

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC
DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, January 29, 2014
10:20 a.m.

PRESENT:

COUNCILMAN W. WILSON GOODE, JR., CHAIR
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILL 130744 - An ordinance amending Chapter 17-1300 of The Philadelphia Code, entitled "Philadelphia 21st Century Minimum Wage and Benefits Standard," by further providing with respect to the granting and revocation of waivers of the requirements of the Chapter...

BILL 130853 - An ordinance amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Income and Receipts Taxes," by revising the number of businesses that may obtain a credit against business income and receipts taxes upon contributing to certain nonprofit intermediaries engaged in neighborhood economic development activities...

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COUNCILMAN GOODE: Good morning. This hearing is called to order. This is a public hearing of the Commerce and Economic Development Committee on Bills No. 130744 and 130853. My name is W. Wilson Goode, Jr., Chair of the Committee.

I note that a quorum is present. To my right is Councilwoman Jannie Blackwell. To my left is Majority Leader Curtis Jones. Also present is Councilwoman Blondell Reynolds Brown.

The title of Bill No. 130744, amending Chapter 17-1300 of The Philadelphia Code, entitled "Philadelphia 21st Century Minimum Wage and Benefits Standard," by further providing with respect to the granting and revocation of waivers of the requirements of the Chapter; all under certain terms and conditions.

The title of Bill No. 130853, amending Chapter 19-2600 of The Philadelphia Code, entitled "Business

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2 Income and Receipts Taxes," by revising
3 the number of businesses that may obtain
4 a credit against business income and
5 receipts taxes upon contributing to
6 certain nonprofit intermediaries engaged
7 in neighborhood economic development
8 activities within the City of
9 Philadelphia; all under certain terms and
10 conditions.

11 We will take 130853 first. I
12 invite Karen Fegley to the witness table.

13 (Witnesses approached witness
14 table.)

15 MS. FEGELY: Good morning,
16 Chairman Goode and members of City
17 Council. My name is Karen Fegely. I'm
18 the Director of Neighborhood Economic
19 Development for the City of
20 Philadelphia's Commerce Department. I'm
21 here today to provide testimony regarding
22 Bill No. 130853 regarding an amendment to
23 the CDC Tax Credit Program.

24 Do you want me to just read a
25 shortened version?

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2 COUNCILMAN GOODE: Yes.

3 MR. FEGELY: Okay. Happy to do
4 that.

5 The Revenue Department
6 administers this program. The Commerce
7 Department takes the responsibility to
8 ensure that the CDCs and since 2012 the
9 three non-profit intermediaries are
10 qualified organizations and that the
11 participating organizations use
12 contributed funds for eligible economic
13 development activities.

14 The proposed amendment does not
15 impact revenue to the City. It would
16 increase the allowable number of
17 qualifying non-profit intermediaries to
18 be designated as recipients of tax
19 credit-eligible contributions under the
20 program. Thus, of the 40 organizations
21 performing economic development
22 activities with these contributions, up
23 to four of them might be non-profit
24 intermediaries rather than neighborhood
25 CDCs.

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2 Commerce applies the same
3 program performance standards to
4 intermediaries that it does for CDCs. We
5 expect intermediaries to demonstrate
6 annually that they have used the tax
7 credit-eligible contributions to assist
8 CDCs with eligible economic development
9 activities in economically distressed
10 communities. Where feasible, we will ask
11 them to document the outcomes of such
12 activities as well.

13 Thank you for the opportunity
14 to testify. I'm happy to answer any
15 questions.

16 COUNCILMAN GOODE: Thank you
17 for your testimony.

18 Let me note for the record that
19 the Vice Chair of the Committee, Mark
20 Squilla, is here as well.

21 Just a couple questions. One,
22 how many agreements expire this year and,
23 therefore, how many slots will open up?

24 MS. FEGELY: I believe there's
25 five slots that expire in 2013, and so

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2 there's five new slots available in 2014.

3 COUNCILMAN GOODE: Thank you.

4 Any other questions for this

5 witness?

6 (No response.)

7 COUNCILMAN GOODE: Seeing none,

8 is there anyone else to testify on this

9 bill?

10 (No response.)

11 COUNCILMAN GOODE: Seeing none,

12 we will consider the other bill, 130744,

13 and I invite Mary Stitt to the witness

14 table.

15 Thank you very much.

16 (Witness approached witness

17 table.)

18 COUNCILMAN GOODE: Good

19 morning, Ms. Stitt. Please state your

20 name for the record and proceed with your

21 testimony.

22 MS. STITT: Mary Elizabeth

23 Stitt.

24 Good morning, Chairman Goode

25 and members of the Committee on Commerce

1 1/29/14 - COMMERCE - BILLS 130744 & 130853
2 and Economic Development. I am Mary
3 Stitt --

4 COUNCILWOMAN BLACKWELL: Pull
5 the mic closer. We can't hear you.

6 MS. STITT: I am Mary Stitt,
7 Chief of Staff to the Managing Director
8 and Deputy Mayor for Administration and
9 Coordination. Thank you for the
10 opportunity to provide testimony on Bill
11 130744.

12 Bill 130744, along with the
13 amendments that I understand the sponsor
14 will propose, will permit the continued
15 overhaul of the waiver review process
16 under Chapter 17-1300 of The Philadelphia
17 Code; continue the oversight role of both
18 the Living Wage and Benefits Review
19 Committee and City Council; and vest both
20 the Review Committee and Council with the
21 ability to revoke a waiver after it has
22 been granted.

23 The Administration understands
24 and supports the intent of Bill 130744
25 with regards to adding clarity to the

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2 waiver process and has been working to
3 develop an improved method for the review
4 and authorization of waivers for the 21st
5 Century Minimum Wage and Benefits
6 Standard. In an effort to update our
7 processes for handling these requests,
8 the Administration has established a 21st
9 Century Minimum Wage and Benefits
10 Standard Working Group which will be
11 responsible for authorizing waivers. The
12 Working Group will consist of at least
13 the following officials or their
14 designees: the Managing Director, the
15 Director of Finance, and the Director of
16 Commerce, with the Managing Director or
17 his or her designee as the Chairman.

18 After a thorough review and
19 development process, we are pleased to be
20 able to share with this committee the new
21 methodology that will be followed for
22 reviewing waiver requests. The overall
23 process for reviewing and issuing a
24 waiver under the 21st Century Minimum
25 Wage and Benefits Standard will be as

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2 follows:

3 An employer subject to the
4 requirements of the 21st Century Minimum
5 Wage and Benefits Standard may request a
6 waiver from these requirements. This
7 request must be made in writing by
8 submitting a standardized citywide form,
9 along with any applicable background
10 documentation to justify the request for
11 a waiver to the department or agency with
12 which the employer intends to contract.

13 The contracting department will
14 conduct a preliminary review of the
15 waiver request to determine if it meets
16 the standards laid out in Chapter 17-1300
17 and then make a written recommendation to
18 the Working Group.

19 The Working Group will then
20 review the waiver request and the
21 departmental recommendation and determine
22 whether to grant or deny the waiver.

23 The Working Group will submit a
24 record of its determination to the Review
25 Committee at the time of disposition.

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2 The Working Group will provide
3 quarterly reports on the overall volume
4 and disposition of waivers to the Review
5 Committee and report at such other times
6 as the Review Committee may require.

7 As part of the development of
8 the Administration's new process, we
9 conducted a review of the overall
10 timeline for the consideration of final
11 determination of waivers. Under the new
12 process, the vast majority of waivers
13 will be issued within 30 business days
14 from the date the waiver request is
15 submitted to the contracting department.
16 We anticipate this process will further
17 enhance the efficiency and transparency
18 of the waiver review process.

19 The Administration does have a
20 significant concern about an aspect of
21 the bill as it is proposed to be amended;
22 namely, the ability of either the Review
23 Committee or Council to revoke a waiver
24 mid contract. With this provision, City
25 contracts subject to a waiver could never

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2 be finalized. Every such contract would
3 be subject to modification up until the
4 date of expiration. This would introduce
5 an unusual and possibly problematic
6 dynamic to an already complex City
7 contracting environment. While this
8 concern is a serious one, we will
9 continue to work with the sponsor toward
10 a mutual resolution.

11 Thank you again, Chairman Goode
12 and members of the Committee. I am happy
13 to take any questions you may have at
14 this time.

15 COUNCILMAN GOODE: Thank you
16 for your testimony, Ms. Stitt. As you
17 can imagine, I have a series of
18 questions.

19 MS. STITT: Of course.

20 COUNCILMAN GOODE: First,
21 what's the current value of waivers
22 offered in Fiscal Year '14?

23 MS. STITT: The value of
24 waivers for -- I have for the entire year
25 of Fiscal '13. Would you like me to give

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2 you --

3 COUNCILMAN GOODE: I have the
4 numbers for '14, so you must have the
5 numbers for '14.

6 MS. STITT: I don't know if I
7 have the numbers for '14. If I don't, I
8 will be happy to get them for you.

9 We're getting them. We're
10 looking for them right now.

11 COUNCILMAN GOODE: Does the
12 number 213 million sound right?

13 MS. STITT: 213 million?

14 COUNCILMAN GOODE: 694,100.29.

15 MS. STITT: That sounds right
16 to me.

17 COUNCILMAN GOODE: What are the
18 categories of waivers offered?

19 MS. STITT: The categories are
20 collective bargaining, hardship/training,
21 and best interest of the City.

22 COUNCILMAN GOODE: And how does
23 the Administration define "in the best
24 interest of the City"?

25 MS. STITT: How is it

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2 considering the best interest of the
3 City?

4 COUNCILMAN GOODE: How has the
5 Administration defined it in its
6 decision-making?

7 MS. STITT: The Administration
8 makes sure that the --

9 COUNCILMAN GOODE: What does
10 "best interest of the City" mean to the
11 Administration?

12 MS. STITT: To the
13 Administration it means that we're making
14 the decision based on the contract and
15 the services that need to be delivered to
16 the citizens, and if putting that
17 contract in place is necessary and it
18 goes to making sure the citizens have
19 their delivery of service, then that's
20 the best interest of the City.

21 COUNCILMAN GOODE: And how does
22 that conflict with the Living Wage and
23 Benefits Standard?

24 MS. STITT: How does that?

25 COUNCILMAN GOODE: Conflict

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2 with the Living Wage and Benefits
3 Standard.

4 MS. STITT: I mean, at times
5 when there's a contractor who -- many
6 times the requests that we get are from
7 small non-profits, and at times they do
8 not have the ability to pay their workers
9 the living wage, and they may be off only
10 by a little bit.

11 COUNCILMAN GOODE: That falls
12 under the category of financial hardship,
13 doesn't it?

14 MS. STITT: At times it does,
15 but sometimes it is also in the best
16 interest of the City. But I'll give you
17 a specific example.

18 COUNCILMAN GOODE: The question
19 I asked first was what are the categories
20 of waivers. Financial hardship is a
21 separate category.

22 MS. STITT: Hardship and
23 training.

24 COUNCILMAN GOODE: They're
25 separate categories from best interest of

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2 the City?

3 MS. STITT: Yes.

4 COUNCILMAN GOODE: So how does
5 the Administration define "best interest
6 of the City"?

7 MS. STITT: So I'll give you an
8 example of one of the contract -- the
9 waiver requests that we --

10 COUNCILMAN GOODE: I'm not
11 asking for an example. I'm asking for
12 the actual policy.

13 MS. STITT: And I thought I
14 answered that by saying that we weigh
15 whether or not the contract that is being
16 put forward would be in the best interest
17 of our citizens to get that delivery of
18 service on the streets and move that
19 contract forward.

20 COUNCILMAN GOODE: I'll move on
21 and come back to that.

22 What percentage of waivers were
23 defined as in the best interest of the
24 City in Fiscal Year '14?

25 MS. STITT: I mean, I

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2 apologize, but I have all the numbers for
3 Fiscal Year '13 because it was a full
4 year.

5 COUNCILMAN GOODE: Do you
6 believe --

7 MS. STITT: Fiscal Year '14 was
8 only a partial.

9 COUNCILMAN GOODE: You can give
10 me the numbers for Fiscal Year '13 first.
11 I believe someone probably has the
12 numbers for Fiscal Year '14 up to date.
13 A lot of contracts have already been
14 done, and I believe that those numbers
15 may have increased in terms of the
16 percentage.

17 MS. STITT: Okay. So for
18 fiscal year -- I'm sorry. What was your
19 last question? Was the percentage of
20 waivers?

21 COUNCILMAN GOODE: Percentage
22 of waivers.

23 MS. STITT: So the percentage
24 of waivers was 2 percent of the total
25 contracts out of 2,283 contracts.

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2 COUNCILMAN GOODE: The
3 percentage of -- in terms of percentage
4 of waivers, how many went for best
5 interest of the City? That's a much
6 different number than you just gave me.

7 MS. STITT: I said 2 percent.

8 COUNCILMAN GOODE: Let me ask
9 the question a different way to help you
10 out.

11 MS. STITT: Sure.

12 COUNCILMAN GOODE: Break down
13 the percentage of waivers by category
14 waiver.

15 MS. STITT: So for -- actually,
16 I do have Fiscal Year '14 Quarter 2. I
17 found it in my notes.

18 So for best interest of the
19 City, there were 43. For collective
20 bargaining, there were 18. For hardship,
21 there were 38. And the percentage for
22 best interest of the City is 38.4
23 percent. Collective bargaining is 16.1
24 percent, and hardship is 33.9 percent.

25 COUNCILMAN GOODE: So

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2 percentage of waivers granted so far for
3 this fiscal year just for best interest
4 of the City is 38 percent?

5 MS. STITT: Yes. That is
6 correct.

7 COUNCILMAN GOODE: What's the
8 value of waivers that were defined in the
9 best interest of the City for this fiscal
10 year?

11 MS. STITT: Give me just one
12 moment.

13 I will have to calculate that,
14 because we have it broken down in
15 departments. We don't have the total for
16 each category.

17 COUNCILMAN GOODE: But, again,
18 the total number is 213 million?

19 MS. STITT: Yes.

20 COUNCILMAN GOODE: And so if
21 it's 38 percent of that --

22 MS. STITT: Yes; 213,694,000,
23 correct.

24 COUNCILMAN GOODE: So it's
25 probably roughly 80 million or more?

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2 MS. STITT: 80 million or more.

3 COUNCILMAN GOODE: So you gave
4 \$80 million worth of waivers just in the
5 category of best interest of the City
6 alone. So that \$80 million or so -- and
7 we'll come up with a harder number
8 later -- were not eligible under
9 financial hardship or collective
10 bargaining; is that correct?

11 MS. STITT: That's correct.

12 COUNCILMAN GOODE: Then why was
13 that \$80 million in waivers given?

14 MS. STITT: Because we took
15 into effect that -- well, I have to clear
16 one thing up. I do think there was a bit
17 of a confusion, that some of these could
18 have gone under hardship. Now, there's a
19 chance that they did not have
20 hardship/training, they didn't have a
21 training model in there, so they had to
22 fall under best interest of the City, but
23 it was financial hardship, because
24 there's a training component.

25 COUNCILMAN GOODE: My question

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2 was, were they given financial hardship
3 or not?

4 MS. STITT: I'm saying that
5 that was part of the consideration. So
6 if they didn't have a training program --

7 COUNCILMAN GOODE: So why not
8 just list them under financial hardship?

9 MS. STITT: Because financial
10 hardship has a training component to it,
11 so they wouldn't fit under it.

12 COUNCILMAN GOODE: It does not.

13 MS. STITT: My understanding is
14 that it does.

15 COUNCILMAN GOODE: It does not.
16 I wrote the law.

17 MS. STITT: I believe you. So
18 many of them probably could be
19 recategorized as hardship then, and we'll
20 be happy to go back and look at them.

21 COUNCILMAN GOODE: Could be
22 categorized as hardship or they were done
23 because they were financial hardship?

24 MS. STITT: They were done
25 because they were financial hardship.

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2 COUNCILMAN GOODE: But you
3 chose to list them because of financial
4 hardship?

5 MS. STITT: That was the
6 request from the contractor and the
7 contracting department.

8 COUNCILMAN GOODE: And the
9 contractor did not request a waiver under
10 financial hardship?

11 MS. STITT: No.

12 COUNCILMAN GOODE: Okay. That
13 tells a lot.

14 Should the Living Wage and
15 Benefits Review Committee be able to
16 disapprove any of the waivers?

17 MS. STITT: The Administration
18 feels that the Committee should certainly
19 review them and if they believe that the
20 waivers are not proper when we go into
21 that renewal year, absolutely. We should
22 relook at them and see this isn't working
23 out, and they do have to be renewed every
24 year. But mid contract we do have a
25 concern that it could affect --

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2 COUNCILMAN GOODE: I take

3 opposition to the term "mid contract."

4 And I'll get to that later in my

5 questioning, but the question is, should

6 the Living Wage and Benefits Review

7 Committee have that authority to

8 disapprove waivers? You've given out

9 \$213 million in waivers; 80 million of

10 those were just in the best interest of

11 the City, which you say did not fall

12 under financial hardship, but you think

13 could have fallen under financial

14 hardship.

15 MS. STITT: Yes.

16 COUNCILMAN GOODE: But we don't

17 know how many fell under financial

18 hardship or not. So there's no one

19 else's eyes looking at this other than

20 the Administration. So for the record,

21 who is on the Living Wage and Benefits

22 Review Committee?

23 MS. STITT: Who are the

24 members?

25 COUNCILMAN GOODE: Yes.

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2 MS. STITT: Dave Wilson, I
3 believe, is one of the members. Kevin
4 Dow is one of the members.

5 COUNCILMAN GOODE: Kevin Dow is
6 not a member of the Committee.

7 MS. STITT: He's not a member
8 of the Committee?

9 COUNCILMAN GOODE: No. The
10 Council appoints the Committee.

11 MS. STITT: Sylvia
12 Galley-Howard.

13 COUNCILMAN GOODE: Can you
14 please name them by organizations.

15 MS. STITT: By organization?

16 COUNCILMAN GOODE: By
17 organization.

18 MS. STITT: I know three
19 members are City of Philadelphia.

20 COUNCILMAN GOODE: No. One
21 member is the City of Philadelphia.

22 MS. STITT: Okay.

23 Sorry.

24 (Witness approached witness
25 table.)

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2 MS. STITT: So by organization,
3 it is a member of the Office of Labor
4 Standards, which was given -- is
5 designated to the Managing Director's
6 Office; a member of the African American
7 Chamber of Commerce; the Laborers
8 District Council; Greater Philadelphia
9 Chamber of Commerce; and Philadelphia
10 AFL-CIO.

11 COUNCILMAN GOODE: So you have
12 the Administration, the business
13 community, the labor community all
14 represented.

15 MS. STITT: Correct.

16 COUNCILMAN GOODE: You have the
17 Managing Director's Office, you have the
18 Philadelphia Chamber of Commerce, you
19 have the African American Chamber of
20 Commerce, you have the Laborers Union,
21 and you have the AFL-CIO on that
22 Committee.

23 MS. STITT: Yes.

24 COUNCILMAN GOODE: But they
25 should not have the authority to

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2 disapprove waivers?

3 MS. STITT: We believe that's a
4 function of contract management, which
5 remains with the Administration and
6 operations.

7 COUNCILMAN GOODE: It is not a
8 function of contract management. It's
9 the law, and we'll get to that, but the
10 law says that that wage should be paid
11 unless it's financial hardship, unless
12 it's a collective bargaining agreement,
13 unless it's a training component or best
14 interest of the City. You've given out
15 \$213 million worth of waivers and we're
16 still using the number 80 million as a
17 rough number, it could be more, just in
18 the best interest of the City, which may
19 not have been financial hardship, but you
20 don't think anyone outside the
21 Administration should be able to take a
22 look at that?

23 MS. STITT: Well, they are
24 looked at when they come to the Review
25 Committee on a quarterly basis.

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2 COUNCILMAN GOODE: But they
3 have no authority.

4 Do you think the City Council
5 should be able to revoke any of the
6 waivers?

7 MS. STITT: I believe the
8 Committee is -- isn't it a function of
9 City Council?

10 COUNCILMAN GOODE: Do you
11 believe that City Council should be able
12 to revoke waivers? If we look at this
13 list of \$213 million of waivers, 38
14 percent of them were done in the best
15 interest of the City. Do you think City
16 Council should be able to revoke any of
17 these waivers?

18 MS. STITT: I believe that the
19 authority remains with the Administration
20 as we go through our daily business of
21 reviewing contracts and negotiating for
22 contracts.

23 COUNCILMAN GOODE: So you do
24 not believe that that should change?

25 MS. STITT: I believe that

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2 we're happy to work with City Council to
3 come to a mutual agreement on it.

4 COUNCILMAN GOODE: Let me tell
5 you what the problem is. This is a
6 matter of checks and balances. Even if
7 you are 99 percent right, that's \$2 or \$3
8 million being stolen from low-wage
9 workers. If you're even 90 percent
10 right, that's over \$20 million being
11 stolen from low-wage workers. If you're
12 only 50 percent right, that's over a
13 hundred million dollars being stolen from
14 the working poor. But no one else should
15 have authority?

16 MS. STITT: But City Council
17 does have -- you can call us -- we come
18 on a quarterly basis. You can review all
19 the information that we provide. You can
20 ask any questions that you need.

21 COUNCILMAN GOODE: And then we
22 can do what?

23 MS. STITT: And then you can
24 say that this waiver should not go
25 forward as we're moving forward to the

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2 renewal process.

3 COUNCILMAN GOODE: I'm going to
4 get back to that question again in a
5 second, but isn't the Living Wage and
6 Benefits Standard already put in the bid
7 proposal process?

8 MS. STITT: Yes.

9 COUNCILMAN GOODE: So when
10 people are bidding or submitting
11 proposals, are they bidding and
12 submitting proposals with the wage
13 requirement assumed?

14 MS. STITT: No. I don't know
15 what's in the minds of those people
16 submitting proposals, but I certainly
17 would hope they're not assuming that.

18 COUNCILMAN GOODE: But the
19 problem is before the contract process.
20 It's not a mid contract problem. It's a
21 bid and proposal process where in some
22 cases you're telling the people on this
23 list they don't have to pay. There's
24 been testimony -- and, Mr. Wilson, you've
25 been at the Committee meetings. There's

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2 testimony from Fred Wright and others who
3 said outright that there are departments
4 who tell contractors, bidders, people who
5 are submitting proposals, Don't worry
6 about it, you won't have to pay it. Have
7 you received that testimony?

8 MR. WILSON: Yes, we have
9 received the testimony.

10 COUNCILMAN GOODE: Because the
11 testimony is in the packet of the
12 Committee, so I'm glad you said yes.

13 MS. STITT: I can -- if I can
14 make a comment. That's not how -- I
15 started reviewing waivers in March of
16 2013 and I believe even previous to me
17 when Brian Abernathy was reviewing
18 waivers. We take this very seriously.
19 We do not just sign off on a waiver just
20 because it comes on the desk.

21 COUNCILMAN GOODE: Brian
22 Abernathy testified -- Mr. Wilson, you
23 can correct me if I'm wrong -- before the
24 Living Wage and Benefits Review Committee
25 that if we extended the standard to

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2 subcontractors, the Administration will
3 most likely just give a blanket waiver
4 for all subcontractors. Did he not make
5 that testimony, Mr. Wilson?

6 MR. WILSON: Councilman, not
7 having had a chance to review, that's
8 over a year ago, I can't speak to what he
9 specifically said.

10 COUNCILMAN GOODE: That's the
11 whole reason why we introduced the bill
12 and Charter amendment with regard to
13 subcontractors, because he made that
14 statement and because there's a
15 Solicitor's opinion that said that it
16 would not extend to subcontractors.

17 So essentially you can't say
18 you've been taking this very seriously
19 when you gave a blanket waiver to
20 subcontractors, which means that these
21 waivers here, there's no way of knowing
22 who could have paid and who couldn't have
23 paid, but as I said before --

24 MS. STITT: I disagree with
25 that.

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2 COUNCILMAN GOODE: -- if you
3 were 99 percent right, you're still
4 stealing \$2 or \$3 million from the
5 working poor. Even if you're 90 percent
6 right, that's over \$20 million you're
7 stealing from the working poor.

8 MS. STITT: And that's a big
9 if.

10 COUNCILMAN GOODE: It's a big
11 if, but someone else should have a say in
12 it other than the Administration.

13 MS. STITT: And that's why we
14 put together the Committee. We took the
15 comments very seriously.

16 COUNCILMAN GOODE: Someone
17 other than the Administration should have
18 a say in it, but more than that, what the
19 Administration should do is tell people
20 who want to submit bids, tell people who
21 are going to write proposals that you
22 have to pay that wage.

23 MS. STITT: And we do tell
24 them.

25 COUNCILMAN GOODE: So there's

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2 no problem that's created. If it gets
3 revoked later on by a committee or by
4 Council because they simply didn't need
5 the waiver, there's no problem. If you
6 take care of it before the contract
7 process and within the contract itself,
8 it then poses no mid contract problem.
9 The problem here is, you don't think you
10 should have to change your contracting
11 system to accommodate a law that has been
12 on the books since 2005. But the problem
13 I have is that -- I'll say it again -- if
14 you're 99 percent right, you're stealing
15 millions of dollars from the working
16 poor, and that's wrong.

17 Any questions from members of
18 the Committee?

19 Councilman Jones.

20 Let me acknowledge for the
21 record also that Councilwoman Tasco is
22 present as well.

23 COUNCILMAN JOHNSON: And
24 Johnson, sir.

25 COUNCILMAN GOODE: And

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2 Councilman Johnson and Councilman
3 O'Neill.

4 COUNCILMAN JONES: First of
5 all, thank you, Mr. Chairman, for
6 bringing this to light and to staying
7 focused, as my colleague always says,
8 like a laser beam on the issues of the
9 working poor.

10 It is not without irony that
11 last night the President of the United
12 States said that one of his priorities
13 was to bring a \$10.10 minimum wage to
14 this nation. In 2005, we thought that
15 that was a right issue.

16 What is disturbing to me is not
17 so much anything but when we pass laws
18 with good intentions -- sometimes you may
19 not agree with them, and that's okay. We
20 aren't always going to agree. But when
21 it seems as though, as presented by our
22 Chairman, that there is a methodical
23 disregard -- and you are the messengers,
24 you are not the message. So I don't want
25 you to take it personal, which you don't,

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2 but what we are taking personal here is
3 that it seems as though there was a
4 loophole used, a blanket approval and
5 waiver process, and I think the
6 frustration that we have is that we'll
7 struggle, we'll go through our legal
8 processes to create a law, and then
9 there's this do-over kind of process that
10 folks disregard. And what happens when
11 that happens and one of the reasons why
12 our Chairman has said should Council have
13 some insight, some oversight of this
14 process is because that creates a
15 knee-jerk reaction in our processes to
16 kind of deal with the fact that we feel
17 disregarded by way of our legislative
18 authority.

19 So if indeed what you're saying
20 under this testimony that you want to
21 work with us, I suggest that reaching out
22 to the Chairman to figure out officially
23 or unofficially how we can help you to
24 review this so that we're not talking
25 about \$200 million worth of exemptions.

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2 Now, help me to understand
3 what, quote, is in the best interest of
4 the City to go below a living wage. What
5 constitutes best interest?

6 MS. STITT: So can I respond to
7 that?

8 COUNCILMAN JONES: Sure.

9 MS. STITT: So first I'd like
10 to say that I am not aware of a blanket,
11 and I understand what you guys are
12 telling me, but I'm not aware of that,
13 and I never reviewed waivers with that in
14 mind. If you talk to some of our
15 operating departments, they will tell
16 you, Mary holds on to those waivers, and
17 they're just like, Get it to us, because
18 I really take a lot of time to review
19 them. I take them very seriously.

20 Many of these organizations are
21 small non-profits that explain to us that
22 they cannot because some of their
23 contracts have been decreased
24 significantly, because of other economic
25 challenges that they're facing, that they

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2 cannot pay their workers the living wage.

3 COUNCILMAN GOODE: That's
4 financial hardship. That's not best
5 interest of the City, and there's a
6 separate category for financial hardship.

7 MS. STITT: And as I explained
8 earlier, we were reviewing them as
9 hardship/training, and if the training
10 component was not in there, then it went
11 under the best interest of the City to
12 make sure that those services for our
13 citizens, many of them social services to
14 underserved citizens --

15 COUNCILMAN JONES: If I may,
16 which percentage of those waivers were to
17 small non-profits?

18 MS. STITT: 96 percent.

19 COUNCILMAN JONES: So 96
20 percent of the waivers of the --

21 MS. STITT: I actually will go
22 with 90 percent, because a few of them --

23 COUNCILMAN GOODE: Let me cut
24 through this real quickly. You're
25 speaking in terms of the number of

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2 waivers or the value of waivers?

3 MS. STITT: In terms of value
4 of waivers?

5 COUNCILMAN GOODE: In terms of
6 value of waivers.

7 MS. STITT: I mean, if we're
8 talking about the value of waivers, we
9 need to look at all of the contracts in
10 the City. We have over \$2.6 billion, I
11 believe, worth of contracts.

12 COUNCILMAN GOODE: The specific
13 question that's being asked is, of the
14 \$213 million in contracts, 38 percent of
15 them were, quote/unquote, in the best
16 interest of the City?

17 MS. STITT: Yes.

18 COUNCILMAN GOODE: Not for
19 financial hardship?

20 MS. STITT: Right.

21 COUNCILMAN GOODE: Of that
22 number in terms of the value of waivers,
23 what percentage went to --

24 MS. STITT: So we're talking
25 about 80 million. That's what the number

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2 you came up with, about 80 million. I
3 would say that 60 million of that went to
4 non-profit organizations providing social
5 services.

6 COUNCILMAN GOODE: That's not
7 the question that was asked. You know
8 it's not. The question that was asked
9 was, what percentage went to small
10 non-profits.

11 MS. STITT: Of the 80 million?

12 COUNCILMAN GOODE: Of the 80
13 million. I would be very surprised if
14 you came up with a number like that when
15 you've been struggling with numbers all
16 day.

17 MS. STITT: I have been
18 struggling with the numbers of some --

19 COUNCILMAN GOODE: So don't
20 throw out a number all the sudden. If
21 you don't know, just say you don't know.

22 MS. STITT: I don't think
23 that's true, though. I'm giving an
24 educated estimate. I reviewed all of
25 these waivers. There were 46 waivers

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2 over the last year, and if you look at
3 the list that has been provided to the
4 Living Wage Committee, there is more than
5 90 percent that are to non-profits.

6 COUNCILMAN GOODE: You first
7 said that you didn't have Fiscal Year '14
8 numbers. Let me run through some
9 contracts. I'm not going to call out the
10 names. Four million dollar contract, \$4
11 million contract, a \$1 million contract,
12 a \$6.7 million contract, a million dollar
13 contract, a \$2.7 million contract, an \$8
14 million contract, a \$4 million contract,
15 a \$12 million contract, a \$1.7 million
16 contract, \$2.5 million contract, a \$25.5
17 million contract, a \$21 million contract,
18 and I can keep going.

19 MS. STITT: Social services.

20 COUNCILMAN GOODE: Two million,
21 2 million, 5.7 million, 4.3 million, 5.5
22 million, 2.4 million, 2.5 million, 8.9
23 million, 2.5 million, 5.7 million. I
24 don't think you're right.

25 COUNCILMAN JONES: So you --

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2 MS. STITT: Can we look at some
3 of those organizations that we just --
4 not name the organizations, but look at
5 the organizations.

6 COUNCILMAN JONES: Let me ask a
7 question. JEVS, how big is JEVS? I'll
8 say the name. How big is JEVS?

9 MS. STITT: I don't know how
10 big.

11 COUNCILMAN JONES: They're
12 huge, and they got waivers.

13 MS. STITT: Right. But that's
14 one of a few.

15 COUNCILMAN JONES: That's the
16 one that -- all right.

17 MS. STITT: Since we're not
18 calling names, I can't respond. I can't
19 respond.

20 COUNCILMAN JONES: JEVS is
21 huge, and I know that from my procurement
22 days.

23 MS. STITT: And there are some
24 that are big. That's why I said -- I
25 didn't say a hundred percent. I said

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2 probably around 90 percent are small.

3 And even if JEVS is huge, they are

4 providing services needed to the

5 underserved.

6 COUNCILMAN JONES: So people
7 that work for those entities that live in
8 our communities don't deserve a living
9 wage?

10 MS. STITT: That's not what I'm
11 saying.

12 COUNCILMAN JONES: I know
13 you're not saying that, but I want you to
14 understand what we are saying. That
15 people who -- I mean --

16 MS. STITT: And JEVS is one
17 that you brought up, so we can talk about
18 that. That reason for that waiver was
19 collective bargaining. They have a
20 collective bargaining agreement in place.
21 And that's a category that is pretty
22 black and white. They've already
23 negotiated with their workers.

24 COUNCILMAN GOODE: I believe
25 that every request for a waiver in terms

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2 of collective bargaining, if it's a
3 collective bargaining agreement, should
4 be waived. I believe that every request
5 for financial hardship, if it can be
6 proven, should be given. The real issue
7 here is the best interest of the City
8 category, which I gave to the City
9 Administration in negotiation over the
10 bill. It was in the original bill.
11 Because I thought that it might be needed
12 in certain situations, not to be used for
13 38 percent of the waivers or over 40
14 percent of the waivers. That's just
15 wrong. So you were given the authority.
16 You abused the authority. You abused the
17 waiver authority.

18 MS. STITT: I'm sorry, but for
19 the record, I'm going to make it clear
20 that I did not and the Administration did
21 not abuse the authority. That may be
22 your interpretation, but this is a
23 hearing and this is on the record. We
24 did absolutely not abuse the authority.

25 COUNCILMAN GOODE: Thirty-eight

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2 percent --

3 MS. STITT: There is no
4 unethical kind of process here. Not at
5 all. Sorry.

6 COUNCILMAN GOODE: Thirty-eight
7 percent of the waivers were best interest
8 of the City --

9 MS. STITT: Let's call the
10 names.

11 COUNCILMAN GOODE: -- and you
12 can't tell me which one is financial
13 hardship or not?

14 MS. STITT: Let's call the
15 names of the organizations.

16 COUNCILMAN GOODE: First of
17 all, you didn't even have the 'Fiscal
18 Year '14 data when you came here. You
19 wanted to use Fiscal Year '13 data, first
20 of all. So now all the sudden you're an
21 expert on Fiscal Year '14 data?

22 MS. STITT: Yes, because I
23 looked at all of them. And I may not
24 have the data with me, but I reviewed
25 them. I started reviewing them in March

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2 of 2013, and many of them are social
3 services contracts. I can -- there is
4 probably only two that are not.

5 COUNCILMAN GOODE: I'm going to
6 let Councilman Jones finish and then
7 Councilwoman Tasco will be recognized.
8 All I'm saying is very clearly this:
9 There has to be checks and balances,
10 because even if you are 1 percent wrong,
11 that's millions of dollars. If you're 10
12 percent wrong, that's tens of millions of
13 dollars. That's a serious issue for the
14 lowest wage workers in this city.

15 Councilman Jones.

16 COUNCILMAN JONES: So I'm
17 looking at Temple University and I'm
18 looking at JEVS and I'm looking at large
19 contracts coming through DHS, and I'm not
20 claiming anything unethical from my point
21 of view, but I'm saying what does not
22 compute to me is how we can say that
23 people who are providing services to the
24 poor often should also be condemned to be
25 poor as well. And if you don't -- I

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2 mean, it's real simple. The folks who
3 are in lower incomes spend their money.
4 They're disposable income. What they
5 wind up saving, they put it right back
6 into the local economy. I think that's
7 in part the spirit of the law.

8 And so as we start to look at
9 even the larger non-profits and
10 whether -- I agree that collective
11 bargaining, but I'm looking at hardship
12 waivers as well, and I cannot fathom how
13 a hardship waiver applies to a mega
14 non-profit.

15 MS. STITT: And I appreciate
16 that and I appreciate that thought, and
17 that is something that when we dig into
18 the weeds of it, we can talk about and
19 maybe we can come together on a mutual
20 agreement to work that out with those
21 large non-profits. But when we're in the
22 middle of a contract and we need those
23 services to make sure that they get to
24 the citizens, then we have to get this
25 contract moving through, and at that

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2 point if we're looking at the full
3 picture, it may not be many people who
4 are under that wage and they may not be
5 under that wage by a whole lot.

6 Now, there's an -- it seems
7 like there's an allegation that the
8 Administration isn't looking out for our
9 citizens and their living wage.

10 COUNCILMAN GOODE: That's a
11 direct allegation that I made, and I'm
12 proud of it.

13 MS. STITT: And I'm proud of
14 representing the Administration and
15 representing what I have reviewed over
16 the last few months, and we would never
17 want to not give a living wage to our
18 citizens.

19 COUNCILMAN GOODE: You have the
20 option to offer partial waivers. Just
21 now you said you could dig in the
22 contracts and see how much they fall
23 below that wage and see how much they
24 could pay. Have you done that?

25 MS. STITT: About partial

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2 waivers?

3 COUNCILMAN GOODE: Yes. Have
4 you looked at how much the companies
5 could afford to pay?

6 MS. STITT: No, we haven't.

7 COUNCILMAN GOODE: Exactly.
8 Councilman Jones.

9 COUNCILMAN JONES: I have no
10 further questions.

11 COUNCILMAN GOODE: Councilwoman
12 Tasco.

13 COUNCILWOMAN TASCO: As I look
14 at the list -- good morning.

15 MS. STITT: Good morning.

16 COUNCILWOMAN TASCO: -- that I
17 have, the report as you've discussed
18 here, that a majority of these
19 organizations are social service
20 agencies.

21 MS. STITT: Yes, they are.

22 COUNCILWOMAN TASCO: What have
23 you done or the departments done to
24 inform these organizations that we do
25 have a living wage legislation and that

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2 they should begin to adjust their budgets
3 to reflect that? So they may not be able
4 to hire -- so that there could be an
5 adjustment, because otherwise they'll
6 always based on -- because they're
7 receiving probably money -- they have
8 contracts with DHS and Behavioral Health
9 and Office of Supportive Housing.

10 MS. STITT: That's a good
11 point, Councilwoman. Some of the
12 justifications that are sent in by the
13 social services agencies actually say
14 that if they increase the living wage for
15 some of their workers, they may not be
16 able to have as many workers. So they
17 decided to have a lower wage, which is
18 still within the legal parameters, of
19 course, many of them more than the legal
20 minimum wage, but they decided that it
21 was better to have more workers, first of
22 all, to get the work don't. They need
23 them to get the work done, but also they
24 have a job.

25 COUNCILWOMAN TASC0: The other

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2 thing, what is the -- do you look at

3 their budgets? I mean, how deep do you

4 go to look at what other costs they have

5 and is the costs sort of out of line?

6 They're spending too much on other items

7 or operations and not really focusing in.

8 I mean, there has to be a budget review.

9 So the departments would have to do the

10 budget review to assess whether or not

11 they need to cut back on some of their

12 expenses and then look at how to follow

13 this bill.

14 I just think that if you

15 continue -- if they get the mindset --

16 and I'm all for social services. People

17 need the services. But, you know, they

18 need to understand that it may not

19 always -- they need to adjust their

20 operation and their budget, because maybe

21 they get one waiver. Next year you come

22 back, you'd better look at your budget

23 and know that that may not happen.

24 MS. STITT: So the departments

25 do work with them and look at information

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2 regarding their budget. There was
3 actually one example where DHS rejected a
4 waiver because they found that the
5 department had -- the contractor had too
6 much cash on hand. So they actually told
7 them, No, you need to comply with the
8 living wage.

9 I don't know department to
10 department how deep they go into it, but
11 I'd certainly be happy to work with the
12 departments and work with the contractors
13 to look at if there's a way for them to
14 increase the wages of their workers.

15 COUNCILWOMAN TASCO: Well, I
16 think somehow we have to develop a
17 process that helps them understand that
18 the waiver is not forever.

19 MS. STITT: And it's not. It's
20 just one year. It has to be renewed
21 every year.

22 COUNCILWOMAN TASCO: The
23 Councilwoman says it could be forever. I
24 mean, each year it could --

25 MS. STITT: Well, it goes

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2 through the review process every year.

3 COUNCILWOMAN TASC0: Well,
4 okay. I just think that there's a --

5 MS. STITT: It's not automatic.
6 It doesn't just turn over.

7 COUNCILWOMAN TASC0: Well, you
8 know --

9 MS. STITT: And I noted in some
10 of the waivers that I've reviewed that
11 for the next year, I would like to, in
12 that year that we have, sit down with the
13 contractor, sit down with the department
14 and figure out is there a way that they
15 can provide a living wage to their
16 workers.

17 COUNCILWOMAN TASC0: And I know
18 they get cut from the state and cut from
19 the feds.

20 MS. STITT: The feds.

21 COUNCILWOMAN TASC0: Money is
22 not always flowing to the level that
23 maybe a private business may have, but
24 also you can look at what waste there may
25 be in other areas.

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2 MS. STITT: Sure. Sure.

3 COUNCILMAN GOODE: Councilwoman
4 Brown.

5 COUNCILWOMAN BROWN: Thank you,
6 Mr. Chairman.

7 Good morning.

8 MS. STITT: Good morning.

9 COUNCILWOMAN BROWN: I've
10 learned from Councilman Goode that the
11 bill was enacted in 2005, and what you've
12 provided us here with is a chart that
13 speaks to FY 2012 and FY 2013. So I'm
14 curious to know are you beginning to look
15 at trends in these various categories by
16 size of agency? For example, Devereux
17 Foundation, \$6 million, hardship. Help
18 me understand the type of factors that
19 are considered for hardship and the type
20 of factors that are considered when they
21 fall in the category of best interest of
22 the City. What are some of the
23 considerations in both columns?

24 MS. STITT: So as I was
25 explaining earlier, the hardship, we do

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2 look at the finances and whether or not
3 they can -- and it's really the
4 contracting department that works with
5 the organizations. So I don't want to
6 speak for them, but I certainly can get
7 more information to provide to you.

8 But when it comes to me, I look
9 at the recommendation from the operating
10 department and I look at the supplemental
11 information that's provided that shows if
12 there's been a significant decrease in
13 any of their funding, like I said, like
14 their cash on hand, is that really high,
15 so this might not make any sense to give
16 a waiver. So that's -- I look at that if
17 it's under hardship and, like I said, I
18 think there may be a miscommunication,
19 and I certainly can adjust the way that
20 I'm reviewing waivers and the Committee
21 can adjust the way we're reviewing
22 waivers, whereas I think many of those
23 best interest of the City fell under
24 hardship because there was no training
25 component to hardship. So it was best

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2 interest of the City for that.

3 COUNCILWOMAN BROWN: Training
4 means what?

5 MS. STITT: Training means that
6 they may be paying lower than the 21st
7 century living wage, but they have placed
8 these individuals in a position where
9 they can get training so that they can
10 continue to promote and come out of that.

11 COUNCILWOMAN BROWN: And
12 allowances, again, looking at this agency
13 with the \$6 million budget and anecdotal
14 stories that tell me the mission -- the
15 workers are paid pennies and that the
16 upper class is paid what they're paid.
17 The inequity is glaringly obvious. So
18 for an entity like that with \$6 million,
19 how does finances then move them to the
20 category of hardship?

21 MS. STITT: Because the
22 information that they provided to us
23 showed that they could not pay the group
24 of workers that were compliant.

25 COUNCILMAN GOODE: How much

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2 could they pay?

3 MS. STITT: I would have to
4 pull out records on that. I didn't bring
5 every single one of them with me, but I
6 can tell you from what I reviewed that it
7 ranges from the minimum wage, usually a
8 little bit higher, but most of the time
9 it's in the 9.80 --

10 COUNCILMAN GOODE: Do you ask
11 them how much they can pay?

12 MS. STITT: No, I did not ask
13 them how much they can pay.

14 COUNCILMAN GOODE: That's
15 wrong.

16 MS. STITT: Okay.

17 COUNCILMAN GOODE: The law
18 allows for a full waiver or a partial
19 waiver. If they can afford to pay more
20 than they're paying but not the full
21 standard, they should only be given a
22 partial waiver.

23 COUNCILWOMAN BROWN: What is
24 considered "allowances," might you
25 remember?

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2 MS. STITT: I'm sorry?

3 COUNCILWOMAN BROWN:

4 Allowances. Your chart, Quarterly Waiver
5 Data, and I only see one category under
6 Scope and the scope says "allowances."
7 I'm specifically referring to Devereux.

8 MS. STITT: I would have to get
9 back to you on that, Councilwoman.

10 COUNCILWOMAN BROWN: That
11 really is the only one that has as its
12 scope allowances. And I'm struck by the
13 fact that it's a \$6 million entity, that
14 the reason for waiver was hardship. So
15 can you provide that to the Chair, if not
16 now, as a followup? It just
17 distinguishes itself stacked up against
18 all the other social service agencies in
19 this data.

20 MS. STITT: Sure. We'd be
21 happy to.

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

24 COUNCILMAN GOODE: Councilman
25 Jones.

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2 COUNCILMAN JONES: Thank you,
3 Mr. Chairman.

4 One of the things that I would
5 be interested in is -- and I don't want
6 to give this body any more -- we have a
7 lot of work to do and we like you being
8 able to perform this function, but what
9 data that would be helpful for us to make
10 better decisions is if you're saying it's
11 a hardship, based on what, and what the
12 upper management is paid, what the middle
13 management is paid --

14 MS. STITT: We do have that
15 information. We can provide it.

16 COUNCILMAN JONES: -- and then
17 what the line worker is paid. This is
18 not the USSR days where we determine what
19 that should be, but there should be some
20 reasonableness that says if you can't
21 afford to pay the line worker a baseline
22 of a living wage but yet you know the
23 middle managers and upper crust, as the
24 Councilwoman says, are heaping large --
25 maybe there's some room at the top --

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2 MS. STITT: I understand.

3 COUNCILMAN JONES: -- to

4 trickle down to -- I mean, President

5 Obama said 10.10 is the floor now, and we

6 are below that, you know, in a lot of

7 these cases. And so this should be an

8 advanced notification that as we review

9 this stuff, that they're going to have to

10 make a better case as to why it is a

11 hardship or it is in the best interest of

12 the City and what in the world is

13 training. So we need to have harder

14 definitions of that.

15 MS. STITT: Sure. Thank you.

16 COUNCILMAN JONES: Thank you,

17 Mr. Chairman.

18 COUNCILMAN GOODE: Just for the

19 record, I introduced this bill months

20 ago, pleaded with the Administration to

21 tell me what its position was going to

22 be. What you've come up with in terms of

23 working group proposal did not need to be

24 legislated. It's a process you could

25 have set up yourself. You can still set

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2 it up yourself without legislation. The
3 purpose of this bill and the amendments,
4 which were mischaracterized in your
5 testimony as moving toward giving the
6 Committee and the Council authority,
7 actually the original bill gave the
8 Committee and Council that authority.
9 The amendments actually streamlined that,
10 and the amendments actually say that the
11 Administration can continue to approve
12 the waivers and takes away that approval
13 requirement for the Committee, but it
14 gives Council and the Committee
15 disapproval authority, simply because
16 there has to be checks and balances. You
17 agree with that. So about a week or two
18 or so you gave me a copy of your process
19 which allows you to keep all of the
20 authority and decide what's in the best
21 interest of the City and claim you're
22 still willing to work with me and this
23 Committee and this Council, but you're
24 never going to want to give up that
25 authority. And so this is simply a

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2 question of whether there should be
3 checks or balances.

4 Any other questions for these
5 witnesses?

6 (No response.)

7 COUNCILMAN GOODE: Seeing none,
8 the next witness is Carol Duncan from
9 POWER.

10 (Witness approached witness
11 table.)

12 COUNCILMAN GOODE: Good
13 morning, Ms. Duncan. How are you?

14 MS. DUNCAN: I am well. Good
15 morning, Councilman Goode and members of
16 the Committee. Thank you very much for
17 taking my testimony and reviewing this
18 bill. I am Carol Duncan and I am the
19 Co-Chair of the Jobs Strategy Committee
20 of a group called POWER, which is
21 Philadelphians Organized to Witness,
22 Empower, and Rebuild. We are a
23 multi-faith organization with more than
24 40 congregations representing more than
25 2,500 people all across the City of

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2 Philadelphia. And we've been carefully
3 watching the work of Council, and what I
4 want to say in this testimony is that the
5 intent of this bill is to assure that all
6 workers on City projects are paid the
7 21st century minimum wage, which is
8 already in law and the City of
9 Philadelphia really deserves to pay its
10 workers minimum wage.

11 I want to say that I have
12 attended sessions of the Living Wage and
13 Benefits Committee to see how this
14 committee really reviews the waivers, and
15 what happens there is really very little
16 discussion. And at the end of the year,
17 there was a report that listed all of the
18 waivers, but we couldn't figure out why
19 they were made, and there seems to be no
20 standards that the City or anybody could
21 give us about what the reason for the
22 waivers was. And so -- and there were
23 very large contracts, as you've been
24 hearing. And what we want to be sure is
25 that the best interest of the City really

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2 is carried out and, that is, to increase
3 the wages of the most possible of
4 citizens, which is the original intent of
5 this bill. We want to be sure that the
6 least number of waivers are granted and
7 that the people, the "people" meaning us,
8 the citizens of the City, can understand
9 how the waivers work. We're on the side
10 of the working poor in Philadelphia, and
11 we support the intent of this bill to
12 institute greater public oversight of
13 waivers, and we like the idea that the
14 way to do that is by the increased
15 authority of the Living Wage Committee,
16 and we're hoping in the future to work
17 closely with that Living Wage and
18 Benefits Committee. And I thank you all
19 for your work on hearing this bill, and I
20 hope you support and pass it.

21 Thank you.

22 COUNCILMAN GOODE: Thank you
23 for your testimony, Ms. Duncan.

24 Any questions for this witness?

25 (No response.)

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2 COUNCILMAN GOODE: Seeing none,
3 thank you very much.

4 Is there anyone else to testify
5 on this bill?

6 (No response.)

7 COUNCILMAN GOODE: We do have
8 written testimony from Fred Wright, the
9 new President of District Council 47.
10 Mr. Wright also testified before the
11 Living Wage and Benefits Review
12 Committee. He actually represents a
13 number of workers who had their wages
14 waived because they did not have
15 collective bargaining agreements but were
16 given waivers anyway.

17 If there's no one else to
18 testify, we will move from our public
19 hearing into our public meeting to
20 consider both Bills 130744 and 130853.

21 The Chair recognizes Councilman
22 Jones for a motion on Bill No. 130744.

23 COUNCILMAN JONES: Thank you,
24 Mr. Chairman. I make a motion that Bill
25 No. 130744 be moved out of Committee with

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2 a favorable recommendation, that the
3 rules of Council be suspended to allow
4 first reading at our next scheduled
5 hearing.

6 (Duly seconded.)

7 COUNCILMAN GOODE: All in
8 favor?

9 (Aye.)

10 COUNCILMAN GOODE: Those
11 opposed?

12 (No response.)

13 COUNCILMAN GOODE: Bill No.
14 130744 is reported out of this committee
15 with a favorable recommendation and
16 suspension of the rules to allow first
17 reading at our next Council session.

18 The Chair now recognizes
19 Councilman Jones for a motion on Bill No.
20 130853.

21 COUNCILMAN JONES: Thank you
22 again, Mr. Chairman. I make a motion
23 that Bill No. 130853 be moved out of
24 Committee with a favorable
25 recommendation, that the rules of Council

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2 be suspended to allow first reading at
3 our next scheduled hearing of Council.

4 (Duly seconded.)

5 COUNCILMAN GOODE: All in
6 favor?

7 (Aye.)

8 COUNCILMAN GOODE: Those
9 opposed?

10 (No response.)

11 COUNCILMAN GOODE: Bill No.
12 130853 is reported out of this committee
13 with a favorable recommendation,
14 suspension of the rules to allow first
15 reading at our next Council session.

16 This concludes our public
17 meeting. Thank you very much.

18 (Committee on Commerce and
19 Economic Development concluded at 11:15
20 a.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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