where a lot of the ideas are
6 refined on how to be a better host, other
7 people's experiences, et cetera, so that
8 you can build a community amongst each
9 other to make sure that you have that
10 support --

11 COUNCILWOMAN BROWN: Okay.

12 MS. HEWITT: -- and what you're
13 describing. It is extremely helpful.

14 COUNCILWOMAN BROWN: Very well.

15 MR. BORIS: Ma'am, one more
16 question. I respectfully disagree with
17 you, Councilwoman. It is regulated. I
18 already have a permit. So this is
19 already regulated.

20 And one other point to Chairman
21 Greenlee is, yes, the customers will be
22 paying the tax, and I understand that,
23 but when you add up the total cost of the
24 room, if it's pushing the edge of what a
25 hotel would charge, they might be

1 6/1/15 - RULES - BILL 150519, etc.
2 disinclined from using Airbnb. We're
3 just asking for not the full freight that
4 the hotel will pay in terms of taxes.
5 And we do appreciate and love their
6 contribution to the City and what they've
7 done.

8 COUNCILMAN GREENLEE: Like in
9 any other bill, if it proves that this is
10 causing some kind of hardship or problem,
11 we can always take a look at it. I have
12 to tell you, at this point I want to go
13 forward with how it is now. But if
14 somehow it can be proven that somehow it
15 is hurting the industry, the booking
16 agent industry, we can take another look
17 at it. I don't believe that will be the
18 case, but we'll see.

19 Councilwoman, I just want to
20 add one other thing. I think one of the
21 things that makes this different, I think
22 all three of these witnesses are staying
23 in their property while the people are
24 visiting. In a lot of cases the person,
25 say, leaves for the weekend and somebody

1 6/1/15 - RULES - BILL 150519, etc.
2 else stays at that property. So that's
3 one of the things that make it different
4 than a bed and breakfast, while obviously
5 the person is there to make the
6 breakfast, you know.

7 COUNCILWOMAN BROWN: Okay.

8 COUNCILMAN GREENLEE: All
9 right.

10 Thank you.

11 Any other questions?

12 (No response.)

13 COUNCILMAN GREENLEE: Seeing
14 none, thank you all very much.

15 (Thank you.)

16 COUNCILMAN GREENLEE: Who else?
17 Anybody else?

18 Yes.

19 (Witnesses approached witness
20 table.)

21 MR. GOOCH: Hi. Good morning.

22 COUNCILMAN GREENLEE: I would
23 ask you because we got another hearing
24 coming up soon, I would ask everybody to
25 be brief.

1 6/1/15 - RULES - BILL 150519, etc.

2 MR. GOOCH: Sure. My name is
3 Darius Gooch. I'm also a host, but I
4 think the other three hosts provided
5 ample explanation for it. I just wanted
6 to reinforce the point that it's been a
7 great experience. I'm actually a recent
8 Philadelphia newcomer and I moved here
9 about eight months ago and live in the
10 Queen Village neighborhood. So it's a
11 new neighborhood for me and it's very
12 exciting to share that with guests who
13 come and stay with us. And to the point
14 I stay in the space along with the
15 guests, and it's just a great way to
16 recommend other places in the
17 neighborhood and it gives me a chance to
18 make ends meet and also explore other
19 parts of Philadelphia. So that's it.

20 COUNCILMAN GREENLEE: Thank
21 you. Great. Thank you, sir.

22 Yes.

23 MS. CROFTON: Hi. My name is
24 Susan Crofton and I just wanted to
25 mention that I'm a host and I've also

1 6/1/15 - RULES - BILL 150519, etc.
2 used it quite a bit, and typically I stay
3 with artists or people with artistic
4 sensibility. I use it to supplement my
5 income because I work in the non-profit
6 sector in the arts, and that's typically
7 not the highest economic area of our
8 society.

9 So I just want to mention in
10 terms of fairness, I don't know what the
11 ramifications will be, but my experience
12 is that people that are using this are
13 people that wouldn't be coming here
14 otherwise or couldn't afford a hotel. I
15 have a lot of artists coming. I'm
16 staying at places. I was just in
17 Edinboro with a woman who is a
18 documentary filmmaker about jazz. So
19 such a niche, right, and she said it's
20 saved her from poverty.

21 So the only concern that I
22 would have would be what's the right
23 level of tax. Are you going to start to
24 prohibit people that are currently using
25 this shared economy to come? So I know

1 6/1/15 - RULES - BILL 150519, etc.
2 you're thinking about that too, but I
3 just want to mention it.

4 COUNCILMAN GREENLEE: I
5 understand. And as I said, like any
6 other bill, if we feel that there's
7 unseen ramifications, we'll take another
8 look at it. I think right now I think
9 the sense is to go forward with how it's
10 written now.

11 Thank you.

12 Any other questions, comments?
13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, thank you very much.

16 Anyone else here to testify on
17 150441?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, that concludes the hearing of the
21 Rules Committee. We'll now go into our
22 public meeting. And let me say for the
23 record, at the request of the sponsor,
24 Bill No. 150285 will be held in the
25 Committee meeting, in the Committee

1 6/1/15 - RULES - BILL 150519, etc.
2 meeting for June 9th at 10 o'clock.
3 That's in the Committee meeting. The
4 hearing has been completed on that bill.

5 So with that, the Chair
6 recognizes Councilman Goode.

7 COUNCILMAN GOODE: Thank you,
8 Mr. Chairman. I move that the amendment
9 to Bill 150264 be approved.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been
12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing
18 none, the amendment is approved.

19 Councilman Goode.

20 COUNCILMAN GOODE: I move that
21 Bill 150264, as amended, be reported out
22 of this Committee with a favorable
23 recommendation and suspension of the
24 rules to allow first reading at our next
25 Council session.

1 6/1/15 - RULES - BILL 150519, etc.

2 (Duly seconded.)

3 COUNCILMAN GREENLEE: It's been
4 moved and seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN GREENLEE: Opposed?

8 (No response.)

9 COUNCILMAN GREENLEE: Hearing
10 none, Bill No. 150264, as amended, is
11 reported out of this Committee favorably
12 with a rules suspension.

13 Before I recognize Councilman
14 Goode again, if I could ask everybody as
15 you're leaving, we're still doing
16 business here and it's sometimes hard to
17 hear in this place. I appreciate it.
18 Thank you very much.

19 Councilman Goode.

20 COUNCILMAN GOODE: I move that
21 Bill 150239 be reported out of this
22 Committee with a favorable
23 recommendation, that the rules of Council
24 be suspended so as to permit first
25 reading at our next Council session.

1 6/1/15 - RULES - BILL 150519, etc.
2 (Duly seconded.)
3 COUNCILMAN GREENLEE: It's been
4 moved and seconded.
5 All in favor?
6 (Aye.)
7 COUNCILMAN GREENLEE: Opposed?
8 (No response.)
9 COUNCILMAN GREENLEE: Hearing
10 none, 150239 is reported out of this
11 Committee favorably with a rules
12 suspension.
13 Councilman Goode.
14 COUNCILMAN GOODE: I move the
15 amendment to Bill 140519 be approved.
16 (Duly seconded.)
17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.
19 All in favor?
20 (Aye.)
21 COUNCILMAN GREENLEE: Opposed?
22 (No response.)
23 COUNCILMAN GREENLEE: Hearing
24 none, the amendment is approved.
25 Councilman Goode.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GOODE: I move that
3 Bill 140519, as amended, be reported out
4 of this Committee with a favorable
5 recommendation, that the rules of Council
6 be suspended so as to permit first
7 reading at our next Council session.

8 (Duly seconded.)

9 COUNCILMAN GREENLEE: It's been
10 moved and seconded.

11 All in favor?

12 (Aye.)

13 COUNCILMAN GREENLEE: Opposed?

14 (No response.)

15 COUNCILMAN GREENLEE: Hearing
16 none, Bill No. 140519, as amended,
17 reported out of this Committee favorably
18 with a rules suspension.

19 Councilman Goode.

20 COUNCILMAN GOODE: I move the
21 amendment to Bill 150355 be approved.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been
24 moved and seconded.

25 All in favor?

1 6/1/15 - RULES - BILL 150519, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, the amendment is approved.

7 Councilman Goode.

8 COUNCILMAN GOODE: I move Bill

9 150355, as amended, be reported out of

10 this Committee with a favorable

11 recommendation and suspension of the

12 rules to allow first reading at our next

13 Council session.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been

16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing

22 none, 150355, as amended, is reported out

23 of this Committee favorably with a rules

24 suspension.

25 Councilman Goode.

1 6/1/15 - RULES - BILL 150519, etc.

2 COUNCILMAN GOODE: I move the
3 amendment to Bill 150441 be approved.

4 (Duly seconded.)

5 COUNCILMAN GREENLEE: It's been
6 moved and seconded.

7 All in favor?

8 (Aye.)

9 COUNCILMAN GREENLEE: Opposed?
10 (No response.)

11 COUNCILMAN GREENLEE: Hearing
12 none, the amendment is approved.

13 Councilman Goode.

14 COUNCILMAN GOODE: I move that
15 Bill 150441, as amended, be reported out
16 of this Committee with a favorable
17 recommendation and a rules suspension to
18 allow first reading at our next Council
19 session.

20 (Duly seconded.)

21 COUNCILMAN GREENLEE: It's been
22 moved and seconded.

23 All in favor?

24 (Aye.)

25 COUNCILMAN GREENLEE: Opposed?

1 6/1/15 - RULES - BILL 150519, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Hearing

4 none, Bill No. 150441, as amended, is
5 reported out of this Committee favorably
6 with a rules suspension.

7 Before we adjourn today, on
8 June 9th we will have multiple, many,
9 numerous bills that we're going to be
10 considering. I would ask everybody,
11 including the Administration, to try to
12 get us the testimony and any list of
13 witnesses as quickly as possible so we're
14 not going crazy on Monday afternoon,
15 particularly Ms. Marconi, who is being
16 driven crazy already.

17 With that, that concludes
18 today's meeting of the Rules Committee.

19 Thank you very much.

20 (Committee on Rules concluded
21 at 12:20 p.m.)

22 - - -

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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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certifying reporter.)

Committee on Rules
June 1, 2015

Page 1

A	actual 92:10	15:11	65:17 69:14	amazing	ample 139:5	149:20	17:20,24
aaron 108:7	95:25 96:5	advantage	74:21 76:17	117:25	amusement	appreciate	18:6,9,19
ability 25:20	add 18:14	101:7	77:10 78:3	ambassadors	101:3	55:7 94:10	18:20,21
84:19 126:7	20:23 53:13	adversely	79:13 82:25	89:23	analogy	109:20	19:5,5,10
able 15:15	76:15	113:13	85:14 88:21	ambiguous	123:25	137:5	20:24 29:8
21:14,15	121:11	advertise	89:14,15,18	3:20	ancient 125:8	143:17	42:17 43:14
29:9 32:17	136:23	62:17	89:20 90:12	amend 5:2	anne 22:18	approach	44:9,12
46:24 52:13	137:20	advertised	90:24 91:4	26:12 39:5	23:5	48:6 91:19	57:10
71:9,21	added 21:6	73:21	91:8 99:20	42:14	annes 27:2	93:19	118:23
72:23 97:12	37:21 44:21	advertising	100:20	amended	annually	approached	130:6
117:22	46:17 57:11	84:2 107:11	101:16,18	20:4 25:11	99:24	2:19 22:19	132:25
absolutely	102:2	advocated	101:20	32:3 39:8	100:10	42:25 60:3	133:10
76:5 127:23	addendums	25:8	102:3,9,11	45:7 60:17	answer 4:5	78:11 88:11	134:10
access 8:11	119:15	advocating	103:11	66:10	6:24 10:25	98:24	140:7
46:22,24	addition	124:20	104:16	142:21	11:5 20:5	138:19	areas 5:4
52:22 57:25	99:25 113:4	afford 117:16	105:2 117:2	143:10	36:10 38:13	approaching	17:14 42:16
accessible	additional	140:14	117:18,22	145:3,16	38:23 45:19	115:20	49:22 65:14
65:19	18:14 20:17	afternoon	118:7	146:9,22	53:16 94:3	appropriate	arent 84:10
accessory	21:15 44:20	131:24	119:18	147:15	94:19 107:4	35:13 40:23	arisen 65:16
6:16 44:8	67:3,16	148:14	120:20	148:4	119:25	65:23	arm 103:19
accommoda...	77:19	agencies	121:4 126:6	amending	answered	appropriat...	armat 5:7,23
9:8 52:15	100:24	84:10,11	127:20	2:13 16:17	81:7	71:9	arrived 49:12
54:9 86:8	109:13,21	100:6	128:13	16:19 33:16	109:21	approval 4:4	117:5
accommoda...	134:20	agency 73:10	130:14	59:14	anticipation	6:23 13:11	art 34:17
63:11	additionally	83:24	134:5 136:3	amendment	81:3	20:4 35:23	35:7,22
104:24	18:6 19:16	103:18	137:2	4:11 5:11	anybody 11:8	36:9 38:3	37:18 38:2
105:13	61:23 100:8	agenda 26:23	airbnboper...	50:25 51:14	42:4 74:20	39:7 43:24	110:20
accommoda...	addressing	agent 63:3,3	101:5	142:8,18	95:15	44:18 66:5	117:4
59:22 61:6	93:25	65:22 66:16	aisle 54:22	144:15,24	138:17	approve 22:5	artistic 140:3
89:17	adds 55:24	72:20 84:4	alcohol	145:21	anyway 86:22	26:12 38:7	artists 140:3
104:19	adequate	126:15	133:23	146:6 147:3	127:15	42:19 50:3	140:15
108:20	52:22	137:16	alcoholic	147:12	apartments	approved	arts 132:4
109:23	adhere 80:6	agents 61:16	124:9	amendments	61:15	35:16 44:17	140:6
account 45:7	108:22	62:17 64:7	allocated	4:10 20:12	apologize	47:4 48:8	asked 24:17
accountabil...	adjacent	72:6,21	109:15	22:6 24:19	116:14	124:19	24:20
59:16	19:21	83:19 85:6	allocation	24:21 31:24	applaud	142:9,18	asking 137:3
accountable	adjourn	126:6	112:22	33:2,3	93:19 105:2	144:15,24	asofright
81:9	148:7	ago 9:20 24:8	allow 9:25	34:21 40:5	applicant	145:21	20:16,20,25
accurately	adjustments	87:8 113:12	13:6,15	41:18 64:14	34:25 35:17	146:6 147:3	aspects 39:15
149:5	24:13	135:9 139:9	25:18	66:9 85:19	35:19,25	147:12	93:12
achieve	administrat...	agree 38:16	142:24	94:15 95:20	36:4,20	approves	assigned
107:21	12:12 38:24	79:8 80:6	146:12	amends 3:13	38:8,10	44:3	78:19
acquired 6:13	39:2,25	93:15	147:18	17:11 34:10	39:10	approximat...	associated
acreage 9:7	41:3,10	128:18	allowing	43:12	applications	100:17	134:5
acres 48:5	42:5 63:14	131:15	23:11 25:22	amenities	104:15	april 3:11 4:3	association
action 27:25	64:17 81:11	agreement	25:24	20:24	105:10	6:22 34:8	10:19 14:10
86:10	103:15	14:17 35:17	130:20	amenity 53:5	applied 61:6	36:8 43:10	23:6 26:21
activities 62:6	113:20	38:8	allows 49:14	amount 46:7	61:13 79:13	architect	29:16 49:10
79:4 125:12	148:11	agrees 114:24	49:17 62:16	50:10 55:25	105:10	10:22	49:19 99:11
activity 65:15	administrat...	ahead 116:13	89:20 90:12	60:24 83:20	apply 77:8	architecture	102:20
71:13 91:5	62:22 79:23	aid 8:16	90:17	102:4	78:3,22,23	52:24	111:12
93:18	adopted 24:8	aim 63:24	alternative	amounts	105:3	area 5:5	133:13,14
125:13	advance	airbnb 61:16	104:18	113:3		17:15,17,19	135:13

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 2

136:2	B	belgium	16:1,8,15	75:18 76:1	billions	boundaries	buffer 55:18
assume 78:7	b 35:16 70:25	118:11	16:16 17:1	77:1 78:1	100:11	45:14	build 20:20
assuming	back 4:11	believe 8:10	17:7,11,13	79:1 80:1	bills 1:15 91:3	bounded 5:5	20:21 50:4
86:23	50:5,11	12:3 20:18	18:1 19:1	80:23 81:1	148:9	5:22 17:20	107:15
attached	54:9 55:6	21:2,22	20:1,2,13	82:1 83:1	birt 101:2	19:6 42:17	136:8
19:11 43:21	81:13,21	27:11 38:17	21:1,25	83:15 84:1	bit 89:14	42:22 43:14	builders 23:8
50:2	113:19	52:10 53:4	22:1,23	85:1 86:1	93:21	break 41:21	building 6:4
attempting	115:23	62:22 73:13	23:1,12,16	87:1,7 88:1	129:16	breakfast	6:14 9:9
72:15	116:5	83:15 92:24	23:19 24:1	89:1 90:1	136:2 140:2	61:8 122:12	12:14 18:13
attend 8:22	117:13	93:11 123:4	24:2,19,21	91:1 92:1,5	blend 53:6	122:14	23:6 48:19
attorney	119:6	137:17	25:1 26:1,9	93:1,21	block 5:22	133:21	48:24 61:9
121:21	backend 80:9	bell 120:14	26:12,23	94:1 95:1	6:11 44:23	138:4,6	96:19 124:7
attract 100:6	81:5	121:9	27:1,5,11	96:1 97:1	blondell 1:12	breakfasts	buildings
106:4	balance 57:3	belong 89:21	28:1,11,14	98:1 99:1	board 11:20	133:10,13	6:12 10:9
attractions	89:6	beneficiaries	29:1 30:1	99:16,22	55:6 107:25	breathe	25:18 48:5
91:12	bank 6:14	105:20	31:1,24	100:1,19	108:2	133:16	48:10,17
attracts	bar 124:12	benefit 65:25	32:1,3,5,7	101:1,14	boards 50:17	brief 138:25	56:2
91:12	baranauskas	78:9 90:15	32:14,14,21	102:1,8,21	bobby 1:11	briefly 23:18	builds 86:18
audience	10:18 14:7	109:8	33:1,9,13	103:1,8	body 12:11	49:16 50:15	bunch 75:7
103:24	14:8 15:22	128:17	33:15 34:1	104:1 105:1	bonds 100:3	bring 27:12	132:7
audition	base 18:5,14	benefits	34:6,10,15	106:1,25	bonus 18:24	brings 128:11	burden 62:22
118:11	18:22 29:12	102:11	35:1 36:1,9	107:1 108:1	20:22 21:9	broad 95:25	bureau
auditorium	based 52:20	best 20:16	36:25 37:1	108:8 109:1	bonuses 18:9	brochures	103:17
9:10	baseline	24:2 28:19	37:15,17	110:1 111:1	18:12 21:5	132:6,7	109:17
authentic	83:20	32:14 48:18	38:1 39:1,8	112:1,13	21:14 25:20	brought	111:14
90:11	basic 9:24	118:18,18	39:15,24	113:1 114:1	book 89:16	129:7	burgeoning
authority	37:5 85:4	118:22	40:1 41:1	115:1 116:1	90:5 134:14	brown 1:12	29:8
109:18	basically	128:11	41:10 42:1	117:1 118:1	134:17	2:7 27:19	bus 120:13
111:15	36:24 40:14	better 20:23	42:8,12,13	119:1 120:1	booked	27:20 28:21	busiest 111:9
authorize	46:20 52:24	114:23	43:1,8,12	121:1 122:1	103:25	30:7,21	business
65:13 66:14	54:16 72:3	116:22	43:18 44:1	123:1 124:1	110:13,16	58:14,15,20	10:23 106:6
automatic	129:15	133:9 136:2	44:2,16	125:1 126:1	booking	68:16 70:5	125:17
86:19	basis 61:20	136:6	45:1 46:1	126:4,10,18	61:16 62:16	70:7,17	127:9
available	bass 1:10 2:6	betty 10:19	47:1 48:1	126:22,22	63:3,3 64:6	71:17 73:8	129:12,17
106:15	5:20 15:4,5	11:16	49:1 50:1	127:1 128:1	65:22 66:15	73:16 74:2	143:16
114:4	becoming	beverages	51:1 52:1	129:1 130:1	69:19 72:6	81:21 85:4	businesses
avenue 5:6,23	63:14	124:10	53:1 54:1	131:1 132:1	72:20,21	85:21,23	91:6 122:10
6:15 19:8	bed 61:8	beyond 67:9	55:1 56:1	133:1 134:1	83:18 84:4	87:5,22	129:22
120:7	122:12,13	67:22	57:1 58:1	135:1,10	84:10 85:6	111:23	buy 133:2
average	133:9,13,21	bia 25:7 27:8	59:1,2,5,12	136:1 137:1	112:9 126:6	112:14,15	buyers 58:17
90:22	138:4	28:2	59:13 60:1	137:9 138:1	126:15,15	113:11,21	buys 87:2
avoid 91:18	bedroom 90:3	bias 23:14	60:15,22,25	139:1 140:1	137:15	114:6,10	byright 79:22
aware 70:21	began 111:2	big 132:12	61:1 62:1,9	141:1,6,24	bookings	131:22,23	79:25
71:3 82:20	beginning	bill 2:8,10,12	62:16 63:1	142:1,4,9	62:20 106:4	133:6,15	C
awareness	95:3	3:1,9,13 4:1	63:17 64:1	142:21	boost 107:17	134:22	c 71:2
70:25,25	begun 73:18	4:2,12,19	64:5 65:1,9	143:1,10,21	borders	135:3,7	call 42:2 90:6
71:2	behalf 23:14	4:25 5:1,10	65:18 66:1	144:1,15	48:14	136:11,14	117:11
aye 142:14	60:11 62:2	5:18,21 6:1	66:5,10,10	145:1,3,16	boris 115:18	138:7	118:20
143:6 144:6	63:5 64:8	6:2,23 7:1	67:1 68:1	145:21	121:20,21	buda 10:23	called 126:18
144:20	72:7 107:24	8:1 9:1 10:1	69:1 70:1	146:1,8	122:2 132:6	budget	126:20
145:12	116:11	11:1 12:1	70:11 71:1	147:1,3,15	133:14,23	112:18,22	calls 108:18
146:2,18	behavior	13:1,23	72:1 73:1	148:1,4	134:4	112:23	campaign
147:8,24	128:11	14:1 15:1	74:1 75:1	billion 104:4	136:15	113:4	106:8 110:5

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 3

campaigns	central 5:24	20:12 46:13	5:17,19	107:13	closed 51:25	com 107:15	18:7,17,18
107:11	7:25 25:23	52:19 130:7	6:21 8:12	110:24	closer 7:17	118:25	25:17 26:2
113:7	ceo 101:25	changes 2:17	8:18,23	civic 34:17	88:18	come 8:16	26:3 27:13
campus 6:8	108:3	3:15,16	9:21 16:21	35:5 36:23	116:20	20:15 28:6	49:20 77:14
6:12 8:13	certain 2:16	16:22 25:16	17:6,9,13	45:4 49:10	121:25	48:10 54:2	104:19,24
10:13	2:17 5:4	26:4,10	17:14,16,18	50:8	closing 50:19	110:17	105:11
cap 122:24	16:22 33:21	28:4 39:15	18:16,18,20	civil 8:3	cmx2 9:14	115:25	commission
128:19,24	42:16 59:25	44:2 45:12	18:20 19:4	clarena 60:12	17:24	118:11	3:8 4:2 5:17
capacity 76:9	92:6 132:9	45:18 50:4	19:25 21:6	clarification	cmx3 6:9,16	119:2,6	6:21 9:22
capstone	132:20,21	53:25 54:4	21:12,19	36:17	9:25 18:7	126:13	17:7 19:25
25:18	certainly	56:14 59:25	24:4,6,10	clarifications	20:17 21:5	130:20	22:4 23:23
car 57:4,6	41:12 95:5	60:19 63:16	24:15 26:8	91:25 92:5	21:9 25:21	134:21	25:11 28:16
care 72:10	111:25,25	changing	31:20 34:5	clarifies	cmx4 18:16	139:13	30:19 31:18
130:8	112:5	3:23 5:3	34:7,16	34:15	25:22	140:25	34:6,16,18
careful 125:2	certificate	24:23 42:15	35:2,3,9	clarify 59:22	coalition	comes 96:5	35:3,4,8,22
carino 110:9	149:2	channels	36:7,21	clarifying	31:11,14	112:13	36:7,21,22
carry 8:24	certification	71:22	40:14 43:7	2:15 3:15	coast 88:22	113:22,23	37:6,19,22
cars 54:20	149:19	chapter 59:14	43:9 44:15	3:17,19	code 2:14	119:13	38:2 43:8
case 46:25	certify 149:3	59:17,18	49:3 61:20	59:24	3:14,17	129:8	44:15 46:9
57:24 78:23	certifying	60:19 83:14	61:22 62:3	clarity 92:24	16:18 17:12	comfort	46:11 49:8
79:7 97:4	149:23	character	63:22 65:8	clarke 23:16	24:8,11,13	125:4	49:13,25
130:12	cetera 136:7	10:7 35:14	65:10,15	31:17	25:21 26:11	comfortable	50:6,12
137:18	chains 123:22	37:10 66:20	66:3,6	clarkes 20:15	28:5 33:17	56:8	52:21 54:2
cases 76:16	123:24	123:8	74:15 77:4	classificatio...	34:11 59:15	comforting	65:8 66:3
137:24	chair 1:10	charge	78:8 83:4	66:13	59:17,19	127:19	commissioner
categories	26:20 142:5	136:25	89:22 91:7	classrooms	60:20 64:17	coming 15:7	60:8,10,12
37:9,17,22	chairman	chicago	92:22 93:20	9:11 13:4	65:13 66:14	16:12 95:6	68:22 71:6
category 4:14	23:9 30:23	100:22	99:13	cleaning	80:7 83:13	98:18 99:5	71:20 73:12
causing	36:16 45:25	chief 107:8	101:10	124:9	83:21	114:20	73:22 74:24
137:10	47:22 51:19	children	103:18	clear 40:11	cofounder	115:21	75:4 76:4
caution 70:9	53:21 58:22	11:22	104:5 105:2	41:24 68:18	11:19	118:15	76:11 77:16
cellist 118:12	60:13 65:5	china 118:13	105:12,13	69:13,17,18	colleagues	127:21	78:4,15,18
center 16:21	70:8 74:9	choice 63:24	106:12,17	76:16 81:24	108:4	128:6	79:14,19,24
17:13,14,16	78:16 81:23	choose 92:19	106:23	85:16 92:7	collect 62:19	138:24	80:5 81:14
17:18 18:16	87:23 108:2	choosing	107:18	95:9 122:15	63:4 64:7	140:13,15	82:15 83:11
18:18,19	114:12,17	110:21	109:5,10	clearance	72:6 99:20	commend	83:25 84:14
19:4 21:6	136:20	cindy 1:10	110:12,15	36:2,5	100:20	27:6	86:14 87:20
21:12,19	142:8	98:22 107:4	111:4,17	39:11 77:13	105:3 126:7	comment	commissions
24:6 31:20	chamber	107:8	112:5,19	79:23	collected	121:17	35:10,11
54:14,21	106:10	circumstan...	113:13	clearances	61:19,21,25	125:6	37:8
62:8 99:13	chance 20:23	97:12	115:2	79:11 81:10	62:2	comments	commitment
100:4	139:17	cite 28:22	117:17,23	82:12	collecting	15:3 16:5	9:18 12:9
102:10	change 9:23	cities 69:16	118:3,10	cleared 77:25	82:19	33:5 54:8	13:18
103:20	10:14 12:19	89:5,17	119:2 120:9	clerk 2:12	collection	88:3 98:14	committee
104:5	12:21,25	96:4 100:22	123:14	4:25 16:16	59:23 62:24	111:21	1:3 2:4 3:6
105:19	13:12,23	citizens 70:22	125:23	22:18 33:15	77:6 105:9	115:8	5:15 11:10
106:3	14:17,18	86:13	126:13	42:13 59:13	collections	141:12	11:16 17:4
109:18	24:22 32:15	102:17	132:5 133:5	88:10 98:22	106:24	commerce	23:11 26:11
110:14	37:5 60:23	135:4	133:8	115:17	collective	49:11	34:3,17
111:4,15	62:9 68:10	citizenship	135:23	climbed	110:24	106:10	35:6 38:22
118:3,12	85:18	12:10	137:6	106:16	colonial 123:9	commercial	41:16 43:5
120:9	130:22	city 1:2,6 3:8	citys 10:10	close 87:16	colonies	6:9 17:15	45:5,9
125:20,23	changed	3:10,25	105:17	127:12	123:11	17:18,25	51:20 60:14

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 4

64:16 65:6	69:19,19	91:24 93:16	considered	18:19 19:5	120:7 149:8	36:14,15	111:19
78:17 88:24	95:5,20	135:11	4:2 41:19	33:18 34:13	corridor	37:4,13,20	114:13,15
93:25 103:7	101:25	concert	considering	49:6 123:23	25:23 29:3	37:25 38:5	114:16
141:21,25	112:9	132:16	100:24	123:24	29:6	38:20 39:13	115:5,6,10
141:25	126:15	concierge	111:17	149:22	corridors	39:17,19,20	115:19
142:3,22	127:19	121:9 124:7	148:10	convention	27:13 29:15	39:21 40:2	116:12,15
143:11,22	competing	concluded	consistency	62:8 100:4	cost 8:18	40:20,25	116:19,23
144:11	101:8	148:20	77:2,3	100:13	92:14	41:7,8,13	117:6 120:3
145:4,17	completed	concludes	construct	102:10	136:23	41:23 42:10	120:11,15
146:10,23	142:4	141:20	48:20	103:16,20	couldnt 80:23	43:4 45:21	121:16,24
147:16	completely	148:17	constructing	103:22	117:16	45:23,24	125:25
148:5,18,20	32:4,6	conditions	50:11	104:8,13	140:14	46:6,10,16	127:24
common	compliant	2:18 16:23	construction	105:18,23	council 1:2	46:23 47:3	128:8 129:4
28:22 49:22	65:22	33:22 60:2	6:3 62:7	106:3,19	3:10 5:19	47:7,9,14	130:3 131:6
130:6	complicate	66:18	consultants	109:16,17	14:8 17:9	47:19 49:9	131:14
commonsense...	121:13	conductive	48:17	111:14,15	23:15,24	50:21 51:13	133:18,24
26:10	comply 63:21	12:15 48:22	contact 64:9	125:20	26:13 31:16	53:8,11,18	137:8 138:8
commonwe...	64:19 84:19	48:24	contain 19:17	conventions	34:8 43:10	53:19,20	138:13,16
106:22	84:22,22	conducted	contained	125:21	65:10 103:8	54:19,25	138:22
communicate	129:2	125:13	149:5	converge	107:18	55:4 56:3	139:20
136:4	component	conducting	containing	25:19	111:17	56:10,19,23	141:4,14,19
communica...	105:4	79:4	6:11	conversation	118:14	57:5,9,18	142:6,7,11
73:5	comport	conferring	context 27:23	89:12 93:23	142:25	58:2,10,12	142:15,17
communities	66:20	25:9	continually	96:10	143:23,25	58:13,23	142:19,20
89:24	composition	confused	30:5	conversations	145:5,7	59:4,7,11	143:3,7,9
124:25	112:17	68:14	continue	73:23	146:13	60:5,16	143:13,19
community	compromise	confusion	13:16 73:23	118:16	147:18	64:15,25	143:20
8:14 9:9	25:14 28:18	38:12	77:17 82:19	coordinate	councilman	68:8,24	144:3,7,9
10:6,21	30:18 40:3	congratulate	102:5	62:21	1:10,11,11	69:6,12,23	144:13,14
11:20 12:5	con 110:9	93:24	continued	copies 51:11	1:12,13 2:2	70:4,6,13	144:17,21
12:17 13:3	conceivably	congratulat...	105:16	corbetts	2:5,6,21,24	73:14 74:5	144:23,25
13:9,18	70:18	74:4	continues	113:14	3:5 4:7,18	74:7,8 75:3	145:2,9,13
14:10,15	conceptual	connect 54:16	104:7,20	core 24:5	4:22 5:8,14	75:25 76:7	145:15,19
15:17 18:7	6:8	connection	106:20	25:5 26:5	7:2,8,16,21	76:14,15,25	145:20,23
20:23 21:21	concern	10:21 11:20	continuing	corner 6:14	11:2,7,9,9	77:12,22	146:3,5,7,8
23:25 25:13	55:12 93:4	connections	89:11	133:3	11:15 13:25	78:7,13,21	146:15,19
28:15 30:3	95:24 96:3	125:17	continuously	correct 21:7	14:21 15:2	79:8,16,21	146:21,25
30:16 31:5	96:22	connects	8:4	21:17 22:7	16:2,7,10	80:3,8,12	147:2,5,9
35:15 37:11	120:23	89:18	contractors	36:25 37:12	16:14,24	80:15,18,20	147:11,13
40:4,24	123:17	consecutive	23:8	37:24 38:4	17:3 20:7,9	81:2,16,18	147:14,21
45:13 52:7	126:13	61:12	contractual	39:12,13,16	20:10,14,14	81:19,20,22	147:25
52:11 53:23	128:19	consecutively	93:12	39:25 46:15	21:4,13,18	82:5,10,24	148:3
53:24 54:4	135:19	67:3	contribute	46:17 47:2	22:3,8,10	83:23 84:9	councilme...
54:11,12	140:21	consequence	99:23	47:6 51:2,4	22:11,14,21	84:23,25	3:11 5:20
69:24,24	concerned	101:15	102:15	54:5,6 57:8	22:25 23:12	85:2,24	17:10 34:9
73:19 89:15	32:13 71:8	consequences	112:20	68:21,23	23:15 24:17	87:24 88:5	43:11 65:11
95:8,13	concerning	64:5 71:3	contributes	69:4,5	26:16 27:6	88:13,17,23	councilme...
97:16	44:18 60:20	123:19	100:14	70:13,15	27:7,17	94:4,21	25:10
112:10	concerns	consider	contribution	74:23 77:10	28:3 30:24	96:24 98:11	councilpeople
118:8 136:8	21:21,22,24	24:18	35:19 38:10	77:11 79:15	31:2,3,22	98:16,20	28:13 30:14
companies	27:5 39:2	135:17	137:6	79:20 81:15	32:6,9,23	99:2,15	31:13
69:3 95:5	54:4,10	consideration	control 17:14	82:2,3,9,14	33:7,11,23	102:23	councilpers...
company	55:5 56:15	26:15	17:15,16,19	117:7,9	34:2 36:12	103:6 107:5	55:8 81:11

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 5

councilwom...	52:6 54:13	86:18	democratic	designations	43:15 44:24	137:2	135:5
1:10,12 2:6	55:17	dated 51:4	104:12	5:4 9:15	46:4 48:15	display 33:18	143:15
2:7 15:4,5	135:13	daughter	demolish	42:16	49:10 54:7	34:12	dollars
16:3 27:19	creates 62:23	119:10	48:19	designed 63:8	55:9,12	displays	100:11
27:20 28:21	creating	day 125:19	demonstrate	72:3	56:4	33:21 34:24	113:15
30:7,10,21	63:17 84:18	days 66:16	105:15	designing	didnt 58:4	36:19	donors 113:6
30:25 58:14	89:2	70:18 76:9	dennis 1:12	72:4	86:11 94:9	disposal	dont 7:11
58:15,20,24	criminal	79:5 80:14	density 25:24	despite 123:5	119:8	62:16	37:16 38:12
68:16 70:5	125:13	80:15 82:4	26:6 27:11	124:20	difference	disputing	38:17 40:5
70:7,17	critical	82:6,7	29:7,13,14	destination	37:14	79:9	48:13 49:6
71:17 73:8	135:20	92:19	35:13 37:9	103:23	128:22	distance 45:2	72:20 82:2
73:16 74:2	crofton	120:24	department	104:9	different 32:5	distinct 109:9	82:18 83:6
81:21 85:3	139:23,24	122:18,20	34:19 36:3	105:24	32:7 75:7	distribute	83:10 84:8
85:21,23	crosses	123:15	36:5 39:11	111:2	117:23	71:16	84:21 87:17
87:5,22,25	129:11	128:20	40:12 46:21	destinations	122:5	distributed	94:11 95:14
111:22	crosstown	129:24	47:4 49:9	111:8	129:12,16	62:4	96:18,19
112:14,15	31:11,14	130:17	49:11 52:21	125:22	129:21	distribution	97:25 114:3
113:11,21	crux 40:16	131:10	54:3 62:24	detail 26:25	131:19	105:7	114:8
114:6,10,14	culture 132:4	dc 100:24	66:8 70:24	detailed	132:9,10,11	109:18	115:23,25
131:22,23	cultures	deal 126:8	71:7 77:5	90:11 128:5	133:25	district 5:25	116:5
133:6,15,20	132:11	dealing 28:7	77:23,25	details 50:16	134:3	6:10 16:21	119:14
134:22	cumbersome	127:19	departments	deteriorating	137:21	17:15,16,19	122:22
135:3,7	98:8	dealt 98:4	68:12 71:4	52:2	138:3	18:18 21:6	123:23
136:11,14	curb 57:10,13	debate 127:6	77:4 79:18	determined	difficult	21:12 25:21	126:21
136:17	57:14,17,19	127:10	depend	48:18 52:4	117:20	33:19 42:20	127:16
137:19	57:21	debt 8:24	106:23	deters 97:23	digsau 10:22	43:22,23	128:15
138:7	curious 58:16	62:7	depending	detriment	diluting	44:11 81:10	131:7,14
count 122:24	112:18	decided 118:5	96:14	66:2	102:18	117:5	133:22
countries	current 13:13	decision	depends 96:8	detrimental	direct 120:5	districts	137:17
122:6	19:14 29:4	113:15	deputy 60:8,9	128:25	149:22	21:10 25:17	140:10
132:11	105:7	decline	65:7 68:22	develop 49:2	direction	28:13 34:13	door 124:15
country 24:6	currently	106:20	71:6,20	71:15	74:14 91:21	diversity	doubled 9:6
89:5	13:4 25:20	deeply 10:6	73:12,22	developed	directly 72:24	13:19	91:9
couple 9:20	44:21 48:21	default 83:21	74:24 75:4	10:13	72:25 101:8	divided 19:18	doubt 127:3
31:19 70:10	65:12 69:10	defecating	76:4,11	developer	director 3:6	19:22	131:7
81:25	101:18	125:15	77:16 78:4	40:3 45:16	5:16 17:5	division 3:6,7	doubting
132:15	140:24	defer 78:5	78:15,18,19	47:25	34:4 43:6	5:15,16	131:17
course 15:21	customer	definitely	79:14,19,24	developers	65:7 99:10	17:4,5 34:4	downstairs
48:23	29:12	13:15	80:5 81:14	30:2 45:10	108:6	43:5,6	118:21
117:25	customers	120:25	82:15 83:11	51:6	disagree	documentary	dozens 109:5
coverage	64:8 136:21	definition	83:25 84:14	developing	136:16	140:18	draconian
52:15	cut 57:23	61:9 75:13	86:14 87:20	71:11	disbursed	documentat...	123:18
coyotes	80:16	75:15,20	describing	development	40:21,23	81:12	drafted 6:2
123:25	cuts 57:10,13	76:23	136:13	3:7 5:16	discover	doesnt 76:23	28:11
craigslist	57:14,17,19	definitions	description	12:14 13:20	110:20	96:22 97:22	dramatically
83:5,24	57:22	3:18 75:24	134:12	17:5 21:10	discriminate	doing 38:21	110:23
84:3	cvs 133:2	delaware	design 34:17	26:5 34:4	132:19	64:2 71:10	draw 109:25
crash 117:25	D	17:21 19:7	35:5,8	43:6 44:7	discuss 88:25	72:8,21	drawing 55:6
crazy 148:14	darius 139:3	delay 2:3	36:23 45:4	44:25 49:17	discussed	82:16,21	draws 130:23
148:16	date 27:3	demand 9:4	49:16 50:8	devoted	9:21 14:14	85:8 86:16	drive 54:22
create 52:13	38:13 70:12	104:9	52:25	12:12	discussions	105:13	57:22
75:23	71:19 80:9	demands	designation	dickinson	89:10	128:2	107:16
created 17:13	80:11,13	13:13	9:24 43:21	42:19,23	disinclined	129:16	driven 148:16

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 6

driveway 46:19	edinboro 140:17	employees 124:9	40:9	exactly 92:8	139:7	fair 64:12	148:5
driving 106:13	edit 3:21	employment 26:7 100:17	entreprene... 101:21	example 3:20	140:11	69:18 89:3	favorite 118:9
due 60:24	edits 3:19	empowered 91:16	environment 8:8 12:16	28:22 29:2	experienced 51:5	104:21	favorites 118:24
82:19	educates 12:11	enable 91:22	130:22	122:21	experiences 89:19 136:7	112:4,5	feedback 90:16
duly 142:10	education 8:18 12:10	enables 100:16	eop 50:24	123:21	experiencing 104:10	121:2	feel 54:11
143:2 144:2	educational 9:15 13:17	encouraging 29:14	epum 120:19	exception 130:12	experiential 33:18,20	53:4	95:2 131:4
144:16	educator 11:19	endeavor 126:25	120:20	exchange 118:13,17	34:12,24	117:7,8,9	141:6
145:8,22	edward 7:14	ended 30:16	134:7 135:2	130:18	36:19	118:4,7	feels 95:15
146:14	effective 44:2	ends 90:20	equal 8:11	136:4	expertise 38:6	120:6	feet 18:3,4,5
147:4,20	7:19	139:18	50:24 51:9	excited 15:15	51:6	fairness 80:19 85:14	18:11,11,25
dwelling 48:23,25	70:12 71:19	186:18	equipment 125:14	exciting 74:13 91:11	explain 40:7	99:23	19:2,13,15
49:15 50:9	80:9,11,13	enforce 85:12	erected 35:21	139:12	explanation 41:19 139:5	105:16	19:17,20,22
67:13	86:18	enforceable 40:15	35:24	excuse 117:10	explore 110:19	111:24	19:24 24:24
E	effectiveness 72:24	enforcement 77:19 84:16	escapes 116:13	executed 35:16 38:7	139:18	112:8,8,9	24:25 25:2
eager 93:22	efficiencies 62:23	engaged 71:13	especially 27:12	executive 65:7 99:9	exponentially 104:10	112:10,11	25:6,12,15
early 46:12	effort 15:16	enhance 54:17	essentially 25:5	exemption 66:24 67:25	express 99:16	127:14	30:13,15,17
earlstage 101:21	efforts 64:16	enjoy 110:18	establishes 66:11	74:20,22	extend 111:25	140:10	44:20,22
easier 14:19	105:3 106:7	enjoyed 104:5	estimated 104:3	75:11,17,21	familiar 38:14	families 104:12	45:2 46:5,6
30:2 61:2	107:15	event 136:7	et 136:7	76:3,24	family 13:14	19:11	48:6 50:10
93:3 126:5	109:25	eventual 25:14	event 68:15	79:3	19:11	fantastic 110:21	55:17,21
126:12,23	113:7	eventually 102:5	124:19	exhaustive 52:4	far 18:9,15,21	18:24 20:17	57:2
128:18	eight 31:21	everybody 24:3 28:20	events 91:11	exist 108:20	extra 90:2,2	21:16 25:22	fellowship 123:12
easiest 63:23	71:25 80:10	32:12 112:4	eventual 25:14	existing 43:19	128:21	78:9 101:24	fewer 86:17
east 88:21	139:9	114:24,24	eventually 102:5	44:23 48:5	extremely 136:13	faults 68:13	field 101:12
easy 2:25	either 9:13	126:23	everyones 14:19	48:9,17	F	favor 56:5	114:25
64:19 85:17	90:13	127:14	32:12 112:4	51:23 53:6	fabric 12:17	142:13	128:10
119:13,21	elaborate 10:24	131:16	143:14	expand 13:2	53:6	143:5 144:5	fifth 42:17,22
easytouse 63:7	eleanor 65:6	138:24	148:10	expands 108:9	fabulous 87:21	144:19	43:14 85:18
eat 110:20	elected 89:10	143:14	evidence 149:4	expansion 6:19 108:13	125:22	145:11,25	fighting 8:9
eaten 117:20	elementary 7:24	144:19	evidenceba... 12:8	expect 8:8	face 100:25	146:17	figure 28:17
eater 132:12	elephants 123:23	145:4	evident 104:14	91:10 96:20	facilitate 10:15 26:7	147:7,23	39:3 41:4
echo 26:25	eligible 18:8	146:10		expected 62:11 87:18	favorable 142:22	figure 41:11	75:5,8
41:9	18:23 66:23	147:16		expenses 90:20	143:22	file 61:3 71:9	72:19
economic 13:20 24:9	67:24 68:3	148:11		experience 24:11 109:3	144:19	72:19	filed 83:18
27:14 91:5	email 56:11	149:4		109:9 117:3	145:11,25	146:17	filing 63:8,18
100:12	embrace 91:15	150:5		127:17	146:17	147:7,23	63:22 72:2
104:3 140:7	emergency 57:23	151:6		128:21	147:16	148:11	72:9 84:18
economy 27:15 64:18	emphasize 85:15	152:7		129:24	favorably 143:11	149:11	filings 62:12
74:13 91:15		153:8		131:12	144:11	150:12 59:11	filmmaker 140:18
101:11		154:9		134:19	failing 64:3	151:12	filtered 112:6
102:16		155:10			83:13	152:13	final 46:2
107:17		156:11				153:14	50:12 59:11
108:14		157:12				154:15	81:4
140:25		158:13				155:16	finance 103:15
ed 98:23 99:9		159:14				156:17	financial 8:16
edge 136:24		160:15				157:18	

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 7

35:19 38:9 107:8 find 40:8 89:5 126:9 127:5 127:7,18 131:20 finding 9:4 findings 45:8 fink 78:15,18 79:14,19,24 80:5 81:14 fire 46:21,21 46:25 47:4 49:9 52:21 52:23 54:3 57:24 firm 47:24 first 2:10 5:10 34:25 39:7 40:12 44:20 60:6 70:10 74:18 80:19 94:5 95:19 117:24 121:18 126:18 128:19 129:6 134:23 142:24 143:24 145:6 146:12 147:18 fits 4:13 20:18 five 32:3 82:13 87:8 124:17 131:2 fix 29:23 flag 98:9 fleshed 38:18 flexibility 6:17 12:23 floor 18:8,20 44:9 focused 60:18 105:25 110:25 folks 29:9,19 71:8,12,15 72:14,17,19	73:2,6 75:20 79:3 82:16 84:18 85:11,13 86:16,20 87:2 97:3 112:7 127:2 127:4 133:15 135:18 following 34:22 44:17 66:17 followup 133:11 food 87:6 110:21 122:10,16 132:9 133:23,24 134:15 135:8 foot 25:2,9 foregoing 149:7,19 foremost 40:12 formally 132:2 former 43:16 43:19 45:14 113:14 formerly 42:24 formula 109:19 forth 28:6 52:23 113:10 forums 136:3 forward 10:2 32:17 38:2 41:5 51:14 89:2,11 94:2 115:22 116:2 137:13 141:9 forwarding 83:4 foster 24:14 109:10 fostering 24:9	found 28:23 foundations 113:5 founded 8:2 89:14 four 28:17 29:23 49:6 117:13 123:16 131:2 fourth 42:18 42:23 43:15 foxes 123:24 fragile 102:19 francisco 100:23 frankly 28:2 48:11 freeing 62:21 freight 137:3 friday 51:11 friends 6:6 7:20 11:21 11:25 13:16 13:24 14:11 15:19 124:6 132:8 fritz 108:4 front 114:9 frontage 18:2 18:10,25 48:14 49:5 fronts 48:12 fruition 48:10 fueling 3:23 3:24 full 13:5,7 48:13 137:3 fully 38:17 96:20 149:5 fun 110:6,18 fund 62:4 102:9 funding 102:14 106:19 112:24,25 113:5,18 funds 60:25 100:4 109:22,24 further 16:20 33:19 34:13	42:19 81:17 126:10 furthermore 92:15 future 13:13 15:12 32:16 104:2 G garage 57:3,7 garages 52:18 garden 17:21 19:6 gasoline 3:23 gated 54:11 54:12 gather 13:5 gay 110:9 general 61:11 92:21 93:11 108:16 113:13 generalize 132:19 generally 42:21 generate 91:4 104:3 generated 100:9,12 109:14,22 gentleman 121:18 germantown 5:6,22,24 6:14 7:25 8:6,14 10:20 11:18 11:19 15:23 germantowns 10:6 getting 29:16 38:22 42:3 75:16 80:20 80:22 82:8 85:19 95:9 121:12 give 8:11 13:7 50:16,18 70:9 83:8 125:3 given 97:11 gives 20:22	84:15 119:18 139:17 giving 64:21 68:4 118:20 global 51:7 103:22 go 12:24 20:22 26:24 29:21 32:18 40:18 49:16 50:8 54:20 60:6 62:3 74:15 80:25 82:7,11 83:6 96:9 98:2,5,6 103:4 116:13 118:18 120:16,16 120:17 121:6,11 125:19,20 125:22 128:6 130:24 134:13,14 137:12 141:9,21 goal 8:11 god 8:10 132:17 goes 37:18 40:19 going 2:25 26:24 27:12 27:13 32:11 38:18,21 40:17 50:17 52:10 53:4 53:15 75:14 76:8 78:5,8 86:3,6,9 87:11 92:13 98:2,6 119:15 120:22 125:11 128:17 130:9 132:20 140:23	148:9,14 gooch 138:21 139:2,3 good 2:2,21 2:23 3:3,4 5:13 7:13 7:18,21 10:4 11:14 12:7,9 14:7 14:14 17:2 27:20,22 28:25 32:10 33:25 43:3 47:18,19 51:19 58:10 59:8 60:5,9 60:13 65:4 74:10 78:15 85:11 87:25 88:14,15 91:21 93:18 95:16 96:17 99:2,8 107:7 112:6 119:5 120:2 122:8 128:12 131:23 138:21 goode 1:11 2:5 142:6,7 142:19,20 143:14,19 143:20 144:13,14 144:25 145:2,19,20 146:7,8,25 147:2,13,14 gotten 70:2 96:12 127:12 government 35:18 38:9 40:9 governmen... 35:20 governor 113:14 grab 76:23 grace 86:8,19 grade 11:23 11:24	graduate 8:21 grandparent 11:22 granted 101:6 great 64:4 72:10 73:16 79:21 114:19,21 120:6 125:16 131:25 132:2 139:7 139:15,21 greater 72:25 92:24 99:10 101:23 102:20 106:9 111:11 greatest 90:19 greatly 10:14 greece 125:8 green 18:13 49:23 52:14 greenbergers 78:20 greene 5:7 6:6 7:20 11:21,25 12:7 13:15 13:23 14:11 14:13 15:12 15:18 greenlee 1:10 2:2,8,21,24 3:5,12 4:7 4:18,22 5:8 5:14 7:2,8 7:16,21 11:2,7,15 13:25 14:21 15:2 16:2,7 16:10,14,24 17:3 20:7 22:10,14,21 22:25 23:10 26:16 27:17 30:24 32:23 33:7,11,23 34:2 36:12	39:19 41:7 41:23 42:10 43:4 45:21 47:9,14,19 47:22 50:21 51:13,19 53:8,11,18 58:12,23 59:4,7,11 60:5,13,17 64:15,25 65:5,11 68:8,24 69:6,12,23 70:4,13 73:14 74:5 75:3 76:14 78:13,16 80:12,18 81:18 84:25 87:24 88:5 88:13,17,23 94:4,21 96:24 98:11 98:16,20 99:2,15 102:23 103:6 107:5 111:19 114:13 115:5,10,19 116:12,15 116:19,23 117:6 120:3 120:11,15 121:16,24 125:25 127:24 128:8 129:4 130:3 131:6 131:14 133:18,24 136:21 137:8 138:8 138:13,16 138:22 139:20 141:4,14,19 142:11,15 142:17 143:3,7,9 144:3,7,9 144:17,21
---	--	--	---	---	---	--	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 8

144:23	24:14 26:8	119:25	helps 84:5	historically	124:20	104:19,25	14:5 47:16
145:9,13,15	107:22	129:2	89:21 90:14	10:10	horton 108:7	105:4,7,20	51:17 78:14
145:23	gsfs 12:16	hard 15:9,17	96:17 134:5	history 110:8	hospitable	106:2,24	99:6
146:3,5,15	13:6	51:23 64:4	henon 1:11	110:20	87:18	108:5,10,11	ill 20:5 45:19
146:19,21	guess 20:19	116:21	11:10 70:6	hold 41:16	hospital	108:15	50:18 107:3
147:5,9,11	56:12 82:11	143:16	74:7,8	115:24	42:24 43:17	111:3,7,12	119:19
147:21,25	95:25	hardship	75:25 76:7	holding 29:21	43:19 45:14	113:2,22	121:17
148:3	120:23	137:10	76:25 77:12	38:23 81:9	48:4 51:24	120:21	im 3:6,9 5:15
greg 50:15	guest 99:19	harrison	77:22 78:7	home 23:7	57:15	124:3,4	5:17 7:14
51:18	117:3	47:23	78:21 79:8	25:4,5 52:8	hospitality	136:25	7:19 12:6
gregorski	124:17	harsh 123:18	79:16,21	58:17 61:9	63:16 73:10	137:4	15:15 17:4
2:22,23 3:3	134:20	hassle 63:25	80:3,8,15	66:13 86:16	73:19 102:7	140:14	17:7 23:5
3:4 4:8,15	guests 90:4,8	hazardous	81:2,16	88:25 90:3	103:13	hotels 62:10	26:20,24
5:9,13,15	90:9,13	125:12	henons 85:24	90:7,17,23	105:17	99:12,13,23	38:5 42:3
7:6 16:25	91:4,8	head 7:15,20	heres 89:25	92:7,16,18	106:10,23	100:25	43:5 47:23
17:2,4 20:8	101:14	88:20	135:7	92:18,23	113:12	105:11	50:16,23
20:11 21:2	118:7 119:7	health 87:9	heritage 10:8	117:4,12	135:22	117:17	51:16,18
21:8,17	124:14	healthy	hewitt 115:17	118:7	hospitals	121:4,7	53:8 58:15
22:2,7,15	130:19	100:10	116:10,10	121:21	118:3	house 5:6,23	60:15 68:14
33:24,25	131:12	hear 20:2	116:14,17	122:20,22	host 69:20	6:13,15	71:13 75:21
34:3 36:13	134:13	86:9 87:15	116:22,25	130:8 131:4	95:6 112:9	9:10 24:25	76:8 77:8
37:2,12,16	139:12,15	102:25	116:25	homeaway	117:2,3	52:18 57:6	78:18 79:9
37:24 38:4	guide 135:10	116:21	117:8 120:8	61:17 65:18	120:2,20	119:5 130:2	81:4 84:3
38:16 39:12	guidebook	120:4	120:12	homeowner	126:5,9	houses 61:15	85:22 88:20
39:16 40:10	134:8	143:17	127:18,23	75:6,9,10	136:6 139:3	123:11	94:3 96:13
40:22 41:22	guys 26:23	heard 23:19	128:3,9	75:14,16,17	139:25	124:25	96:17 98:6
42:3 43:3,5	gym 9:10	126:19	129:23	75:22 79:6	hosted 132:15	125:5	99:9,14
46:5,8,15	124:12	hearing 15:8	130:5 131:8	homeowners	hosting	housing	103:14
46:18 47:2	H	81:3 134:24	134:25	49:18	125:21	18:13 77:23	107:7
47:6,12	half 9:2	138:23	135:6,24	123:14	hosts 89:23	huge 121:8	112:18
50:7	129:14	141:20	136:12	homes 46:25	90:6,10,13	humor	114:3,4
grocery	131:2	142:4,17	hi 23:4 51:18	48:20 52:9	90:21,24,25	116:12	116:11
119:20	hall 1:6 119:9	143:9 144:9	138:21	52:18 55:21	91:11,23	hurdle 95:17	117:2
grose 98:23	hallways	144:23	139:23	56:17,18	92:21 121:5	hurdles 91:18	119:22,23
99:8,9	124:16	145:15	high 8:23 9:4	57:2,7 58:6	131:13	hurting	119:25
111:23	hand 121:8	146:5,21	58:19 124:3	63:6 90:5	136:3 139:4	137:15	120:4,20,20
grose 127:13	handle	147:11	higher 129:7	91:3,23	hotel 59:20	husband	121:9,9,10
ground 28:23	131:18	148:3	highest 104:6	homestead	59:23 60:20	120:10	125:11
131:20	133:9	hearings	140:7	66:24 67:25	60:23 61:3	husbands	131:6,16
group 14:11	handling	29:21	highlights	74:20,22	61:5,7,10	117:14	132:2 139:3
48:15 51:5	126:16	heavily 101:9	106:6	75:11,17,21	61:18,20,24	hyatt 101:23	139:7,25
groups 21:21	hanging	heavy 123:22	hil 79:13	76:3,24	61:25 62:3	I	140:15
23:25 40:4	125:18	123:24	hilarly 116:11	honest 117:16	62:3,20	id 4:5 6:24	image 107:16
53:24	happening	height 18:4	hill 50:15	honestly	63:5,7,15	23:9 36:10	imagine
grow 91:10	63:13	held 141:24	51:18,18	119:8	64:8 68:19	87:13 89:13	133:7 135:4
102:5 104:8	happy 4:5	help 26:4	53:22 54:6	honor 87:12	71:25 77:19	93:4	impact 27:14
104:20	6:24 10:24	51:8 90:20	54:21 55:3	hope 12:20	82:20 99:11	idea 41:2	52:11 76:6
growing 89:6	20:5 36:10	100:14	55:16 56:6	41:11 72:5	99:16,21,24	85:4 95:16	76:23
101:24	45:19 53:16	102:9	56:18,21,25	hopefully	100:3,10,20	129:19	100:12
grown 111:4	56:12 64:23	132:24	57:8,12,20	32:12,16,20	101:4,24	ideas 118:17	104:3
grows 104:9	68:6 73:23	helpful 114:7	58:7,18	41:2 83:2	102:20	126:4 132:8	impacted
growth 9:8	94:3 107:3	135:14,20	historic 10:7	116:17	103:12	136:4,5	70:23
13:19 24:10	114:5	136:13	51:24	horror	104:2,4,9	identify 7:11	113:14

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 9

imperative 104:21	90:25 91:17 140:5	informed 96:11	23:13 99:15	jr 1:11	96:16 97:24	launching 82:22	
implement 93:3 97:10	inconsisten... 92:6	initial 31:24	inventory 102:3	judgment 35:11 37:8	108:24	63:7	liability 95:19
implementa... 86:6	incorporates 26:9	46:14 83:3	investment 105:16	julie 10:17	112:18	laundry 130:7	liable 68:21
implemented 120:22	increase 25:22 58:8	initially 27:5	125:4	14:8	113:11	lauren 26:19	liberty 120:13
implementi... 10:16	increased 106:3	51:22 55:13	invite 87:14	july 70:12	119:2,18	28:22	license 77:24
implications 122:15	incredible 118:5	initiatives 108:6	inviting 125:2	71:19,23	120:9	law 40:11	78:18,23,24
importance 12:4	incredibly 72:16	initiator 27:24	involuntarily 84:22	80:13 86:7	122:18	47:23 66:9	79:2,7
important 13:12 15:8	independen... 53:25	innovation 89:8	involved 31:8	86:23	127:20	109:20	licenses 59:16
24:15 63:22	indicator 111:8	input 32:13	68:13	june 1:7 17:9	128:5,5	layout 56:9	77:15
69:25 75:19	individuals 62:13,21	inputs 52:20	involving 105:5,12	20:3 22:4	130:9	leaders 89:11	licensing 122:16,16
77:2 91:17	indoors 13:6	inspection 77:24	isnt 68:13	23:20,21	132:17,25	93:20	life 14:19
95:12 98:9	industries 101:10	inspections 78:19	issuance 45:5	41:20,25	138:6	leading 111:13	27:16
101:15	102:19	installations 34:14,20	77:14 79:17	142:2 148:8	140:10,25	leads 77:3	108:24
121:2	122:7	instances 3:21	issue 39:23	jurisdiction 36:4 39:10	knowing 70:20	lean 97:16	122:7
125:21	127:7	intact 108:25	68:25 93:25	K	known 42:24	learn 118:9	likelihood 64:4
128:23	127:23	intend 122:17	95:19	k 1:10	knox 10:19	learning 12:9	limit 131:12
importantly 49:24	108:7,15	interest 13:14	issued 34:25	keep 8:5	14:9	12:13	limited 66:11
102:15	113:12	interested 124:23	36:19 38:19	63:15 94:8	krystle 120:19	lease 93:10	66:11,12,19
impose 49:19	127:9 133:7	132:2	78:10	keeping 53:2	L	leave 33:3	108:12,19
imposed 108:11	133:16	interesting 51:24	issues 27:10	kenyatta 31:15	l 66:9 71:14	134:17	109:7,22
imposing 65:23	135:12,16	114:22	28:7 30:6	key 106:10	77:6,22,23	leaves 137:25	lines 44:22
imposition 59:22	135:18,22	interject 133:19	52:16 69:15	kimmel 118:12	78:5,6 87:9	143:15	linger 124:15
108:10	137:15,16	intermediar... 65:17	77:7	kind 12:10	149:14	led 108:2	liquor 101:2
impressive 111:4	133:16	international 103:24	iterations 49:13	28:18 30:18	labeling 87:7	left 93:14	122:16
improve 66:10 93:2	135:12,16	106:4,18	ive 75:20	40:16 65:16	lack 116:18	legal 40:15	list 28:10,18
improvement 10:15	137:15,16	internet 122:22	134:9	68:19 69:2	ladies 27:22	69:3 101:18	89:16
inclined 125:18	industrys 99:17	124:22	139:25	77:14 79:17	land 5:4 9:13	123:5 128:2	118:24
include 17:19	informally 132:3	introduce 24:20 50:15	J	97:5 129:12	12:18 19:18	legalizes 101:16	134:11
19:5 25:17	information 20:19 64:9	introduced 3:10 5:19	jamie 10:21	131:21	42:16	legislation 23:13 38:15	148:12
34:21 45:14	72:22 73:7	17:8 23:20	jazz 140:18	132:20,21	landlord 92:3	62:5 75:12	listed 10:10
includes 6:12	73:25 80:21	34:7 43:9	jefferson 117:15	137:10	93:6,9,14	87:12 99:17	61:15 99:19
including 62:6 99:12	83:14,20	60:16 65:10	jeffrey 51:7	kinds 77:6	96:11,21	131:21	listen 86:4
110:5	84:7 119:14	126:18	jersey 117:19	132:9	96:15,18	legislative 66:8	listening 42:5
148:11	information... 71:11	135:10	117:21,21	kitchen 130:5	97:24 98:5	leisure 106:5	114:19
income 18:13		introducing	jim 108:6	klehr 47:23	landlordten... 93:13	110:17,23	listing 83:5
			job 117:14	know 15:16	landscaped 54:15 55:18	111:3,9	listings 62:17
			128:17	21:19,23	lane 5:6,23	letter 98:4	literally 94:18
			john 115:18	26:23 31:7	6:15	letting 72:17	little 7:16
			121:20	31:9,23,23	language 91:24 92:4	level 86:5	88:17 89:13
			johnson 23:15 31:16	37:15 39:22	96:2	101:12	116:20
			johnsons 20:14 27:7	42:2 46:12	large 24:4	113:18,24	121:24
			joined 108:4	55:6,13	25:19	113:25,25	129:16
			joining 132:16	58:16 72:17	124:16	128:10	133:25
			joy 122:5	73:6 75:20	larger 9:3	140:23	134:11,17
				78:2 84:13	lastly 45:10	levels 74:16	136:2
				85:7 86:11	latest 94:14	levitz 108:3	livability 66:20
				88:8 90:10	94:16	liabilities	live 8:19
				93:21 95:14			90:23 92:19

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 10

118:16	19:24 20:11	49:21 77:7	109:25	149:21	51:21	42:20	142:12
121:22	24:23 25:9	124:8	110:5 111:3	measure	131:24	moderation	143:4 144:4
130:21	29:7 30:12	major 38:25	113:7,9	73:11,20	menu 87:7	125:9	144:18
133:16	33:2 49:4	54:13 102:6	marketplace	measurement	meryl 108:3	mold 20:19	145:10,24
139:9	52:15 76:16	111:8	89:15	3:18	met 21:19,22	moment 15:6	146:16
living 29:10	81:5,7 95:4	majority	markets	measures	28:12,16	monday 1:7	147:6,22
76:18,20	96:14	90:21	103:21	70:21,23	31:10,10,11	148:14	moves 41:4
123:2	116:13	making 2:16	marriott 63:9	71:4	53:23 54:7	money 40:9	moving 42:11
130:10	119:6 122:4	3:14,19	102:2	media 107:11	56:6 80:19	40:13,18,19	multi 77:3
lobby 124:12	125:3	12:25 29:25	marshall 7:13	107:12	119:11	110:22	multifamily
local 89:19,22	126:17	44:24 95:9	7:14,18,19	meet 13:2	135:10	112:6	19:12
89:23 91:5	129:5 136:5	96:5 106:8	7:23 11:3,6	90:21	michael	123:12	multipage
91:14 100:2	137:24	110:25	15:9	139:18	78:17	month 29:20	134:8
108:17	140:15	125:16	marty 3:4	meeting 4:3	michele	29:23 83:16	multiple
109:11	lots 17:24	134:2	5:15 17:4	5:11 6:13	149:14	83:17	148:8
122:10	18:7,10,16	manage	34:3 40:7	6:22 13:12	microphone	117:24	multipurpose
located 5:5	18:23,25	62:12,17	43:5	14:15 20:2	7:17 88:18	monthly	6:4 9:10
18:17 42:17	19:10,16,18	management	mass 135:21	24:16 25:12	116:20	61:20	13:3
location	19:21,23	52:16	master 10:13	36:8 41:17	mid 52:2	months 39:23	multiunit
117:23	57:15 93:17	manager	42:21 43:25	41:20 44:14	middle 7:24	80:10 86:22	48:25
lock 124:15	loud 125:14	10:23	44:4,5,8,18	51:15 66:4	131:20	86:25 89:8	murphy
lodging 61:11	love 10:11	mandate	45:6,11,18	66:6 104:11	middleclass	139:9	149:14
62:19 66:11	89:24 110:6	101:4	49:24	122:5	90:18	moral 115:13	museum
66:12,13,19	123:13	mandated	matched	124:11	midnight	115:14	117:4
104:22	132:15	46:20	102:3	134:23	29:20	morning 2:3	museums
108:12,19	137:5	109:19	materials	141:22,25	mightily	2:22,23 3:3	110:18
109:7,23	loved 119:10	manner 68:3	71:12	142:2,3	100:14	3:4 5:13	music 125:15
logical 15:13	low 52:10	manual 108:2	matter 12:19	148:18	mike 121:25	7:13,18,22	
long 21:13	lowdensity	map 29:5	21:23 149:7	meetings	million 73:3	11:14 14:7	N
26:23	52:7	mapped	matters	23:22,23	99:24 100:7	17:2 27:21	name 7:14,19
125:19	lower 129:6	21:11	135:14	31:6,6,12	100:9	27:22 33:25	11:16 14:8
longer 66:16	lowimpact	maps 5:3	max 88:10,16	31:15,17,19	103:25	43:3 47:18	23:4 26:19
longest	53:5	42:15 43:13	88:19	meets 19:23	110:14	47:20 51:19	47:22 60:9
130:16	luck 59:8	march 5:19	maximum	member 10:5	mind 12:11	60:6,9,11	78:17 99:9
longterm		marconi 2:9	18:4,21	11:20 14:12	119:14	60:13 65:4	116:24
130:14	M	4:24 16:15	24:23 44:11	members 3:5	minds 128:15	74:10 78:16	120:19
longtime 6:20	m 1:7 148:21	22:16 33:13	67:6 83:16	5:14 11:10	minimal	88:14,14,15	121:20
look 86:4	maam 115:25	42:11 59:12	mayor 78:19	11:15 17:3	109:23	99:3,8	139:2,23
89:11 94:2	116:7	88:8 98:21	mayors 66:7	23:10 28:6	minimize	107:7	names 126:19
130:24	136:15	115:16	meals 124:5	34:2 43:4	63:24	138:21	national
131:16	magnet 8:22	148:15	mean 32:10	51:19 60:14	minimum	motel 61:8	103:23
137:11,16	maid 121:9	mario 63:9	81:3,7 93:7	64:15 65:5	19:13,19,23	mount 42:24	104:13
141:8	main 39:14	marisa 60:10	130:7	78:16 87:14	minute 70:20	43:16 48:4	navigate 51:8
looked 48:15	55:12 96:22	mark 1:13	132:17,18	88:23 93:24	misspoke	move 32:17	nearly 9:5
48:18 51:23	120:23	market 25:23	meaning	101:13	117:10	41:15 89:2	110:15
looking 10:7	mainstream	101:22	66:22 67:11	103:6	misunderst...	116:6 142:8	necessary
70:18,19	63:14	105:22	67:23	men 135:11	126:17	142:20	102:14
71:18	maintain	133:4	meaningful	mention	mixed 18:12	143:20	108:13
118:15	84:20 105:6	marketing	90:16	23:18 86:15	mixeduse	144:14	need 13:9
132:13	maintained	62:8 100:6	means 12:21	139:25	6:10 17:25	145:2,20	20:21 38:18
looks 99:4	35:22,25	103:19	65:19 72:8	140:9 141:3	18:8,17	146:8 147:2	39:3 51:12
lot 4:12 12:22	maintaining	105:21	109:2	mentioned	26:4 43:22	147:14	57:25 72:15
19:13,19,21	13:21	106:7,20	135:17	49:25 50:7	mixeduse2	moved 139:8	72:19 73:6
	maintenance						73:25 74:14

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 11

74:18 77:24 82:2,7,18 needed 40:8 needing 86:21 needs 13:2 15:11 36:5 39:10 81:6 neighbor 10:5 12:8 14:14 neighborho... 6:20 13:10 14:10 17:25 25:25 26:21 27:4,15 29:13,15 53:7 66:21 69:22 123:8 133:4 139:10,11 139:17 neighborho... 26:22 53:3 109:6 110:19 neighbors 10:19 46:4 53:24 55:10 56:4 neither 9:14 networking 122:8 never 65:25 97:5 124:19 126:19 130:22 new 6:3,9 17:14 19:23 21:5,11 24:7,11 26:10 43:21 43:22 63:7 70:20 71:25 72:12,14 73:20 75:24 91:15 108:13 117:19,20 117:21 123:9 139:11 newcomer	139:8 nice 52:14 niche 140:19 night 86:25 111:7,9 nightlife 110:9 nights 61:12 67:2,5,9,16 67:18,22 82:17 86:17 104:2 110:14,16 111:3 123:16 130:15 nine 46:5,6 noncompli... 67:8,21 nonfamily 124:6 nonhotels 99:18 nonoccupant 67:23 nonprofit 107:9 140:5 nonprofits 40:4 nontraditio... 63:12 north 19:8 44:25 118:4 northwest 5:25 notarized 96:8 note 32:25 128:14 134:17 noted 25:7 notes 149:6 noticed 92:5 noting 60:22 number 24:18 27:4 27:9 28:5 34:23 50:9 57:14 68:19 91:7,9 94:15 135:11 numbers	129:5 133:9 numerous 148:9 O objections 149:4 obligation 72:9 73:2 obligations 63:21 obrien 1:12 11:9 obtain 67:7 67:19 obviously 15:13 20:11 71:8 80:24 138:4 occasionally 62:14 92:23 occupancy 101:2 104:5 111:7 occupants 66:23 occupy 48:13 occur 77:18 occurrence 83:17,22 occurs 77:17 oclock 142:2 offer 87:6 104:16 offered 50:25 61:11 103:11 122:13 124:10 offering 123:10 offerings 132:4 offers 6:17 office 20:14 20:15 27:7 27:8 66:8 78:20 officer 107:8 offices 23:24 official 103:17 107:14 133:12	officially 80:23 oh 125:7 132:16 okay 22:25 30:21 31:22 53:18 69:6 71:12 74:2 75:20 84:23 87:5 98:11 98:16 99:5 114:6 115:13,14 116:8 120:11 121:16 136:11 138:7 old 29:6 48:3 57:15 133:5 older 123:10 once 31:10 71:16 ones 121:6 ongoing 89:9 online 63:7 65:17 72:2 90:4 92:13 136:3 open 8:14 44:11 52:14 54:13 55:22 55:25 101:11 118:5 operate 8:13 94:22 101:17,19 operated 8:3 operates 107:13 operating 101:6 operator 61:21 opinion 126:10 opportunities 13:8 opportunity 50:24 51:9 64:22 68:5 81:4 103:7	109:9 opposed 73:3 142:15 143:7 144:7 144:21 145:13 146:3,19 147:9,25 opt 64:7 72:6 opted 63:4 options 63:17 109:8 order 43:25 67:4,17 113:6 ordinance 2:13 5:2 13:6 16:17 33:16 42:14 59:14 108:9 108:18 111:16 organization 29:18 40:24 83:7 107:10 133:12 organizations 25:13 28:15 45:13 102:12 106:11 122:19 organized 135:13 organizing 135:17 orientation 87:10 original 20:13 28:11 37:15,17 57:11 123:7 originally 23:19 24:19 25:8 outdated 29:5 outdoor 6:5 outline 112:17,22 overbearing 109:4 overlay 16:21 17:13 33:18	34:12 overnight 104:18,24 owe 61:3 owner 47:25 59:16 67:6 67:13,18 68:20 95:11 95:21 97:4 owneroccup... 66:22 owners 67:23 67:24 72:8 108:17 owns 12:18 P p 148:21 page 50:17 paid 61:18 77:21 panel 73:13 panels 88:9 paperwork 114:9 119:16 121:7 parcels 9:13 parking 6:16 44:8 52:8 52:11,17 56:20,21 57:15 58:4 58:8 part 12:17 37:21 38:14 72:18 93:23 102:6 110:4 partake 92:7 participate 86:10 particular 35:12 particularly 70:22 148:15 parties 32:13 partners 105:22 106:23 113:9 partnership 106:9 partook	90:14 parts 139:19 pass 102:8,21 passage 26:13 81:4 passed 80:24 87:7 100:19 101:14 patron 61:19 patterson 47:16,18,21 47:23 50:23 51:3 53:10 53:14 55:20 57:21 59:10 paul 98:23 103:3,5,14 107:6 pave 100:15 pay 61:4 64:3 71:9 87:19 91:3 96:17 108:16 137:4 paying 63:23 119:12 136:22 payment 62:18 63:8 63:18 72:2 83:3 84:6 payments 62:13 pays 64:11 100:3 pedestrian 54:15,23 penalized 86:11 penalties 83:12 84:8 penn 10:18 14:9 penndot 36:3 39:7 pennsport 49:10 54:7 55:10 pennsylvania 1:6 34:18 36:2 61:24 100:4 102:9 103:20	105:18 109:17 111:15 people 11:4 20:20 29:10 55:8 63:20 63:25 81:9 83:5,8 84:11 89:16 89:25 90:5 91:12 92:17 94:10 95:4 96:21 97:23 99:5 109:25 110:17 114:20 116:4,13 117:11 118:15 119:2,8 120:5 121:5 122:5,9,19 123:2,13 125:3,17 126:20 128:13 130:10,23 131:19 132:10,15 132:20,23 137:23 140:3,12,13 140:24 peoples 136:7 percent 18:14 18:15,22,22 18:24 19:20 44:10,10,12 44:12 61:22 61:23,24 90:22 99:25 104:6 111:5 113:4,22 percentage 112:19 113:23 percentages 114:4 perfect 30:17 127:11 perimeter 58:9 period 86:8
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STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 12

86:19 92:14 97:9 permanent 67:12 permeability 54:18 permission 67:13 92:3 93:7,9,10 95:11 96:2 96:6 permit 6:18 9:15 45:6 50:13 57:2 67:7,19 77:13 78:9 78:22 79:22 79:25 82:2 82:8,18 86:22 92:9 92:12 120:25 123:6 136:18 143:24 145:6 permits 34:23 36:18 38:19 79:16 121:12 permitted 18:4 67:9 67:22 permitting 9:17 79:11 92:10 97:22 person 8:11 69:20 75:9 76:17 95:6 119:11 121:10 127:21 129:10 137:24 138:5 personal 87:16 130:19 personality... 109:6 personally 95:14 persons 70:22	perspective 61:2 philadelphia 1:2,6 2:14 3:8,14,25 5:2 6:2 8:20 16:18 17:6 24:4 33:17 34:5,11 42:14 43:7 43:13 47:24 53:3 59:15 59:17,19 60:20 61:22 63:13 65:8 65:12 74:15 77:4 83:13 89:3 91:8 91:10,19 92:16 99:10 99:14,21,23 100:5,8 101:13,17 101:19 102:6,11,20 103:11,12 103:16,21 104:7 105:6 105:19,23 106:2,9,12 106:15 107:9,10,13 107:20 108:21 109:12,15 109:16 110:2,7,8 110:10,11 110:15,25 111:2,12,13 111:17 112:16,20 112:21 115:3 121:23 132:14 139:8,19 philadelphi... 64:19 65:20 72:12 73:4 90:18 philadelphias 26:5 89:10	102:16,17 102:18 107:16,25 110:4 111:6 philly 110:7 118:2 phillys 110:5 phl 106:7 phlcvb 100:5 102:10 103:17,21 103:25 105:8,18,25 106:22 phone 119:19 124:8 photos 90:6 pica 61:25 place 71:5,16 72:13 86:2 119:23 143:17 placement 35:9 places 58:5 96:4 118:15 118:18,19 125:11 134:15 139:16 140:16 plan 6:8 8:5 10:13 42:21 43:25 44:4 44:5,9,19 45:6,11,12 45:18 46:14 48:20 49:12 49:24 50:16 50:24 51:9 52:19 54:10 55:11 56:5 56:8 planned 49:17 planning 2:15 3:8,25 5:17 5:25 6:21 9:9,16,22 16:19 17:6 19:25 22:4 23:22 25:10 28:16 30:19	31:18 34:5 34:16 35:2 35:3,10 36:7,21,22 37:6,21 43:7 44:15 46:9,11 49:8,13,25 50:6,12 52:20 54:2 65:8 66:3,6 plans 9:21 10:11 13:2 platform 89:21 play 135:21 playing 101:12 114:25 128:10 please 2:9 4:24 5:12 7:12 11:13 13:22 14:5 16:15 23:3 32:12 33:14 42:12 47:16 51:16,17 59:12 60:7 65:3 78:13 99:6 102:8 112:16 116:20 120:18 121:19 pleased 64:13 plus 24:10 61:24 point 21:25 39:5 57:16 58:16,18 68:14 93:20 97:15 105:4 113:3 126:2 127:11 129:8 131:5 136:20 137:12 139:6,13 policy 88:21 pomeranc 88:10,15,16 88:19,20	94:17 95:23 97:18 98:19 pool 124:10 popes 76:21 popularity 104:20 population 24:7 26:7 portion 6:11 86:21 106:2 portions 5:22 portland 100:23 positive 24:9 32:20 100:11 106:13 109:2 possible 24:2 29:17 32:14 72:4 85:17 148:13 post 90:4 pot 40:19 potential 58:17 90:4 poverty 140:20 powers 39:7 precision 130:9 premiere 104:8 prepare 15:10 prepared 6:8 preparing 15:11 present 1:9 11:11 presented 91:20 president 10:18,20 23:5,16 31:16 103:15 108:3,5 pressure 30:4 presumptu... 73:9 pretty 81:6 95:12,16	125:2 127:12 previous 36:25 113:20 price 58:16 58:18 primarily 113:2 primary 76:2 77:9 79:12 92:17 principle 93:11 print 119:17 prior 14:15 90:9 113:19 123:5 private 8:22 9:3 103:10 104:22 probably 58:3 71:24 117:18 119:19 129:25 problem 87:4 137:10 problems 71:10 127:17 procedures 3:18 proceed 7:12 14:6 47:17 51:16,17 70:10 99:7 proceedings 149:4 process 27:2 63:6,19 79:10 85:7 91:25 92:10 92:12 96:6 97:11,21 98:3,8 112:3 128:4 128:7 produced 106:8 producer 108:8 productive	89:9 professional 62:11,15 professions 122:6 profile 130:24 profiles 90:11 profit 122:4 program 8:15 9:2 51:10 progress 93:22 prohibit 140:24 project 9:16 46:13 48:9 51:22 54:18 57:19 59:9 promote 26:4 132:4 promotes 107:10 promotion 103:18 proper 81:12 108:25 properly 77:20 properties 26:2 45:2 64:10 83:9 84:12 property 12:23 43:24 44:3,22 48:2,3,12 59:15 66:24 67:14,19,24 68:2 77:7 78:25 82:6 86:24 95:10 95:21 108:17 127:22 129:9 131:18 137:23 138:2 proposal 35:12 45:4 91:20,22 93:2 proposed	6:10,16,18 24:21 25:16 35:8 44:21 44:24 47:25 proprietors 108:21 protect 10:8 97:3 protection 95:12 97:16 protections 97:19 proud 118:25 119:24 proven 137:14 proves 137:9 provide 13:16 16:20 26:6 27:23 29:11 33:19 34:13 35:18 38:9 45:11 49:21 65:18,20 66:25 67:15 72:22 100:15 102:13 114:5 133:22 provided 18:9,24 19:20 25:21 107:19 139:4 providers 105:15 provides 24:25 29:11 provision 25:18 64:6 provisions 2:16 75:22 86:2 provisos 44:17 45:17 public 8:18 8:22 61:11 88:21 141:22 149:15 pull 116:19 purchased
--	---	--	---	---	---	--	---

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 13

117:4 purpose 126:21 purposes 36:18 75:16 75:18 pushed 117:13 pushing 136:24 put 23:16 28:9 40:13 49:3 51:14 69:7 89:20 126:10 puts 114:24 128:10 putting 72:13 74:12 Q quaker 8:7,8 qualified 74:22 qualifies 74:21 qualify 76:3 76:10,13 80:4,6 84:4 quality 27:16 53:5 82:25 108:24 qualityoflife 108:22 queen 139:10 question 38:7 40:17 96:9 133:11 134:6 136:16 questioning 86:5 questions 4:6 4:15 6:25 7:5 10:25 11:5 15:3 16:4 20:6 22:12 33:4 36:11 45:20 47:11 53:12 53:17 58:25 64:23 68:6 70:10 74:19 81:8,17	88:2 92:11 92:11 94:3 98:13 103:2 107:4 111:21 115:7 120:2 138:11 141:12 quick 97:11 quickly 71:23 148:13 quite 31:25 117:15 140:2 quorum 2:5 R rachel 115:17 116:10,25 raised 135:11 ramifications 83:10 140:11 141:7 range 13:8 58:17,19 rate 61:21 rated 134:10 rates 104:6 ratio 18:9,20 44:9 ray 98:22 107:7,8 111:20 112:25 113:17 114:3,8 rco 14:11 rcos 30:4 reach 72:23 reached 25:14 127:11 read 2:10 119:20 130:25 134:21 reading 142:24 143:25 145:7 146:12 147:18 ready 80:25	117:12 reality 64:18 realization 24:12 realize 125:9 realized 75:10 really 4:9,13 12:18 30:3 49:7 52:5 54:17 58:4 72:11 73:5 82:11,11 87:3 94:10 95:2 97:15 97:19 114:22 119:24 122:8 126:8 126:22 128:9,23 133:21 reap 21:14 rear 25:3 44:22 55:20 55:22 reason 12:5 39:9 64:5 reasonable 13:21 24:13 101:3 127:6 127:7,8 reasonably 25:4 receipt 35:4 36:22 received 55:5 56:11 113:19 receives 35:25 receiving 78:8 109:20 113:15,17 recognize 68:15 85:3 94:6 111:22 121:3 143:13 recognizes 142:6 recommend 139:16	recommend... 20:4 22:5 35:5,7,10 36:23 37:18 135:8 142:23 143:23 145:5 146:11 147:17 recommend... 6:7 37:7,23 45:8 recommend... 4:4 6:23 9:23 36:9 44:16 49:14 66:4 record 4:8 5:10 7:12 11:9 27:23 32:25 42:4 68:18 69:7 94:6 110:14 116:24 141:23 reduce 52:14 reduced 57:13 reed 42:18,22 43:14 48:15 58:2 refer 122:9 reference 94:15 referrals 131:25 refined 136:6 reflect 35:11 37:7 64:18 regard 34:19 57:22 regarding 33:20 34:14 35:8 91:24 123:7 regards 48:3 region 99:12 106:14 regional 88:20 regions 23:7 122:6	registered 45:13 registration 91:25 registry 10:11 regular 91:2 92:22 97:23 regulated 69:10,11 94:11 101:9 133:8 136:17,19 regulating 89:6 108:19 regulation 89:3 93:18 101:7 109:2 128:14,16 128:23 regulations 33:20 34:14 59:18 97:8 104:23 126:11 127:2,8 129:3 regulatory 67:4,17 reinforce 139:6 reiterate 93:17 relations 107:12 108:7 relationships 93:13 relatively 29:4 remain 108:25 remarks 85:24 remember 4:10 95:2 remit 62:19 63:4 64:7 72:7 remitted 61:19 remove 58:4 rent 67:5,17	68:3 81:25 82:6,13 83:9 84:12 92:20,23,25 96:17 99:18 104:17 122:17 123:15,16 123:20 129:25 rental 59:20 60:21 61:10 95:9 105:5 105:14 122:25 129:17 rentals 59:21 61:14 63:10 65:14,21,24 66:15 67:2 67:9,15,21 68:20 69:2 83:2 103:9 108:12 rented 64:10 66:25 67:14 68:2 76:8 86:24 100:21 128:20 130:13,17 renter 66:17 94:25 95:7 95:10 112:8 126:8 renteroccu... 67:11 renters 92:7 93:6 130:15 renting 62:14 63:5 65:21 67:12 69:20 76:20 90:23 119:23 122:2 128:13 129:9,13,24 130:13 reorganizat... 6:5 repair 49:22 repeat 119:6 replacing	3:21 report 83:13 83:18 128:12 reported 81:13 142:21 143:11,21 144:10 145:3,17 146:9,22 147:15 148:5 reporter 149:23 represent 47:24 representing 14:9 55:8 represents 23:7 99:11 reproduction 149:20 request 39:24 41:15 46:8 46:10 54:3 141:23 requested 45:17 46:7 46:20 56:15 require 99:18 100:20 required 26:6 44:13 45:5 45:11 72:22 78:24 79:2 83:14,19 84:6 87:11 92:9 93:8 requirement 19:14,24 67:17 93:6 requirements 16:20 28:9 67:4 100:25 requires 9:17 43:23 requiring 92:2 research 108:5 118:14 reservation	84:5 90:9 90:14 reservations 62:18 residence 76:2 77:10 79:12 92:17 105:6 residences 103:10 resident 11:17 67:12 residential 17:16 19:4 19:10,12 23:7,8 24:7 24:22 25:25 30:12 42:20 43:20,22 44:6 48:25 50:9 52:7 53:7 105:14 residentially 65:14 residents 21:20 72:7 91:2,15 92:22 100:16,18 104:16 108:23 109:4 resources 9:19 respect 96:20 respectful 108:25 131:9 respectfully 136:16 respond 97:25 responded 45:16 response 4:17 4:21 7:7 14:25 16:6 16:9 22:13 22:24 33:6 33:10 42:9 47:13 59:3 59:6 88:4 98:15 115:9
--	---	--	--	--	---	--	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 14

141:13,18	revenues	110:11	13:1 14:1	109:1 110:1	6:6,12,15	send 118:23	92:8 101:11
142:16	106:3	river 17:22	15:1 16:1	111:1 112:1	6:18 7:20	118:24	108:14
143:8 144:8	review 34:17	17:23 19:7	17:1,3 18:1	113:1 114:1	7:24 8:7 9:4	sending 98:3	sharpe 65:3,4
144:22	35:6 36:24	19:9	19:1 20:1	115:1 116:1	9:18,25	senior 103:14	65:6 68:25
145:14	45:3,4 50:8	rm1 19:11,16	21:1 22:1	117:1 118:1	10:4 11:21	108:6,8	69:5,9,21
146:4,20	50:12	rmx2 42:20	23:1,10	119:1 120:1	11:23 12:2	sense 14:18	70:3,16
147:10	reviews 90:12	43:21,23	24:1 25:1	121:1 122:1	12:4,21,22	109:11	75:2 76:13
148:2	90:13	49:14	26:1,11	123:1 124:1	13:2,5	129:21	76:22 77:11
responsibility	130:25	road 97:4	27:1 28:1	125:1 126:1	14:12	141:9	78:6 80:14
102:13	revising 2:15	roads 100:15	29:1 30:1	127:1 128:1	schools 6:7	sensibility	82:3,9
responsible	revision 56:7	role 135:21	31:1 32:1	129:1 130:1	8:23 9:3	140:4	sharpes 64:24
10:5	revoked 67:7	ron 47:22	33:1 34:1,3	131:1 132:1	100:14	sentiments	shoes 86:12
restaurant	67:20	51:21	34:15 35:1	133:1 134:1	schuylkill	27:2	shop 124:12
124:12	reynolds 1:12	room 1:6	36:1 37:1	135:1 136:1	17:23 19:9	september	132:25
restaurante...	2:7 27:19	59:20 60:21	38:1 39:1	137:1 138:1	second 24:5	104:12	shopped
87:10	58:14 68:16	62:14 84:16	40:1 41:1	139:1 140:1	seconded	serious 21:24	117:21
restaurants	70:5 81:21	93:17 104:2	42:1 43:1,4	141:1,21	142:10,12	serve 131:24	shopping
118:22	85:4,21	104:9 105:4	44:1 45:1	142:1,24	143:2,4	served 57:14	132:24
120:5,6,9	111:23	110:14,16	46:1 47:1	143:1,12,23	144:2,4,16	124:10	134:11,16
122:11	112:14	111:3	48:1 49:1	144:1,11	144:18	service 13:17	shops 29:10
131:25	131:22	118:21	50:1 51:1	145:1,5,18	145:8,10,22	62:7 118:21	shortterm
134:9	rezones 5:21	122:3,3	51:20 52:1	146:1,12,23	145:24	124:5	59:21 61:14
restrict 131:8	43:18	124:5,8,15	53:1 54:1	147:1,17	146:14,16	serviced	63:11 65:13
131:10	rezoning	125:16	55:1 56:1	148:1,6,18	147:4,6,20	109:7	65:20,24
restriction	43:13,23	136:24	57:1 58:1	148:20	147:22	services	66:12,15,25
120:23	right 22:8	rooms 61:14	59:1 60:1	running 8:15	secondly 45:3	100:16	67:15 69:2
122:23	28:25 30:8	63:6,10	60:14 61:1	S	section 16:19	103:10	103:9
128:22	30:22 37:4	99:19	62:1 63:1	safe 12:15	17:11 33:16	session	104:17
131:11	39:17 42:11	100:21	64:1 65:1,6	safely 91:16	34:11	142:25	105:5,12,14
restrictions	47:7 51:8	101:5 102:2	66:1 67:1	safety 46:24	sector 63:16	143:25	108:11
49:20	58:3,20	104:16	68:1 69:1	108:22	140:6	145:7	129:17
result 28:23	64:2 69:7	108:11	70:1 71:1	124:24	see 28:4	146:13	130:19
32:20	69:13 73:17	118:6	72:1 73:1	sale 105:5	29:22 30:7	147:19	shouldnt
134:24	74:3,17,17	119:23	74:1 75:1	sales 100:2,9	32:17 48:16	sessions	124:2
resulted	80:4 84:15	123:11,20	76:1 77:1	103:19	89:22 119:4	87:10	show 50:3
24:11	84:21 85:14	124:11,17	78:1,17,22	san 100:23	125:24	set 90:7	123:13
results 25:5	85:25 86:13	131:3	79:1 80:1	sarcastically	131:3	setback 44:22	129:20
106:13	89:6 91:21	roots 8:5	81:1 82:1	68:11	137:18	44:25 46:3	sick 33:3
retail 29:8,10	94:18 95:4	132:16	83:1 84:1	saturday	seeing 4:18	55:13,14,15	side 19:8
retired 11:18	95:22	rowhomes	85:1 86:1	111:7	4:22 7:8	55:24,24	54:24 55:11
return 50:5	101:16,19	44:23	87:1 88:1	sauna 124:11	16:10 22:14	settings 63:12	55:18 56:5
reuse 48:9,16	114:10	rprnotary	88:24 89:1	saved 140:20	33:7,11	seven 8:2	109:9
48:24 51:23	116:7,16	149:15	90:1,7 91:1	saying 96:13	42:10 47:14	31:21	sides 17:20
52:5	117:14	rsa2 9:14	92:1 93:1	97:14,23	59:7 88:5	share 64:9,12	17:22 19:6
revenue 60:9	120:13	rsa5 19:10	94:1 95:1	133:20	115:10	90:5 91:2	sidewalk
60:12 62:2	121:7	43:20 48:21	96:1 97:1	135:25	138:13	91:23	54:23
62:24 66:9	125:23	49:2 55:23	98:1 99:1	says 75:13	141:14,19	135:19	sign 32:10
71:7 78:2	127:3,5	rules 1:3 2:4	100:1 101:1	scale 35:13	seek 51:6	139:12	signed 51:10
100:2 105:8	128:8 138:9	3:1,5,17 4:1	102:1 103:1	37:9	101:12	shared 74:13	significantly
105:21,22	140:19,22	5:1,14 6:1	103:7 104:1	scarce 9:18	113:5	130:6,6,10	52:3
106:24	141:8	7:1 8:1 9:1	104:23	scenes 85:9	seen 94:14,16	140:25	similar 8:17
109:13,21	righty 80:16	10:1 11:1	105:1 106:1	94:8	96:3 124:21	sharing 76:19	37:3 78:3
113:9	rise 65:17	11:16 12:1	107:1 108:1	school 5:6,23	selling 122:21	88:25 90:17	135:19

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 15

similarly 135:5	123:25	speaks 50:18	56:10,19,23	staying 29:19	39:11 49:3	134:20	125:11
simple 29:23	smartest 63:23	specific 37:8	57:5,9,18	122:25	49:3,7,23	suitable 52:5	127:25
72:4,11,16	smith 51:7	37:22 113:7	58:2,10	129:10	54:12 57:24	summer	131:7 136:9
simplification 92:25	108:4	135:15	81:20,22	137:22	77:5	41:21	139:2
simplify 75:23	smooth 85:6	specifically 40:18	82:5,10,24	140:16	strength	supervision	surrounding
simply 84:2	social 13:19	40:18	83:23 84:9	stays 109:14	111:9	149:22	35:14 37:10
89:20 90:22	100:15	specifics 112:23	84:23	138:2	strengthen	supplement	57:10 58:5
sinai 42:24	107:12	spectrum	114:15,16	stenographic	6:19	13:9 140:4	susan 139:24
43:17 48:4	society 140:8	96:9,13	squillas 27:7	149:6	strictly 66:19	supplemental	suspended
single 19:11	somebody	spend 110:22	stack 132:7	step 15:13	strong 8:25	90:24 91:17	143:24
29:25 86:24	77:9 79:12	spirit 12:11	staff 9:17,22	24:9 92:2	91:24 95:24	suppliers	145:6
93:5 119:10	86:3 137:25	85:24 87:12	12:12 20:3	steps 91:21	stronger	23:9	suspension
123:10	soon 91:11	spoke 28:12	62:11 66:6	store 119:20	133:8	supplies	142:23
130:15	138:24	sponsor	107:25	stored 125:14	strongly 12:3	122:10	143:12
134:13	sorry 2:3	70:11 74:4	121:8	stores 133:3	structure	support 6:3	144:12
singlefamily	50:23 51:16	74:12	stakeholders	stories 124:21	12:24 25:2	11:25 12:20	145:18
43:20 48:22	53:9 85:22	141:23	24:17	stormwater	51:25	13:22 15:15	146:11,24
49:15	114:3	sponsors	stamatakis	52:16	student 8:17	15:18 26:12	147:17
sir 3:2 33:3	sort 27:9 28:9	41:15	108:2	story 110:12	students 7:25	27:10 29:7	148:6
57:20 79:15	29:11 75:12	spring 17:20	stand 124:13	straight	8:19,21	60:15 64:13	sustainable
79:20 81:15	80:25 82:20	19:6	standard	110:8	12:13 13:7	73:10 97:18	12:15 91:5
88:14 94:5	85:8 128:24	square 19:13	75:6	straightfor...	13:14	99:17	synergies
98:17	sorts 97:19	19:15,17,19	standards	65:19	118:13	101:11	51:7
102:24	sosna 31:20	19:22 24:24	65:23 80:7	strange	study 52:4	102:14	system 20:22
125:25	source 90:25	24:24 25:6	105:9	125:14	studying	103:8	63:8 72:2
139:21	sources	25:8,12,15	108:23	strangers	51:21	106:11,25	72:14
sit 116:5,6	106:21	30:12,15,16	standpoint	89:22	stuff 85:8	107:19	119:22
site 42:21	113:8	49:11 50:10	52:12	streamline	97:13	108:8	
43:16,19	south 17:22	54:8 55:9	staple 119:17	63:18	121:13	109:24	T
44:4,5	26:20,21	squilla 1:13	stars 131:2	street 5:7,7	122:21	110:3	table 2:20
45:15 54:14	29:2 53:3	2:6 17:10	start 2:25 5:9	5:24 6:6	subject 60:23	111:16	22:20 43:2
55:19 58:9	55:11 56:5	20:9,10	89:13 99:3	7:20 11:21	61:10 103:9	113:6	60:4 78:12
sites 119:4	118:2	21:4,13,18	99:6 140:23	11:25 12:7	104:22	114:21	85:9 88:12
sits 48:4	southwest	22:3,8	started 30:11	13:15,23	105:12	115:13,14	98:25
sitting 27:8	31:20	23:13 24:18	117:14	14:11,13	submit 35:2	119:22	138:20
situated	spa 124:11	28:3 31:2,3	state 61:25	15:12,18	submitted	120:21	take 10:12
135:5	space 6:5	31:22 32:6	100:2	17:21,22	5:11 35:7	136:10	15:6 45:7
situation	13:3,5,7,10	32:9 34:9	113:16,18	19:7 29:2	36:20	supporting	53:12 64:23
41:14	49:23 52:9	36:14,15	113:23	42:18,18,18	subsections	29:24 30:5	68:6 90:2,6
six 32:3 71:24	52:14 55:22	37:4,13,20	stateenabling	42:19,22,22	3:16	supports 91:6	110:19
71:24 80:10	55:25 90:2	37:25 38:5	62:5 75:12	42:23,23	subsequent	105:8	120:12
82:13 87:8	122:25	38:20 39:13	109:19	43:14,15,15	45:12 56:7	supposed	130:8
size 9:6 19:13	124:19	39:17,21	states 106:17	43:16 44:24	73:13	71:14	137:11,16
19:19 24:23	129:9,13	40:2,20,25	3:24	46:4,17,19	substantial	sure 4:9	141:7
30:13	130:11,19	41:13 43:11	statistics	48:13,14	25:3 28:5	15:17 23:25	taken 72:10
sized 25:4	139:14	45:23,24	106:15	49:5 54:17	55:25	38:6 40:13	91:20 93:19
sleep 110:6	spaces 10:9	46:6,10,16	stay 117:22	55:12 56:4	success	52:22 64:16	149:6
119:9	44:8 56:20	46:23 47:3	134:18	58:3,5	110:12	73:24 77:8	takes 30:3
slowing 89:7	56:22	47:7 49:9	139:13,14	133:4	successful	79:10 81:5	70:20
small 91:6	spare 62:14	53:19,20	140:2	streets 18:2	110:4	84:3,17,21	talk 68:11
	speak 103:8	54:19,25	stayed 118:2	18:11,12	suggest 87:13	87:2 88:19	72:25 73:3
	121:18	55:4 56:3	118:2,3	19:2,3	suggestion	95:23 97:20	118:8 132:3
				25:19 36:6	10:2 87:25	98:2 120:4	134:18
							talked 80:20

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 16

talking 30:13 30:15 112:2 129:15 tall 48:6 tangible 13:17 target 72:24 73:5 tax 59:20,23 60:21,23,24 61:2,3,5,10 61:13,18,21 61:24,25 62:3,4,12 62:15,20,25 63:5,8,15 63:18,21 64:8,17 68:19 72:2 72:9 77:12 77:19,24 79:11 81:9 82:12,18,20 82:22 83:2 99:21 100:2 100:3,9,20 100:24 101:4 103:12,13 105:4,7,16 105:20 106:2,24 108:10,13 108:14,15 108:16 109:13 113:2,22 114:21,21 119:12 120:21 123:17 124:3,3 126:7 136:22 140:23 taxation 105:9 taxed 101:9 taxes 64:3 87:19 99:24 101:3,7 119:12 137:4	taxi 124:13 taxing 109:22 122:17 taxpayers 63:24 technical 2:16 3:15 4:10,11,13 16:22 59:24 technically 69:3 101:17 tell 132:13 137:12 tells 96:16 ten 9:12 130:16 135:9 tenant 93:8 93:14 96:15 tenantoccu... 78:25 tenants 96:16 tend 90:25 92:22 teri 10:22 terms 2:17 16:23 24:6 33:21 59:25 92:4 137:4 140:10 terrific 132:23 testify 3:9 4:19 5:18 16:8 17:7 23:11 33:8 34:6 42:7 43:8 47:15 59:5 60:15 64:22 65:9 68:5 115:12 115:22 141:16 testifying 11:4 60:11 73:15,17 107:24 116:9 testimony 30:11 50:22 60:18 64:24 74:11 111:18	114:19 115:4 123:5 148:12 text 3:19,20 3:20 thank 4:7,23 7:2,9 11:2 13:24,25 14:20,21 15:5,7,20 15:24,25 16:2,11,11 16:13 20:7 20:10 22:9 22:10,15 23:2,9,12 26:14,16 27:17 30:8 30:22,23,24 31:4 32:19 32:21,22,23 33:12 36:12 36:15 39:18 39:19 41:6 41:7,25 42:6 45:21 45:24 47:8 47:9,21 50:20 51:20 53:10,15,20 58:11,12,21 58:22,23 59:8,10 64:14,21,25 68:4,8 70:7 74:3,8,10 74:11 81:17 81:18,22 84:24,25 85:20 87:22 87:23,24 88:6,6,22 88:24 94:4 94:6,12 98:9,17,17 98:19 99:15 102:22,23 103:5 107:3 107:5,18 111:11,19 114:11,12 114:13,16 115:3,5,6	115:11,14 126:2 138:10,14 138:15 139:20,21 141:11,15 142:7 143:18 148:19 thanks 74:5 90:10 110:3 thats 10:3 30:17 32:10 39:16 40:16 42:2 50:2 50:24 54:6 72:11 77:20 78:9 81:13 85:10 86:23 95:13,15,24 96:11 97:7 116:15 118:9 121:15 123:25 131:4 134:2 136:5 138:2 139:19 140:6 142:3 theres 20:11 49:24 52:18 53:15 56:16 57:23 72:12 82:10,21 84:13 93:4 93:17 95:3 103:2 122:15 124:18 125:12 131:18 141:6 theyll 73:14 73:17 theyre 21:14 69:9,10 71:3 73:13 74:21 76:18 76:19,20 82:21 92:20 98:2 110:21 115:20 128:2	133:20,20 133:25 theyve 132:23 137:6 thing 28:19 64:2,3 86:15 94:25 96:12 97:6 129:20 137:20 things 14:16 29:17 62:12 83:6 84:12 84:17 121:10,13 124:5 125:8 126:12 127:3,4 137:21 138:3 think 4:13 11:6 29:16 30:2 31:12 31:17,19 32:2,10 37:16 38:13 38:21 39:3 40:5,7,15 69:25 70:3 70:8 74:6 74:13,14 76:25 85:18 86:25 94:17 95:14,15,18 96:25 97:7 97:11,12,14 97:15 98:4 101:20 111:24 112:11 114:23,23 115:16 121:14 122:23 126:9,11,16 126:21,24 127:12,16 128:15,23 129:7,11,16 130:11,16 131:10,16 133:19	135:24 137:20,21 139:4 141:8 141:8 thinking 141:2 third 39:6 110:15 thirty 80:14 80:15 thomas 117:15 thoroughfare 54:13 thought 40:6 87:6 135:8 thoughtful 89:2 thousands 63:10 three 18:2,11 19:2 28:17 29:22 31:17 35:24 39:14 48:4 86:22 86:25 99:4 103:25 116:4 120:4 124:6 134:23 137:22 139:4 threebedro... 118:6 threemonth 86:19 throughway 57:22 throw 127:15 time 4:6,9 6:25 9:16 9:18 12:25 20:6 29:25 32:19 36:11 39:3 45:20 47:5 51:22 67:8,20 74:18 87:2 97:9 110:22 113:3 117:13 118:5 119:5 124:7	134:23 timeframe 71:18 times 28:17 29:23 32:3 46:13 52:20 55:7 81:25 82:13 98:4 117:13 123:9 title 2:10,13 16:17 today 2:11 10:3,16,17 11:24 15:7 15:23 26:24 41:16 50:25 59:12 60:18 64:22 68:5 88:25 91:20 99:14 107:24 111:18 148:7 today's 64:18 108:14 148:18 told 68:9 96:15 tolson 60:12 tool 90:20 top 8:22 58:3 121:11 134:9,9 topic 124:2 total 45:2 56:17 136:23 totally 68:14 131:15 touch 94:24 tour 135:10 tourism 62:8 73:10,19 100:13 103:18,22 104:8 105:23 106:20 107:22 135:22 tourismrela... 62:6	tourist 125:22 townhome 44:6 traditional 52:25 61:7 62:10 104:18 106:21 traffic 55:2 transactions 104:22 transcript 149:8,20 transitorien... 21:9 transportat... 34:19 36:3 trash 77:5 travel 107:22 108:15 109:11 110:23 travelers 89:19 104:14 106:5 110:13,17 treated 75:21 tremendous 27:14 107:21 trend 104:20 tried 41:13 54:9 94:8 trigger 27:24 trouble 132:21 truck 46:21 trucks 52:23 57:24 true 110:12 132:22,22 149:7 trust 119:9 trusted 89:15 truth 101:22 try 20:15 69:17 73:3 75:8 85:11 85:16,25 127:5,7 134:14
---	---	---	--	--	---	---	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 17

148:11 trying 75:5 85:5,13 112:3,4 129:18 131:19 tuition 8:15 9:2 13:21 turkey 125:7 turn 83:19 84:7 90:18 108:23 turned 4:12 turner 10:19 11:14,17 14:2 15:21 turning 104:15 tweak 74:18 two 11:22 17:14 18:3 18:10,25 19:18 24:10 31:12 35:21 53:23 56:2 57:17,19,21 68:13 71:22 100:6 102:4 115:21,25 118:6 119:23 134:15 twocar 57:3,7 twoway 55:2 90:12 type 79:10 83:5,24 typically 90:19 124:18 140:2,6	82:25 87:17 95:16,24 96:25 97:10 97:13 130:4 134:6 135:25 136:22 141:5 understand... 39:21 105:15 understood 126:21 unfortunat... 51:25 94:22 unintended 123:19 unique 89:19 united 106:17 units 25:25 44:7 48:23 48:25 49:15 50:9 university 18:20 unkefer 10:21 unmonitored 124:16 unnecessarily 121:14 unnecessary 91:18 128:25 131:11 unofficial 133:12 unregulated 127:9 unseen 141:7 unusual 92:2 upcoming 104:11 upgrade 10:8 upper 5:24 urban 24:5 25:4 26:5 33:17,20 34:12,24 36:18 49:17 urge 106:25 urges 102:21 usage 60:24	use 9:15 20:16 25:20 35:14 37:10 49:19 54:22 59:18 63:2 63:3 67:7 67:19 75:14 77:13 78:9 79:22,25 85:10 90:24 101:2 105:22 122:19 123:22,23 140:4 users 90:15 uses 49:20 usually 83:6 V vacant 48:7 valuable 13:16 101:15 valuation 101:22 value 10:6 122:8 variance 28:9 29:22,24 variances 30:5 48:8 variety 54:8 various 23:24 25:16 28:12 28:15 57:15 74:16 vast 90:21 vehicle 3:24 54:22 venture 101:21 verification 128:4 version 46:2 versus 121:4 vetted 127:20 viable 12:16 48:11 vibrant 24:5 vice 103:14 108:5 vidas 22:22 26:18,19,20	28:25 vigilant 125:10 village 139:10 violate 86:21 violations 77:8 visible 13:18 visit 76:21 100:5 102:10 105:19 107:9,13,19 107:25 109:15 110:4 111:2 112:16,21 118:19 119:3 visitation 107:16 110:10 visited 106:16 visiting 137:24 visitor 61:6 95:7 106:5 107:14 visitors 100:7 103:17 104:17 106:18 108:16 109:3,8,16 111:14 visitphilly 107:15 118:25 vital 102:18 125:9 vitality 13:12 voluntarily 63:20 84:20 84:22 volunteer 29:18 94:11 vote 74:9 W w 1:11 wage 100:25 waiters 124:13 waiting 92:13	walk 86:12 walkable 29:12 walks 122:7 walkway 54:15,20 57:23 wanda 98:22 103:14 want 13:8 14:23 23:18 27:6 29:9 29:10 31:10 41:9,24 50:14 63:25 68:16,18 69:13 74:11 74:16,17 79:9 81:8 85:10,15,16 93:17 94:5 95:4 96:18 96:19,22 97:20,25 103:3 109:10 114:18 115:2,12 118:8 119:5 122:14 125:19 127:25 128:12 130:24 135:16 137:12,19 140:9 141:3 wanted 15:6 15:14,19 26:25 69:17 85:12 139:5 139:24 wanting 30:12 123:19 wants 10:4 14:3 war 8:3 washington 19:8 100:23 wasnt 117:12 watchful 125:10	waxman 60:8 60:10 68:21 68:22 70:15 71:6,20 73:12,22 74:24 75:4 76:4,11 77:16 78:4 82:15 83:11 83:25 84:14 86:14 87:20 way 15:19 20:16 27:23 40:6,14 65:21,22 73:9 82:11 84:13 98:6 112:20,21 118:9 127:3 127:5 139:15 ways 73:4 75:7 web 71:21 108:8 webbased 104:15 105:10,14 website 99:20 100:21 107:14 websites 107:12 wed 28:3 week 71:22 111:10 117:13,24 weekend 137:25 weeks 71:24 71:25 102:4 welcome 101:10 welcoming 90:8 wellbeing 102:16 went 28:3 30:14,18 55:6 128:3 129:4 werner 108:6 west 29:2	49:11 55:9 westcott 56:11 weve 23:21 31:19 32:2 51:21 52:4 52:6,13 54:13 55:16 56:6 57:12 69:25 71:11 71:14 72:3 73:24 83:15 96:3 98:4 107:20 118:10,12 125:4 127:11,12 130:16 132:22 whats 75:5 111:6 113:25 125:11 127:7 140:22 wide 18:3,11 18:11 19:2 19:2 46:3 57:2 width 19:24 wife 121:22 125:7 william 1:10 willing 32:11 56:13 wilson 1:11 wish 115:22 witness 2:19 2:19 22:19 42:25 60:3 78:11,11 88:11,11 98:24 138:19 witnesses 7:5 22:19 42:25 60:3 98:24 115:21 137:22 138:19 148:13 woman 140:17	women 123:10 135:12 wonderful 80:8 119:7 wont 69:7 126:12 word 3:22 85:9 87:3 111:24 112:11 words 3:23 127:13 work 15:9,10 23:14 28:24 32:11 38:12 39:4 40:17 41:13,14,25 53:22 56:13 73:18 80:9 80:16 81:5 88:7 93:21 97:13 112:21 113:9 140:5 worked 15:16 24:2 28:19 39:22 69:15 69:16 71:14 87:8 89:4 97:8,9 107:21 working 20:13 27:9 30:19 49:8 66:7 73:4 80:22 90:17 94:2 works 38:25 40:9 68:10 89:25 120:10 world 89:18 90:9 91:13 104:11 worldclass 103:22 worry 98:7 worth 28:24 wouldnt 79:6 119:8 132:17 140:13
---	--	---	---	--	--	--	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 18

wrap 112:12	136:12	19:1,13,15	111:1 112:1	27:1 28:1	133:1 134:1	24:1 25:1	130:1 131:1
writing 97:2	141:2	19:17,22	113:1 114:1	29:1 30:1	135:1 136:1	26:1 27:1	132:1 133:1
written 27:6	143:15	20:1 21:1	115:1 116:1	31:1 32:1	137:1 138:1	28:1 29:1	134:1 135:1
96:7,12	youth 8:12	22:1 23:1	117:1 118:1	33:1 34:1	139:1 140:1	30:1 31:1	136:1 137:1
141:10	youve 88:7	24:1,24,24	119:1 120:1	35:1 36:1	141:1 142:1	32:1 33:1	138:1 139:1
wrong 64:2	107:19	25:1,15	121:1 122:1	37:1 38:1	143:1 144:1	34:1 35:1	140:1 141:1
wyndham		26:1 27:1	123:1 124:1	39:1 40:1	145:1 146:1	36:1 37:1	142:1 143:1
101:23	Z	28:1 29:1	125:1 126:1	41:1 42:1	147:1 148:1	38:1 39:1	144:1 145:1
	zba 28:8	30:1,16	127:1 128:1	43:1 44:1	150239 1:15	40:1 41:1	146:1 147:1
X	29:17,22	31:1 32:1	129:1 130:1	45:1 46:1	4:25 5:18	42:1 43:1	148:1
xoxo 110:7,10	zoned 9:13	33:1 34:1	131:1 132:1	47:1 48:1	5:21 6:23	44:1 45:1	16 19:24 57:3
	17:24 18:7	35:1 36:1	133:1 134:1	49:1 50:1	13:23 16:8	46:1 47:1	160 8:5
Y	18:16 19:10	37:1 38:1	135:1 136:1	51:1 52:1	143:21	48:1 49:1	16th 43:10
yard 25:3	19:16 29:3	39:1 40:1	137:1 138:1	53:1 54:1	144:10	50:1 51:1	18 25:2 57:4
55:22	48:21 65:14	41:1 42:1	139:1 140:1	55:1 56:1	150264 1:15	52:1 53:1	180 67:5,9,18
yards 55:21	zoning 2:14	43:1 44:1	141:1 142:1	57:1 58:1	2:12 3:9,13	54:1 55:1	67:22 76:9
yeah 38:18	3:14,17 5:3	45:1 46:1	143:1 144:1	59:1 60:1	4:2,20	56:1 57:1	92:19
76:5 98:5	5:3 9:23	47:1 48:1	145:1 146:1	61:1 62:1	142:9,21	58:1 59:1	122:18,20
120:8 126:2	10:14 12:19	49:1 50:1	147:1 148:1	63:1 64:1	143:10	60:1 61:1	123:15
year 8:17	12:21,24	51:1 52:1	10 1:7 25:2	65:1 66:1	150285 1:15	62:1 63:1	131:10
67:2,10,16	13:11,22	53:1 54:1	142:2	67:1 68:1	33:15 34:7	64:1 65:1	180day
67:22 79:5	16:18 17:12	55:1 56:1	100 124:17	69:1 70:1	34:10,15	66:1 67:1	122:23
80:13 82:4	24:8,23	56:24,24	12 8:16	71:1 72:1	36:9 42:8	68:1 69:1	128:19
82:4,14,17	25:17 26:3	57:1 58:1	148:21	73:1 74:1	141:24	70:1 71:1	129:20
86:17 87:14	28:5 29:4	59:1 60:1	133 44:7	75:1 76:1	150355 1:15	72:1 73:1	1855 8:2
91:7,9	29:20 34:11	61:1,24	56:21,23	77:1 78:1	42:13 43:9	74:1 75:1	1900 83:14
92:19 100:8	34:23 36:18	62:1 63:1	13th 106:16	79:1 80:1	43:12,18	76:1 77:1	192400 59:19
101:25	42:15,15	64:1 65:1	14 2:13 8:16	81:1 82:1	44:16 59:5	78:1 79:1	60:19
104:13	43:13,25	66:1 67:1	16:17	83:1 84:1	145:21	80:1 81:1	1949 104:6
122:18,20	44:3 45:6	68:1 69:1	140519 1:15	85:1 86:1	146:9,22	82:1 83:1	1997 48:7
123:15,16	48:8 50:13	70:1,12	16:16 17:8	87:1 88:1	150441 1:15	84:1 85:1	111:5
128:20	55:23 65:13	71:1,19	17:11 20:2	89:1 90:1	59:13 60:16	86:1 87:1	19th 44:14
129:14,25	66:14 80:7	72:1 73:1,3	23:12 24:21	91:1 92:1	60:22,25	88:1 89:1	66:4
yearround	zoo 123:22	74:1 75:1	26:9 33:9	93:1 94:1	62:9,16	90:1 91:1	1st 80:13
130:13,17		76:1 77:1	144:15	95:1 96:1	63:17 64:6	92:1 93:1	
years 8:2,5	0	78:1 79:1	145:3,16	97:1 98:1	64:14 65:9	94:1 95:1	2
9:5,20	000 8:16,16	80:1 81:1	14502 16:19	99:1 100:1	66:5 99:16	96:1 97:1	2 25:6,6
11:18 24:8	19:22 58:19	82:1 83:1	17:12	101:1 102:1	99:22 102:8	98:1 99:1	83:16
24:10 28:24	83:16 89:17	84:1 85:1	14517 33:16	103:1 104:1	103:8 107:2	100:1 101:1	20 1:7 9:5
65:16 87:8	91:9 100:17	86:1,7,23	146 48:6	105:1 106:1	108:9	102:1 103:1	18:11 19:2
89:4 107:20	102:2 111:5	87:1 88:1	14600 59:17	107:1 108:1	141:17	104:1 105:1	57:2 148:21
113:12	111:5	89:1 90:1	14th 106:16	109:1 110:1	147:3,15	106:1 107:1	200 124:16
135:9	080 19:13	91:1 92:1	15 3:1 4:1 5:1	111:1 112:1	148:4	108:1 109:1	128:20
youd 77:24	24:24 25:15	93:1 94:1	6:1 7:1 8:1	113:1 114:1	150519 3:1	110:1 111:1	129:24
youll 126:9	30:16	95:1 96:1	9:1 10:1	115:1 116:1	4:1 5:1 6:1	112:1 113:1	2008 89:14
youre 7:10		97:1 98:1	11:1 12:1	117:1 118:1	7:1 8:1 9:1	114:1 115:1	2012 106:18
75:15,17	1	99:1 100:1	13:1 14:1	119:1 120:1	10:1 11:1	116:1 117:1	2013 106:18
78:8 79:5	1 1:7 3:1 4:1	101:1 102:1	15:1 16:1	121:1 122:1	12:1 13:1	118:1 119:1	2014 17:9
97:14 112:2	5:1 6:1 7:1	103:1 104:1	17:1 18:1	123:1 124:1	14:1 15:1	120:1 121:1	23:20
115:13	8:1 9:1 10:1	105:1 106:1	19:1 20:1	125:1 126:1	16:1 17:1	122:1 123:1	103:25
122:21	11:1 12:1	107:1 108:1	21:1 22:1	127:1 128:1	18:1 19:1	124:1 125:1	104:4
125:21	13:1 14:1	109:1 110:1	23:1 24:1	129:1 130:1	20:1 21:1	126:1 127:1	105:25
129:9,10,13	15:1 16:1	110:14	25:1 26:1	131:1 132:1	22:1 23:1	128:1 129:1	110:13
129:16	17:1 18:1						111:6

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Rules
June 1, 2015

Page 19

2015 1:7 3:11 4:3 5:20 6:22 20:3 23:21 34:8 36:8 43:10 44:15 65:11 66:4 20foot 57:7 20th 117:9 21 3:16 221 44:9 25 44:12 250 18:14 44:10 254 111:5 26th 5:20 273 111:4 28 4:3 28th 6:22 36:8 29 51:4 2foot 55:14 2nd 11:24 3 3 56:24 110:14 30 61:12 66:16 70:19 102:2 130:25 300 7:24 83:21 30second 50:18 33 120:13 35 89:17 360 110:7 38 18:5 4 4 20:17 44:20 56:24 104:4 104:4 40 33:3 100:7 400 1:6 25:6 44:23 58:19 44 44:12 100:9 440 19:15 24:24 450 18:24 4th 48:12,14 54:16	5 5 9:14 44:21 61:22 73:3 104:6 50 18:3,10,25 25:2 124:17 500 18:15 53 91:9 99:24 54 11:18 55 18:4 550 18:22 5th 17:9 48:14 54:16 6 6 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 61:1,23 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 88:1 89:1 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1 101:1 102:1 103:1 104:1 105:1 106:1 107:1 108:1 109:1 110:1 111:1 112:1 113:1 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1 122:1 123:1 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133:1 134:1 135:1 136:1 137:1 138:1 139:1 140:1 141:1 142:1 143:1 144:1 145:1 146:1 147:1 148:1 600 19:17 65 100:17 6th 11:23 7 7 99:25 700 25:6 75 19:20 104:6 750 18:21 7th 65:11 8 8 61:22 80 113:3,21 800 19:19 25:8 30:12 82 90:22	9 9 45:2 55:17 55:21 90 67:2,15 70:18 79:5 82:3,5,6,17 86:17 99:12 120:24 90day 129:20 90s 52:2 91 67:5,18 93900 59:14 948 111:5 95 44:7 48:20 56:16,18 960 25:11 30:14 9foot 55:14 9th 3:11 20:3 22:4 34:8 41:20,25 142:2 148:8				
--	--	---	---	--	--	--	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622