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

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, June 3, 2010
1:10 p.m.

PRESENT:

- COUNCILMAN W. WILSON GOODE, JR., CHAIR
- COUNCILMAN DARRELL CLARKE
- COUNCILMAN FRANK DiCICCO
- COUNCILMAN BILL GREEN
- COUNCILMAN CURTIS JONES, JR.
- COUNCILMAN JAMES KENNEY
- COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
- COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS 100134, 100135, 100201, 100304, 100341
and 100369

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COUNCILMAN GOODE: Good

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afternoon. This hearing is called to

4

order. This is a public hearing of the

5

Commerce and Economic Development

6

Committee on Bill Nos. 100134, 135, 201,

7

304, 341 and 369. My name is W. Wilson

8

Goode, Jr., Chair of this Committee.

9

I note that a quorum is

10

present. Present is Vice-Chairwoman

11

Blondell Reynolds Brown, also Councilman

12

Curtis Jones, Councilman Frank DiCicco.

13

The title of Bill No. 100304,

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authorizing the City Representative, on

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behalf of The City of Philadelphia, to

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enter into agreements with the

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Philadelphia Authority for Industrial

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Development and the Philadelphia

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Convention and Visitors Bureau, both for

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purposes of hosting the Army-Navy

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intercollegiate football game in certain

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years, under certain terms and

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conditions.

24

Our first witness is Melanie

25

Johnson, City Representative. Please

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 approach the witness table. And Larry
3 Needle.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN GOODE: Good
7 afternoon, Ms. Johnson. Please state
8 your name for the record and proceed with
9 your testimony.

10 MS. JOHNSON: Good afternoon,
11 Mr. Chairman. Melanie Johnson, City
12 Representative for the City of
13 Philadelphia.

14 Mr. Chairman and members of the
15 Committee on Commerce and Economic
16 Development, I am here today to testify
17 in support of Bill No. 100304. Also
18 available to answer questions is Larry
19 Needle, Executive Director of the
20 Philadelphia Sports Congress.

21 This bill would authorize the
22 City Representative, on behalf of the
23 City of Philadelphia, to enter into
24 agreements with the Philadelphia
25 Authority for Industrial Development and

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the Philadelphia Convention and Visitors
3 Bureau, both for purposes of hosting the
4 Army-Navy intercollegiate football game
5 in certain years, under certain terms and
6 conditions.

7 The Army-Navy game has been a
8 storied Philadelphia tradition since
9 1899, with the City playing host to 82 of
10 the 110 games played in this rivalry.
11 The game represents a wonderful tradition
12 of pageantry and recognition for the men
13 and women of our armed forces. Recently,
14 after a very competitive RFP process, the
15 City of Philadelphia was honored to be
16 selected by the Army and Navy academies
17 as the chosen site for five of the next
18 eight Army-Navy games.

19 Beyond the long history that
20 the game and Philadelphia have shared,
21 the event represents a major economic
22 development priority of the
23 Administration. The game attracts
24 approximately 500,000 visitors each year,
25 creating one of the biggest annual

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 weekends for the City's hospitality
3 industry and 17,000 hotel room nights
4 annually.

5 In 2006, the Army-Navy game
6 generated an estimated \$35 million for
7 the City of Philadelphia. Specifically,
8 that figure includes 19.2 million in
9 direct expenditures and 15.8 million in
10 indirect and induced expenditures. The
11 total impact statewide is calculated as a
12 \$50.8 million economic impact, including
13 an estimated 2.44 million in tax
14 revenues. Moreover, the event represents
15 a tremendous opportunity to market
16 Philadelphia on a national stage.

17 In 2009, the game was
18 broadcasted by CBS in 4.2 million
19 households across the United States.

20 The bill presented before you
21 today will enable the City of
22 Philadelphia to continue one of its most
23 venerable traditions in honor of the men
24 and women who serve our nation's armed
25 forces, while at the same time supplying

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the City with a much-needed economic
3 boost.

4 We thank you for your
5 consideration of this very important
6 bill. We are available to answer any
7 questions you may have.

8 COUNCILMAN GOODE: Thank you
9 for your testimony.

10 Are there any questions for
11 this panel?

12 (No response.)

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

15 Let me note for the record that
16 Councilman Clarke is also here. Thank
17 you.

18 MS. JOHNSON: Thank you,
19 Councilman.

20 MR. NEEDLE: Thank you.

21 COUNCILMAN GOODE: Is there
22 anyone else to testify on this bill?

23 (No response.)

24 COUNCILMAN GOODE: The title of
25 Bill No. 100369, amending Chapter 20-1700

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 of The Philadelphia Code, entitled
3 Philadelphia "Re-Entry Employment Program
4 ("PREP") for Ex-Offenders," and amending
5 Chapter 19-2600 of The Philadelphia Code,
6 entitled "Business Privilege Taxes," by
7 modifying the duties of certain City
8 officials with respect to the PREP
9 program; by expanding eligibility for the
10 PREP tax credit and modifying the terms
11 of the PREP tax credit; and by providing
12 for the participation of certain
13 tax-exempt organizations in the PREP
14 program, all under certain terms and
15 conditions.

16 Our panel is Deputy Mayor
17 Everett Gillison and Turk Thacher from
18 Baker Industries. They both can approach
19 the witness table.

20 (Witnesses approached witness
21 table.)

22 COUNCILMAN GOODE: Good
23 afternoon, Mr. Gillison. Please state
24 your name for the record.

25 DEPUTY MAYOR GILLISON: Good

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 afternoon, Councilman Goode, members of
3 the Commerce and Economic Development
4 Committee. My name is Everett Gillison
5 and I am Deputy Mayor for Public Safety.
6 Thank you for the opportunity to appear
7 before you today on behalf of the Nutter
8 Administration to testify on Bill No.
9 100369. This bill provides changes to
10 the Philadelphia Re-Entry Employment
11 Program, which is also known as PREP.

12 When Mayor Nutter first took
13 office, he made good on his campaign
14 promise to work on crime from two
15 perspectives. The first was to ensure
16 the public safety through smart and
17 preventive policing. The second was to
18 place an emphasis on prisoner re-entry in
19 Philadelphia.

20 I am here today to discuss the
21 latter, particularly this revised version
22 of the Philadelphia Re-Entry Employment
23 Program (PREP), a tax credit incentive to
24 employers who hire and retain
25 ex-offenders. Specifically, we are

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 discussing those ex-offenders who are
3 trying to do the right things for
4 themselves, their families, their
5 neighborhood and our city so they are
6 able to successfully transition and live
7 up to their social contract.

8 First off, I want to put PREP
9 in the context of prisoner re-entry.
10 Prisoner re-entry in Philadelphia is
11 about helping those people coming home
12 from jail or prison to stay out, by
13 helping them enter and stay in the labor
14 market. The most critical aspect to
15 success is a job. Getting and keeping a
16 job are paramount, as is connecting to
17 supports that may be necessary to stay
18 employed, whether they are substance
19 abuse counseling, healthcare, housing,
20 family reunification or mental health
21 services. This was our theory of change
22 when we started, that work was the most
23 important part of prisoner re-entry, and
24 if we helped people transition in a
25 uniform way back home and emphasized

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 work, that we would begin to see crime
3 and recidivism go down.

4 By now we are all becoming too
5 familiar with the grave statistics we
6 face with prisoner re-entry in
7 Philadelphia and nationally. According
8 to research from the Pew Center on
9 States, there were 2.2 million people
10 incarcerated in the United States. Seven
11 hundred thousand will be released from
12 prison this year across the United States
13 and millions more from jails. Another
14 way to look at it, 97 percent of the
15 people who do end up in prison get out.
16 Of those that return, 65 percent will end
17 up being rearrested or reconvicted. What
18 a waste of lives and resources. The
19 Commonwealth of Pennsylvania alone spends
20 \$1.84 billion on corrections each year.

21 We know that it is important to
22 meet people with services as soon as
23 possible to their release dates. Our
24 local Philadelphia Public/Private
25 Ventures operated Ready4Work, which was a

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 national prisoner re-entry initiative
3 demonstration in 2005. Ready4Work
4 emphasized work mentoring and support,
5 and its outcomes lowered recidivism rates
6 by 34 to 50 percent below national
7 averages. Similarly, in Indiana,
8 research showed that those that earned at
9 least \$5,000 in the first six months
10 after release had significantly lower
11 recidivism rates, 35 to 52 percent was
12 the number, than those who did not become
13 employed. In New York City, the
14 organization Center for Employment
15 Opportunities used the transitional jobs
16 model to employ people upon return from
17 Riker's Island and it too decreased
18 felony convictions and incarceration for
19 new crimes.

20 So this is why Mayor Nutter is
21 focusing on work as the central piece of
22 his prisoner re-entry plan. The PREP tax
23 credit and the enhancements we are making
24 to RISE are dramatic signals to employers
25 and people returning from prison to

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Philadelphia that we are serious about
3 ratcheting up success for this
4 population.

5 Prisoner re-entry is a
6 difficult challenge for all those
7 involved, including ex-offenders, the
8 employers, the families and the victims.
9 Even though these are difficult fiscal
10 times, it is important for us not to be
11 lackadaisical when it comes to prisoner
12 re-entry and shy away from big tasks.
13 When we came to office, we worked closely
14 with our colleagues in City Council to
15 rapidly initiate PREP, and while I am
16 glad we followed through on this campaign
17 commitment, we have learned much from our
18 stakeholders, employers, vendors,
19 ex-offenders and advocates about how we
20 can make this program more successful.

21 The amendments offered to PREP
22 in Bill 100369 address many of the
23 problems that made the existing
24 legislation unworkable. The changes
25 offered in this bill include allowing for

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 more flexibility about what counts as
3 work. This includes allowing part-time
4 work and work that is in line with what
5 other co-workers are earning for a
6 similar job;

7 The opportunity of non-profits
8 to work with for-profits by selling part
9 of the credit. This will allow
10 non-profits who serve ex-offenders a
11 chance to get more investment from the
12 private sector into what they do;

13 And eliminating the mandate for
14 the ex-offender to pay back the credit.
15 The main purpose of the credit was to
16 help ex-offenders get a fair chance to
17 compete for jobs. Asking them to pay
18 back the credit was well intentioned, but
19 ultimately it discouraged people from
20 participating in the program;

21 And the fourth is changing the
22 name of the Mayor's Office or the
23 Re-Entry of Ex-Offenders to RISE, and
24 giving RISE the lead role in
25 administering this credit, ensuring the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 eligibility, marketing to employers and
3 verifying results. We in the Mayor's
4 Office have to redouble our efforts to
5 market and execute this credit if it's
6 going to be a way to be used by employers
7 and easy execution for our Department of
8 Revenue.

9 Again, we spend a great deal of
10 effort taking measure of PREP, its
11 limitations and its potential by drawing
12 on the suggestions and recommendations
13 from local employers, advocates, service
14 providers and even our own City agencies.
15 I am grateful for their time and energy
16 sharing with us their experience with
17 this tax credit. As such, this revised
18 legislation will make it easier for
19 employers to use the credit and make it
20 less burdensome on ex-offenders.

21 Concurrent with making these
22 recommendations, my office is also
23 revamping how the credit is being
24 marketed and executed. We are redoubling
25 our efforts to engage as many

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 organizations as possible that work and
3 employ ex-offenders, including those
4 funded through the Workforce and TANF
5 systems, to understand the credit and use
6 it as a tool to place people in jobs.
7 Also, we are revamping RISE, which will
8 include providing the RISE team with more
9 support, as well as insisting on
10 accountability to determine the
11 eligibility of employers and ex-offenders
12 for the credit, marketing the credit and
13 tracking its success.

14 We have done a lot around
15 prisoner re-entry during the last three
16 years. We have lowered prison rates, we
17 have worked on diversion efforts, and our
18 RISE center is working with an inventory
19 of local program providers, among other
20 achievements. The amendments offered
21 today in Bill 100369 to PREP will
22 continue to refine these efforts in
23 general and to create a more
24 comprehensive and comprehensible system
25 to those who use it in Philadelphia.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 Now, there are still challenges
3 that we face, including tens of thousands
4 of ex-offenders in our community who are
5 not getting fair access to compete for
6 jobs, but we are moving forward in
7 dealing with these issues, and the
8 changes offered today to the PREP
9 legislation helps ensure that employers
10 will look favorably on ex-offenders as
11 prospective employees.

12 I'll be glad to answer any
13 questions the Committee or the Chair may
14 have.

15 COUNCILMAN GOODE: Thank you
16 for your testimony.

17 Mr. Thacher, we'll take your
18 testimony as well. Please state your
19 name for the record and proceed with your
20 testimony.

21 MR. THACHER: Thank you,
22 Councilman Goode. My name is Turk
23 Thacher. I'm President of Baker
24 Industries, a non-profit workforce
25 development program with a facility at

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 3506 F Street, Philadelphia, Pennsylvania
3 19134, and we are very much in favor of
4 Bill No. 100369.

5 Baker Industries saves lives.
6 The purpose of our 30-year-old workforce
7 development program is to instill a
8 strong work ethic in our population of
9 low income, vulnerable adults, which in
10 our Philadelphia operation includes
11 ex-offenders, former substance abusers
12 and homeless people. In doing so, we try
13 to build their self-esteem and work
14 skills to the point where those who are
15 ready are able to move into the real
16 workforce. Through such vehicles as our
17 temporary employment program, we have
18 been able to help an average of 67
19 individuals each year to do just that, 67
20 individuals who become one step closer to
21 becoming independent and productive
22 members of their communities.

23 For those who are unable to be
24 mainstreamed, we provide long-term
25 employment at our work sites. Each year,

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 100369. We sincerely hope you give it
3 favorable consideration.

4 COUNCILMAN GOODE: Thank you
5 for your testimony.

6 Councilman Jones.

7 COUNCILMAN JONES: Thank you,
8 Mr. Chairman, and thank you for putting
9 forth this effort as the Chair of the
10 Economic Development. The one thing that
11 I can say during my membership here is
12 that there has been an equal balance of
13 different types of opportunity, whether
14 it's entrepreneur, whether it's work
15 training, and I think that needs to be
16 said on the record. Thank you for that.

17 I want to also acknowledge you
18 and your commitment in the private sector
19 to help us in that endeavor and say to
20 you thank you publicly for taking a risk
21 on -- or an investment in a vulnerable
22 population.

23 Also, I've always respected you
24 as an individual and a human being, but
25 have learned over the last three years to

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 respect your intelligence and integrity
3 as a professional. So I say all of that
4 in context so that you understand the
5 spirit of my comment. And I reflect on
6 what a young man who was in his third
7 year at Del State said to me. We're
8 right at the crash of the financial
9 markets and they withdrew credit for his
10 student loan. And we were talking, and I
11 was talking with a bunch of mixed group
12 of individuals, some of them
13 ex-offenders, some of them college kids,
14 because they tend to blend in the same
15 group sometimes. They don't put on their
16 resume, I'm an ex-offender or I'm a
17 college student. It just happens like
18 that.

19 But the young man pulled me
20 aside and we were talking about
21 ex-offender opportunities and things like
22 that, and he says, You know, I went to
23 school every day in high school when
24 other guys were cutting class and
25 stealing cars and doing some other

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 things. He said, I went and applied for
3 college and made my mother sign over a
4 parent plus loan, and she's in debt for
5 me, and when the market collapsed, I
6 wound up not being able to pay my
7 tuition, not being able to go back and
8 finish my senior year. And when you
9 start talking about employment
10 opportunities for ex-offenders, what do I
11 have to do to get a job? Be an
12 ex-offender? And when he said it, it was
13 like he hit a mule in the head with a
14 two-by-four, because what I think I said
15 in my beginning comment about this
16 committee is balance.

17 So I say that when we start
18 talking about income tax credits for
19 interns that are in a different path,
20 that we be able to answer that young man
21 that there's a pathway for you too.

22 Some of my best friends are
23 ex-offenders, and I hang in the same
24 crowds with them or grad students, and I
25 judge people on the individual person,

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 not their resume. But we have to be able
3 to answer that question with a balance to
4 be able to say that, no, you don't have
5 to get on the wrong track to get on the
6 right track with a job.

7 And I say that and I thank you
8 again, Mr. Chairman, for all the ways
9 putting different venues to success and
10 different highways to success for our
11 most vulnerable and our most
12 accomplished, and that's my only comment
13 for the day.

14 DEPUTY MAYOR GILLISON: Thank
15 you.

16 COUNCILMAN JONES: Thank you.

17 COUNCILMAN GOODE: Thank you,
18 Councilman.

19 Mr. Gillison, while the tax
20 credit over the years has not been as
21 successful as you would have like it to
22 have been, could you please elaborate for
23 the record some of the other employment
24 opportunities actually created by RISE
25 and this Administration.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 DEPUTY MAYOR GILLISON: Yes.

3 Obviously over the last -- especially the
4 last 18 months, we've been able to, as a
5 way of reemphasizing work, about 1,000
6 people have come through the doors,
7 1,000, 1,200 have come through the doors.
8 We have been able to place them on the
9 case management level and have provided
10 services to them directly for about up to
11 about 700, and of that 700, we've
12 actually provided job opportunities for
13 just over 375 to 400 individuals.

14 They are working today, and
15 their recidivism rate, which is the one
16 that I'm always looking at, is less than
17 four percent. And I will even go further
18 to say that I drill down. The recidivism
19 for what they were -- what they actually
20 dealt with is usually drug related and
21 it's usually marijuana related. So we've
22 had one or two felony issues that I've
23 had to deal with, and, quite frankly, it
24 was a disappointment to see someone go
25 through and still make the wrong choice

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 at the end, but as I went to and as I
3 said to the individual personally, I'm
4 still not giving up on you. You might
5 have given up on yourself, but you need
6 to be a testament to everybody else
7 that's in this jail that even if you went
8 the wrong way and you're going to pay for
9 that, whatever happens is going to
10 happen, but as a society, I still don't
11 want to say that we give up on you.

12 And so I think that we've had a
13 very good track record. We currently,
14 having moved the location from 54th and
15 Woodland, now the RISE program is located
16 at 11th and Market Streets, we are
17 centrally located. We are getting
18 somewhere on the order of 20 to 30
19 drop-ins a day. We have co-located in
20 the RISE center as a one-stop center a
21 mentoring program with five churches that
22 are now providing mentors. We have the
23 America Works program, which is a rapid
24 attachment to work, jobs training program
25 working with us. And in addition to the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 RISE staff; that is, while we're going to
3 get out of direct services, we're still
4 providing it until we can get additional
5 money so we can bring more people on that
6 can help us do the job.

7 In addition, we have now
8 gone -- and we start behind the walls.
9 Obviously public safety is my part of the
10 portfolio. The prisons come under my,
11 basically, supervision, and as a result,
12 we start the RISE program behind the
13 walls, getting people ready three to six
14 months outside and getting them prepared
15 by doing both internal job training as
16 well as kind of like what I call the
17 attitude training to get them ready to
18 get back out. So I think that with more
19 time and with more partners, we should be
20 able to even do a better job of getting
21 things going.

22 I'm also -- I can tell you that
23 we have made a change in bringing on
24 Kerry Solano. She has now joined the
25 RISE staff and really my staff in the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Office of Public Safety, and her job
3 literally is going to be my commitment, a
4 stated commitment, to getting people in
5 the private sector to begin making a
6 commitment to hire ex-offenders. That's
7 what she's going to do 24/7. Much as I
8 try to bring this attention to this
9 population, we're now having Kerry work
10 out initially and have championed CEOs
11 join a board to help us bridge the gap.

12 So we've done quite a number of
13 different things in the last 18 months.
14 I wish we would have had more success in
15 getting more employers to join up. We've
16 had six go through the process. None
17 have actually take advantage of it for
18 reasons that the changes here pretty much
19 go forward, but I am heartened by the
20 fact that each of them have said that
21 with these changes going in, that they
22 feel that they would be in a better
23 position to take advantage of the credit
24 and, therefore, employ more ex-offenders,
25 which is what it's all about.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 COUNCILMAN GOODE: Thank you.

3 Let me note for the record
4 we've been joined by Councilwoman Sanchez
5 and Councilman Green.

6 Councilman Clarke.

7 COUNCILMAN CLARKE: Thank you,
8 Mr. Chairman.

9 Good afternoon.

10 DEPUTY MAYOR GILLISON: Good
11 afternoon.

12 COUNCILMAN CLARKE:
13 Mr. Gillison, one quick question, and I,
14 like Councilman Jones, would like to
15 commend you on your great work, having
16 had the occasion more recently to work
17 with you on a number of matters. You're
18 truly an asset to the Administration.

19 The City of Philadelphia put in
20 an application for stimulus dollars for
21 short-term job opportunities, and I
22 believe we're having a hearing on the
23 transfer ordinance next week to put in
24 place the mechanisms to draw that money
25 down. And I know during the course of

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the conversations with Jennie and Lance
3 and the folks who are working on that,
4 the question was will ex-offenders have
5 an opportunity for those job
6 opportunities, all be them temporary, but
7 the fact of the matter is, they're jobs
8 and it's a good way to develop a work
9 ethic and some track record as it relates
10 to resume building.

11 Are you involved in that or is
12 RISE --

13 DEPUTY MAYOR GILLISON: Oh,
14 yes. I'm involved in making sure that,
15 as I said -- and I get rather personal
16 with it. I said, You're not going to be
17 able to do this unless you open it up to
18 my guys. Jennie Sparandara has come. I
19 meet with her about this. I said,
20 There's got to be a way for us to provide
21 job opportunity and work for the people
22 that I basically represent. And I
23 understand and -- I understand Councilman
24 Jones' point. Literally people should
25 not have to be categorized ex-offenders

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 and non-ex-offenders and then only
3 certain people get jobs as opposed to I'm
4 going to look at the individual. It's a
5 holistic view of how the individual needs
6 to be maintained.

7 So, yes, I've been -- I haven't
8 been part of the direct negotiations of
9 how this is going to work, but I have
10 been insistent that ex-offenders be given
11 an opportunity to compete for jobs and
12 not be thrown out, just dismissed and say
13 that they can't even be put forward. So,
14 yes, I'm a part of that.

15 COUNCILMAN CLARKE: Well, have
16 you gotten a response? Because to date,
17 given our involvement in the process, I
18 know Councilman Jones and myself and our
19 staff members have been working prior to
20 the application process, and we didn't
21 get a real definitive sense of who and
22 how people will be eligible. And I guess
23 I want to talk more particularly about
24 the jobs that possibly the City's
25 departments will take advantage of, those

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 working for Tommy Conway and the Mural
3 Arts Program. Have you gotten a sense of
4 what --

5 DEPUTY MAYOR GILLISON: Those
6 are the areas that I kind of made sure
7 that they're using, because currently I
8 use those areas with my ex-offenders that
9 are in prison currently. It is not well
10 known, but I think that it should be,
11 that about a year ago I approached the
12 CLIP program with Commissioner Giorla and
13 I said that I am not a fan of people who
14 have both talent and opportunity and will
15 who want to work, to begin the process of
16 learning how to use their skills, and I
17 knew CLIP needed additional persons. I
18 said, I've got a whole prison full of
19 people that are sitting here. They're
20 willing to work. All they need is
21 somebody to end up giving them some
22 training and giving them an opportunity.
23 And I know that Commissioner Giorla sends
24 out on a weekly basis anywhere between
25 five and ten work crews, and they clean

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 up wherever we basically and Tommy needs
3 assistance. They clean up all over the
4 City. We're trying to expand it. I'm
5 hoping to use those dollars to get that
6 program expanded, and I want my guys to
7 be able to use that, even if they're
8 outside, not just be on the inside, but
9 the outsiders to be able to be using some
10 of that money as well and get those
11 opportunities. That's where I've been
12 focusing my efforts.

13 I have not -- I had my last
14 talk with Jennie, I think it was, two
15 weeks ago. I've been busy on a couple of
16 other things that I'm sure you're aware
17 of, so I'll get my staff to get a direct
18 answer to where we stand. I do know that
19 I have a briefing coming up on Tuesday on
20 the transfer ordinance and I hope to have
21 my answers before then.

22 COUNCILMAN CLARKE: Okay.
23 Because I know that's an opportunity, one
24 that we, frankly speaking, have some
25 level of control over and I think that we

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 need to maximize that opportunity.

3 DEPUTY MAYOR GILLISON: Oh,
4 absolutely.

5 COUNCILMAN CLARKE: Although we
6 didn't get as many jobs as I would have
7 liked, but whatever we have, I think it
8 should be shared in a meaningful way.

9 DEPUTY MAYOR GILLISON: Thank
10 you.

11 COUNCILMAN CLARKE: Thank you,
12 Mr. Chairman.

13 COUNCILMAN GOODE: Thank you,
14 Councilman.

15 Are there other questions,
16 comments from the Committee?

17 Councilwoman Brown.

18 COUNCILWOMAN BROWN: Thank you.

19 Good afternoon, gentlemen.

20 Mr. Thacher, tell us briefly
21 what your company does, services
22 provided, et cetera.

23 MR. THACHER: We are strictly a
24 workforce development program. In
25 Philadelphia, we hire primarily

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 ex-offenders and we get work from
3 approximately 100 different customers,
4 work that's outsourced to us, and our
5 focus is on teaching basic work skills,
6 work ethic. We don't focus on job
7 skills, with one exception, and you have
8 that right before you. That's one of our
9 really exciting new projects. We're
10 working with the Center City District in
11 Philadelphia. Every time there's an
12 event in the City, you see their banners
13 hanging from the streetlights, and they
14 have some 40,000 banners, and we have
15 begun to convert them to tote bags.
16 Wonderful, colorful, exciting banner
17 bags, as we call them.

18 COUNCILWOMAN BROWN:
19 Sustainable as well.

20 MR. THACHER: Sustainable. The
21 banners are first laundered at Philacor,
22 which is Philadelphia Department of
23 Corrections, wonderful training program
24 run by Howard Doherty, does a great job,
25 and then they come to us, where our

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 ex-offenders are being taught how to cut
3 and sew. We're very excited about that
4 and hope that perhaps it's an opportunity
5 to bring a little of the needle trade
6 back to Philadelphia, which used to be a
7 wonderful hub in the garment industry.

8 But our focus normally is just
9 on work skills, and we have a wonderful
10 woman who works with all our folks and
11 tries to help them to find jobs, to work
12 with them to get e-mail addresses and
13 voicemail, and then mentors them as the
14 ones that leave our program successfully
15 for jobs. And just as Deputy Mayor
16 Gillison, our program indicates that
17 those folks that leave our program
18 successfully with employment have a
19 recidivism rate of exactly four percent.

20 COUNCILWOMAN BROWN: So does
21 the linkage happen prior to their release
22 from a correctional facility?

23 MR. THACHER: To us?

24 COUNCILWOMAN BROWN: Yes.

25 MR. THACHER: No. We get our

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 people primarily from halfway houses.
3 There are probably 25 halfway houses
4 within a five-mile radius of our facility
5 in West Kensington. We're on the Mayor's
6 Second Chance list. We've hired
7 individuals from RISE in the past. Right
8 now our big focus is the Way to Work
9 program, which is also a subsidized wage
10 program.

11 COUNCILWOMAN BROWN: So for
12 ex-offenders that contact our office and
13 are looking to get back on track, to
14 quote Councilman Jones, can that be a
15 direct referral from our office to
16 your --

17 MR. THACHER: Absolutely.
18 Absolutely. Work is the engine that
19 drives our program. As long as we have
20 work, we're hiring. And when our work
21 drops off, we try to spread the pain and
22 bring people in alternately so that we
23 don't kill them all.

24 COUNCILWOMAN BROWN: How long
25 have you been in this business?

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 MR. THACHER: Myself or the
3 business itself?

4 COUNCILWOMAN BROWN: The
5 business.

6 MR. THACHER: I've been doing
7 it for eight years. The business was
8 established in 1980 by two wonderful
9 people, Charlie and Weezie Baker.

10 COUNCILMAN BROWN: Well, thank
11 you very much.

12 MR. THACHER: Thank you.

13 COUNCILWOMAN BROWN: Thank you.

14 Thank you, Mr. Chairman.

15 COUNCILMAN GOODE: Thank you,
16 Councilwoman.

17 Any other questions?

18 Councilwoman Sanchez.

19 COUNCILWOMAN SANCHEZ: I have
20 to take this opportunity. Councilman
21 Green and I had an opportunity to visit
22 Baker Industries almost a year ago when
23 we were looking at ways in which the City
24 could take advantage of what has been a
25 great program in West Kensington -- and

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 that's why I brought the bag down,
3 because I wanted you to know that I still
4 use it -- and just show the opportunities
5 and the creativity if we allow to take a
6 product, recycle it, create a job
7 opportunity. But really what Mr. Baker
8 and what they do is provide hope for the
9 folks who come in and an opportunity to
10 really turn their lives around.

11 So I want to thank you, on
12 behalf of my constituents, the many that
13 you serve. Thank you.

14 MR. THACHER: Thank you. Thank
15 you very much.

16 COUNCILMAN GOODE: Thank you,
17 Councilwoman.

18 Any other questions or
19 comments?

20 (No response.)

21 COUNCILMAN GOODE: Is there
22 anyone else to testify on this particular
23 bill?

24 (No response.)

25 COUNCILMAN GOODE: Seeing none,

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 thank you.

3 DEPUTY MAYOR GILLISON: Thank

4 you.

5 MR. THACHER: Thank you very

6 much.

7 COUNCILMAN GOODE: The title of

8 Bill No. 100134, amending Chapter 17-1600

9 of The Philadelphia Code, entitled

10 "Economic Opportunity Plans," by

11 modifying the monetary threshold

12 triggering the requirement of an economic

13 opportunity plan on City funded projects

14 or contracts.

15 The title of Bill No. 100135,

16 amending Chapter 17-1600 of The

17 Philadelphia Code, entitled "Economic

18 Opportunity Plans," by establishing

19 minimum standards of "best and good faith

20 efforts" to be employed in the

21 development and implementation of

22 Economic Opportunity Plans.

23 The title of Bill No. 100201,

24 amending Chapter 17-1600 of The

25 Philadelphia Code, entitled "Economic

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Opportunity Plans," by establishing
3 standards for approvals of certain
4 transactions involving the Philadelphia
5 Authority for Industrial Development,
6 including commitments to Economic
7 Opportunity Plans.

8 The title of Bill No. 100341,
9 amending Title 17 of The Philadelphia
10 Code, entitled "Contracts and
11 Procurement," by amending Chapter
12 17-1600, entitled "Economic Opportunity
13 Plans," by expanding the definition of
14 "Covered Project or Contract," to include
15 certain projects and contracts that
16 require resolutions of Council to
17 proceed.

18 Our next panel is Angela
19 Dowd-Burton, Kevin Dow and Terry Gillen.
20 If you all could approach the witness
21 table.

22 (Witnesses approached witness
23 table.)

24 COUNCILMAN GOODE:
25 Ms. Dowd-Burton, please state your name

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 for the record and proceed with your
3 testimony.

4 MS. DOWD-BURTON: Good
5 afternoon, Chairman Goode and members of
6 the Committee on Commerce and Economic
7 Development. My name is Angela
8 Dowd-Burton. I am Executive Director of
9 the Office of Economic Opportunity. I am
10 here today to provide testimony on Bill
11 No. 100134. This bill amends Chapter
12 17-1600 of The Philadelphia Code by
13 modifying the monetary threshold
14 triggering the requirement of an economic
15 opportunity plan on City funded projects
16 and contracts.

17 The Administration is dedicated
18 to maximizing the opportunity for
19 minority, women and disabled-owned
20 businesses to contract with the City of
21 Philadelphia. The Economic Opportunity
22 Plan is an effective tool for leveraging
23 the portfolio of OEO-registered companies
24 and those certified by PA-UCP and other
25 certifying agencies. We recognize that

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 in order to turn this economy around, we
3 must facilitate the growth of businesses
4 designed to put people to work.

5 As introduced, Bill No. 100134
6 would lower the threshold of projects and
7 contracts requiring EOPs from \$1 million
8 to \$100,000. We support the opportunity
9 to expand the role that EOPs play in
10 helping to achieve our Inclusion Works
11 Strategic Plan. The Administration
12 believes, however, that lowering the
13 threshold to \$100,000 would not be
14 productive.

15 Strategically, the greatest
16 application of the Economic Opportunity
17 Plan is on the largest contracts and
18 projects. These transactions tend to
19 have components that can easily be
20 assigned or subcontracted out to
21 minority, women and disabled businesses.
22 There are more opportunities to bring on
23 employees for various operations and
24 functions on a big contract.

25 The focus of OEO is to develop

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 and grow the capacity of businesses.
3 There are fewer options for designing a
4 business relationship around a shrinking
5 pie. We would prefer to concentrate our
6 efforts and our limited resources where
7 we can have the greatest impact.

8 Based on contracting figures
9 from 2007 through 2010, reducing the
10 threshold from \$1 million to \$100,000
11 would almost triple the number of
12 contracts covered. We would prefer a
13 less significant reduction in the
14 threshold. We have discussed a reduction
15 in the threshold to \$250,000 with the
16 bill's sponsors and are prepared to work
17 with that requirement. I would like to
18 offer the Committee an amendment to the
19 bill that would make that change. And I
20 do have a copy here, if you would like
21 it.

22 Please note that whatever level
23 the EOP threshold is set, the
24 Administration will continue to develop
25 and consider subcontracting inclusion

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 goals for all contracts.

3 We believe that Bill 100134,
4 with this proposed amendment, will
5 certainly challenge our current
6 operations, but the Administration also
7 believes it will give us an opportunity
8 to aggressively pursue our mission to
9 foster the growth and sustainability of
10 minority, women and disabled businesses,
11 as well as facilitate diversity within
12 the local workforce.

13 I thank you for this
14 opportunity to testify and propose
15 amendments to Bill 100134. I will be
16 happy to address any questions you have
17 at this time.

18 COUNCILMAN GOODE: Thank you.
19 Please proceed with your testimony on
20 135.

21 MS. DOWD-BURTON: This bill
22 amends -- Bill 100135 amends Chapter
23 17-1600 of The Philadelphia Code,
24 entitled "Economic Opportunity Plans," by
25 establishing minimum standards of "best

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 and good faith efforts" City contractors
3 and developers must agree to utilize in
4 economic opportunity plans submitted to
5 the City in order to demonstrate their
6 attempts to reach inclusion goals
7 established by the City in connection
8 with City contracts and development
9 projects.

10 Bill 100135 seeks to strengthen
11 the best and good faith efforts
12 requirements as defined in Section
13 17-1603. The Administration supports and
14 applauds the objective of ensuring that
15 contractors and developers of City-owned
16 property make real and substantial
17 efforts to increase the participation of
18 minority, women and disabled-owned
19 businesses in the economic growth and
20 vitality of this city. It also
21 enthusiastically supports efforts to
22 ensure that our contractors and
23 recipients of property share our
24 commitment to ensuring actions that
25 provide real opportunities to add

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 minorities and women to the workforce.
3 This legislation should drive the
4 development of more productive business
5 relationships for those seeking to do
6 business with the City and result in the
7 success of the OEO Inclusion Works
8 Strategic Plan.

9 We offer several amendments to
10 strengthen this bill and assist you in
11 achieving these objectives.

12 The Administration first seeks
13 to exempt from the requirements of
14 demonstrating best and good faith efforts
15 a contractor or a recipient of property
16 who commits in their economic opportunity
17 plan to meet the City's established
18 participation ranges. These participants
19 would not be required to complete a Best
20 and Good Faith Efforts form on the
21 contract or project. Participants who
22 have demonstrated their ability to secure
23 participation are presumed to have made
24 their best and good faith efforts.

25 Secondly, the list of actions

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 technical amendments to provide
3 consistency throughout Chapter 17-1600.

4 The amendments have been
5 provided to the Committee, but I also
6 have a copy of those if you would like to
7 have a copy at this time.

8 The Administration appreciates
9 Council's efforts to help us build an
10 infrastructure that promotes the OEO
11 Inclusion Works Strategic Plan as a
12 cornerstone for building minority, women
13 and disabled-owned businesses, as well as
14 putting minorities and women to work.

15 Thank you for considering my
16 testimony and these proposed amendments
17 to Bill 100135. I'm happy to answer any
18 questions you may have at this time.

19 COUNCILMAN GOODE: Thank you.

20 Mr. Dow.

21 MR. DOW: Good morning,
22 Chairman Goode and the members of the
23 Committee on Commerce and Economic
24 Development. My name is Kevin Dow and I
25 am the Chief Operating Officer of the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Department of Commerce and am appearing
3 here today to testify on Bill No. 100201.
4 This bill sets forth a requirement that
5 Council will not approve real estate
6 transactions involving the Philadelphia
7 Authority of Industrial Development
8 unless the transaction contains a
9 commitment from PAID that it will require
10 any recipient of property to adopt an
11 Economic Opportunity Plan compliant with
12 Section 17-1603 of The Philadelphia Code.
13 This bill also requires subsequent
14 developers of the property to make
15 comparable commitments.

16 We support the bill's spirit of
17 improving minority and disadvantaged
18 business participation rates in
19 construction work and the workforce
20 associated with businesses that will
21 operate in property formerly controlled
22 by the City. We recommend several
23 amendments to strengthen the bill, which
24 have been provided to -- which I can
25 provide to the Committee at this time if

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 you'd like to have copies. With these
3 proposed amendments, Philadelphia will
4 remain true to the critical objective of
5 promoting a diverse workforce in our
6 construction and building industries,
7 while also continuing to promote economic
8 development and the redevelopment of the
9 large pool of property currently in the
10 City's hands.

11 First, the bill, as drafted,
12 would apply to all real estate
13 transactions in which PAID is involved.
14 PAID is sometimes used as a conduit for
15 real estate transactions that have a
16 relatively small value and will not
17 result in large development projects. In
18 our view, there is a diminishing return
19 to requiring EOPs in projects that may
20 have very small contracting or workforce
21 opportunities. For this reason, the
22 Administration recommends the bill's
23 scope be narrowed to transactions
24 involving a property or properties valued
25 in excess of \$250,000 or for projects

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 anticipated to exceed \$250,000 in value.
3 By establishing a minimum project size to
4 which the EOP requirement is attached,
5 the bill's language will also be more
6 consistent with existing legislation
7 governing the contracts and projects in
8 connection with which the City's EOP
9 requirements apply.

10 Secondly, as the legislation
11 currently reads, the EOP requirement will
12 be built into land transactions at fair
13 market value. As you know, the City has
14 a very large inventory of unused
15 properties and we are working very hard
16 to get those properties into private
17 hands so that they can be put to use and,
18 more importantly, put on our tax rolls.
19 We are concerned that imposing the full
20 EOP requirements on sales for fair market
21 value will lower the attractiveness of
22 the City's real estate stock and make
23 City sales anti-competitive in relation
24 to private sales in the City or sales of
25 properties in the surrounding counties.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 Finally, the component of the
3 bill requiring subsequent developers of
4 property, after the initial purchaser, to
5 make comparable commitments compliant
6 with EOP guidelines should be modified
7 from its current open-ended term. It is
8 our concern that imposition of the
9 requirement for an indefinite period of
10 time represents a deed restriction,
11 which, in turn, will adversely impact the
12 attractiveness of those sites subject to
13 the legislation and potentially the
14 developer's ability to secure private
15 financing. To mitigate this concern, the
16 Administration proposes amending the bill
17 so as to bind subsequent developers to
18 the EOP requirement for a period of five
19 years from the date of conveyance by
20 PAID.

21 Thank you very much for taking
22 my testimony and your consideration of
23 the Administration's proposed amendments
24 to Bill No. 100201, and I am happy to
25 answer any questions you may have.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 COUNCILMAN GOODE: Thank you,
3 Mr. Dow.

4 Ms. Gillen.

5 MS. GILLEN: Good afternoon,
6 Councilman Goode and members of the
7 Commerce and Economic Development
8 Committee. I am Terry Gillen, the
9 Executive Director of the Redevelopment
10 Authority, and with me is Deborah
11 McColloch, the Director of the Office of
12 Housing and Community Development. We
13 are here on behalf of the Nutter
14 Administration to testify on Bill No.
15 100341. This bill would expand the
16 requirement that Equal Opportunity Plans
17 be prepared from activities requiring a
18 City Council ordinance to ones for which
19 Council approval by resolution is
20 required.

21 From a practical point of view,
22 the change will apply to two kinds of
23 transactions handled by the Redevelopment
24 Authority. The first kind of transaction
25 is the disposition of City-owned

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 properties pursuant to recommendations to
3 the VPRC, the Vacant Property Review
4 Committee. Under the Home Rule Charter,
5 disposition of City-owned properties,
6 absent an auction, may be made through
7 either the Redevelopment Authority or
8 through PAID. The RDA acts on behalf of
9 the City for VPRC properties conveying at
10 fair market value or for nominal
11 consideration. City Council approves
12 VPRC transactions by resolution. VPRC
13 properties are typically single vacant
14 lots or vacant residential properties in
15 poor condition. Occasionally larger
16 properties of some value are also
17 conveyed through the VPRC process. The
18 takers of VPRC properties include
19 neighbors wishing vacant lots as side
20 yards, community development corporations
21 developing affordable housing, and
22 private parties, including businesses and
23 for-profit developers. Depending on the
24 monetary threshold -- and I understand
25 that Bill No. 100134 also under

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 consideration today may reduce that
3 threshold to as little as 100,000,
4 although I understand we're also talking
5 about maybe 250,000 -- some VPRC
6 transactions may trigger EOPs under Bill
7 100131.

8 For example, a CDC assembling a
9 site for an affordable housing
10 development would probably exceed the
11 monetary threshold and would be required
12 to submit an EOP, depending on what the
13 threshold is. In this case, the
14 developer would almost certainly be
15 receiving City subsidy for the
16 development and the development would be
17 underwritten by RDA staff and ultimately
18 approved by the RDA Board. RDA Board
19 actions for affordable housing
20 development already require the
21 preparation of EOPs. If this bill were
22 adopted, the timing of the EOP would be
23 significantly earlier, however, at the
24 site assembly stage, a point at which
25 CDCs are usually seeking funding and have

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 not finalized plans or financing. We
3 believe that requiring EOPs at this early
4 stage for these projects could be
5 burdensome, particularly since EOPs will
6 be required before the project comes to
7 fruition.

8 Another kind of VPRC
9 transaction that might also trigger EOPs
10 would be developments in which a private
11 developer is paying fair market value for
12 a property. In the case of fair market
13 transactions, the City and the RDA do not
14 impose other requirements on purchasers.
15 For example, if a developer purchases a
16 vacant lot and constructs a single-family
17 residence on it for personal use, rental
18 or resale, that transaction is not
19 subject to long-term affordability
20 requirements or to prevailing wage
21 requirements. The developer takes on the
22 risk of development and reap whatever
23 rewards he or she can. A development
24 venture like this could easily exceed the
25 monetary threshold, depending on what

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 threshold is established. So the
3 Administration believes it would be
4 inconsistent with a fair market value
5 transaction to impose EOPs on
6 transactions like these, especially for
7 smaller transactions. Also, a purchaser
8 could argue that requiring EOPs might
9 reduce the value of the property and the
10 City could receive less income from fair
11 market value sales.

12 A second kind of Redevelopment
13 Authority transaction would be -- that
14 would be affected by Bill 100341 is the
15 disposition of real estate that was
16 acquired through eminent domain. The
17 condemnation process requires approval by
18 City Council through resolution rather
19 than by ordinance. So these transactions
20 would be covered if Bill 100341 is
21 adopted. The same concerns outlined for
22 VPRC properties would also apply to
23 properties acquired by condemnation.
24 Projects which are receiving City support
25 through the RDA require EOPs in any

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 event. We believe that requiring EOPs
3 before a project is fully defined or has
4 received all funding awards; for
5 instance, Low Income Housing Tax Credits,
6 is burdensome to the developer and serves
7 no purpose. Fair market value
8 transactions should remain unencumbered
9 by additional requirements such as the
10 preparation of EOPs. If the RDA is
11 selling property acquired through
12 condemnation at fair market value, it is
13 inconsistent to put requirements on these
14 transactions as well.

15 So for these reasons, the
16 Administration does not support Bill No.
17 100341 and asks that it be held in
18 Committee today so that we can work with
19 City Council to address these concerns.

20 We are happy to answer any
21 questions that you have, and thank you
22 for the opportunity to testify today.

23 COUNCILMAN GOODE: Thank you
24 for your testimony, Ms. Gillen.

25 Several members of the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Administration met with the primary
3 sponsors of the bill and staff yesterday.
4 Were you invited to that meeting?

5 MS. GILLEN: I was told about
6 it, but was -- we made a joint decision
7 that Deb would go for all of us.

8 COUNCILMAN GOODE: Okay.

9 Ms. McColloch, what do you
10 think was decided at that meeting with
11 regard to this bill?

12 MS. McCOLLOCH: My name is
13 Deborah McColloch. I'm the Director of
14 Housing.

15 I don't think there was any
16 decision made about this bill at that
17 meeting. There was some discussion, and
18 we were going to continue to discuss the
19 bill.

20 COUNCILMAN GOODE: And so the
21 idea was that negotiations would
22 continue; is that correct?

23 MS. McCOLLOCH: That is my
24 understanding.

25 COUNCILMAN GOODE: And it was

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 understood that if we did not reach some
3 compromise, that we were going to move
4 forward. Was that understood?

5 MS. McCOLLOCH: That the bill
6 would be presented today, yes, and we
7 would present testimony on the bill.

8 COUNCILMAN GOODE: No; that we
9 were going to move forward on the bill if
10 there was not a compromise that could be
11 reached.

12 MS. McCOLLOCH: That was not my
13 understanding that it was going to be --

14 COUNCILMAN GOODE: We reached a
15 compromise on every other bill.

16 MS. McCOLLOCH: Yes.

17 COUNCILMAN GOODE: We did
18 not --

19 MS. McCOLLOCH: And we did not
20 reach -- I'm sorry. I didn't mean to
21 interrupt you.

22 COUNCILMAN GOODE: No. Go
23 ahead.

24 MS. McCOLLOCH: We did reach a
25 compromise on the other bills, and we had

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 not had the opportunity to submit
3 proposed amendments back and forth as you
4 had on the other two bills.

5 I wasn't involved in those
6 discussions. I only know what went on
7 yesterday at the meeting, but there had
8 clearly been work before yesterday's
9 meeting on the other two bills. We had
10 not had the opportunity to have that work
11 on this bill.

12 COUNCILMAN GOODE: The other
13 three bills.

14 MS. McCOLLOCH: On the other
15 three bills. I beg your pardon. On the
16 other three bills, and we had not had
17 that opportunity on this bill, and so it
18 was my understanding that we were going
19 to continue to have discussions about
20 this bill.

21 COUNCILMAN GOODE: That was a
22 two-hour negotiating session.

23 MS. McCOLLOCH: That was a
24 two-hour negotiating session on the other
25 three bills, yes.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 COUNCILMAN GOODE: Was the
3 testimony on this particular bill written
4 before or after that meeting?

5 MS. McCOLLOCH: The testimony
6 was written before that meeting.

7 COUNCILMAN GOODE: I have a
8 problem with that. Even if we had not
9 come to a compromise, there were things
10 that came out of that meeting in the
11 discussion of this bill that should not
12 still be in this testimony. Do you agree
13 with that?

14 MS. McCOLLOCH: The only change
15 that was agreed upon yesterday was the
16 threshold that, as Ms. Gillen said, it
17 was her understanding it in fact was no
18 longer being discussed at \$100,000, it
19 was being discussed at \$250,000.

20 COUNCILMAN GOODE: Let me jump
21 back to Ms. Gillen for a second before I
22 get back to the line of questioning.

23 Ms. Gillen, what should the
24 threshold be? If you have a number,
25 fine. If you don't, fine, but if you

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 have a number in terms of what you think
3 the threshold should be, just state it
4 for the record.

5 MS. GILLEN: I don't,
6 Councilman.

7 COUNCILMAN GOODE: Thank you.

8 Ms. McColloch, in discussion of
9 affordable housing projects done by
10 community development corporations, can
11 you explain that process for the record.

12 MS. MCCOLLOCH: The community
13 development corporations, CDCs, submit
14 proposals in response to a request for
15 proposals submitted by the Office of
16 Housing and Community Development. Those
17 proposals are reviewed and evaluated,
18 funding awards are made, and we work with
19 the CDCs to move those projects forward.
20 The actual financing is provided through
21 the Redevelopment Authority, so
22 ultimately the CDC goes through a loan
23 closing with the Redevelopment Authority,
24 which provides the construction
25 subsidies, and the Redevelopment

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Authority is responsible for monitoring
3 the construction of the development and
4 inspects the work and makes the payouts
5 and so on and so forth, and the CDC
6 builds whatever the development is that
7 we're talking about.

8 COUNCILMAN GOODE: So the
9 Administration puts out an RFP?

10 MS. McCOLLOCH: Yes.

11 COUNCILMAN GOODE: And there
12 are respondents to the RFP?

13 MS. McCOLLOCH: Yes.

14 COUNCILMAN GOODE: And they
15 submit plans that are not detailed?

16 MS. McCOLLOCH: In the RFP,
17 they submit a commitment -- excuse me.
18 Are you talking about a plan for the
19 development or for the EOP?

20 COUNCILMAN GOODE: Do they have
21 a detailed project?

22 MS. McCOLLOCH: They have a
23 detailed project at the time of the --

24 COUNCILMAN GOODE: Do they have
25 a detailed plan?

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 MS. McCOLLOCH: Yes.

3 COUNCILMAN GOODE: And that's
4 why they are selected.

5 MS. McCOLLOCH: Yes.

6 COUNCILMAN GOODE: Because it's
7 a quality project.

8 MS. McCOLLOCH: Yes.

9 COUNCILMAN GOODE: And they're
10 qualified developers.

11 MS. McCOLLOCH: Yes.

12 COUNCILMAN GOODE: And they
13 know what they want to do.

14 MS. McCOLLOCH: Yes.

15 COUNCILMAN GOODE: But they're
16 not prepared to say what type of
17 inclusions they're going to have on the
18 projects?

19 MS. McCOLLOCH: They don't have
20 the general contractor --

21 COUNCILMAN GOODE: That's
22 ridiculous. Go ahead.

23 MS. McCOLLOCH: They don't have
24 a general contractor under contract to
25 them at the time --

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 COUNCILMAN GOODE: It doesn't
3 make a difference. They can set goals
4 for a project without having hired a
5 specific contractor. And we had this
6 discussion yesterday in the meeting too
7 and we're going to go through the full
8 discussion here. Since you want to offer
9 the same testimony, that's fine.

10 How many different general
11 contractors does the CDC community really
12 use?

13 MS. McCOLLOCH: There are a
14 variety of contractors, although I would
15 say there are three, quote, big
16 contractors that the CDCs --

17 COUNCILMAN GOODE: So there are
18 three big general contractors that the
19 CDC community generally uses?

20 MS. McCOLLOCH: Yes.

21 COUNCILMAN GOODE: And they are
22 majority prime contractors?

23 MS. McCOLLOCH: Yes.

24 COUNCILMAN GOODE: And do they
25 have a good track record in terms of

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 inclusion?

3 MS. McCOLLOCH: I believe they
4 do, but I don't know -- I don't have the
5 figures in front of me. In fact, I don't
6 have the figures at all. I don't know.

7 COUNCILMAN GOODE: What do you
8 believe their level of inclusion is? I
9 can tell you from having reviewed it for
10 several years that it's horrible.

11 MS. McCOLLOCH: You have more
12 information on this than I do.

13 COUNCILMAN GOODE: But you
14 believe that their track record is good?

15 MS. McCOLLOCH: They are
16 required at the time that they go to loan
17 closing with the Redevelopment
18 Authority --

19 COUNCILMAN GOODE: My question
20 is about their track record in terms of
21 inclusion. We talked about three large
22 majority prime contractors that are used
23 that keep getting the same business from
24 the CDC community for affordable housing,
25 and the question is, the same CDCs get

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the work, the same general contractors
3 get the work. How can you really say
4 that if you put out an RFP, there are
5 respondents that are selected based upon
6 a detailed proposal and that proposal
7 cannot include economic opportunity goals
8 within it? I can tell you that's why
9 we're just going to move forward with the
10 bill. So you can respond however you
11 want, but we're just going to move
12 forward anyway.

13 MS. McCOLLOCH: If you're just
14 going to move it forward, then I suppose
15 there's no reason for me to respond.

16 COUNCILMAN GOODE: Any other
17 questions for this panel?

18 Councilman Green.

19 COUNCILMAN GREEN: Thank you.

20 I just have one quick question.
21 It really maybe is more for Councilman
22 Goode. The EOP process that Ms. Gillen
23 described with respect to the RDA Board,
24 does that go through the Office of
25 Economic Opportunity or is that a

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 separate process that the RDA just does
3 on its own?

4 MS. McCOLLOCH: There is an
5 economic opportunity officer at the
6 Office of Housing and Community
7 Development that reviews all of the
8 materials, and that recommendation of
9 that person is part of the package that
10 is presented to the Redevelopment
11 Authority Board. So that work is done
12 through OHCD rather than through the
13 Redevelopment Authority.

14 COUNCILMAN GREEN: Does it go
15 through the Office of Economic
16 Opportunity? I mean, do they go through
17 the normal process for the way they set
18 goals for --

19 MS. DOWD-BURTON: No. Their
20 process typically does not go through the
21 Office of Economic Opportunity for
22 housing.

23 COUNCILMAN GREEN: Okay. So
24 how are we getting consistency in
25 goal-setting across different agencies in

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the City if we're not coordinating that
3 effort through one channel?

4 MS. McCOLLOCH: The goals are
5 set in the request for proposals by the
6 Office of Economic Opportunity. So
7 before OHCD issues an RFP, we get the
8 goals from the Office of Economic
9 Opportunity. So the goals are
10 established in the RFP, and then the
11 staff person at the Office of Housing and
12 Community Development has to review the
13 materials submitted by the contractor in
14 connection with those goals that have
15 been established, sign off on that, and
16 then that package is submitted to the
17 Redevelopment Authority Board.

18 COUNCILMAN GREEN: Now I'm
19 really confused.

20 COUNCILMAN GOODE: Excuse me,
21 Councilman. Very quickly.

22 Ms. Dowd-Burton, the goals that
23 have been traditionally set for the
24 housing agencies for RFPs, how are they
25 developed?

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 MS. DOWD-BURTON: The City of
3 Philadelphia has an overarching goal, and
4 we do collect information from the
5 quasi-public agencies on their
6 performance on the economic opportunity
7 goals, and we provide service to the
8 quasi-public agencies upon request, but
9 our resources are primarily dedicated
10 internally to the operating departments.
11 So there is a communication that goes
12 across the City. There is an
13 accountability that goes across the City
14 and a monitoring process.

15 COUNCILMAN GOODE: The question
16 is more so what are those goals based
17 upon and who develops them?

18 MS. DOWD-BURTON: The goals are
19 based upon the disparity study and the
20 types of contracts that the City is
21 engaged in.

22 COUNCILMAN GOODE: I'm talking
23 specifically for the housing agencies and
24 RDA specifically.

25 MS. DOWD-BURTON: The goals are

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 set based on the kinds of work that are
3 done for the housing authority and the
4 Office of Housing and Community
5 Development.

6 COUNCILMAN GOODE: And we've
7 been through this before. I'm going to
8 let Councilman Green continue his
9 questioning. Who sets the goals?

10 MS. DOWD-BURTON: They're set
11 jointly.

12 COUNCILMAN GOODE: Councilman
13 Green.

14 MS. DOWD-BURTON: There's a
15 collaboration that we pursue --

16 COUNCILMAN GOODE: Councilman
17 Green.

18 MS. DOWD-BURTON: -- within the
19 Office of Economic Opportunity working
20 with the operating departments. I'm not
21 sure that you're interested in -- I'm not
22 sure exactly what your question is, other
23 than that collaboration.

24 COUNCILMAN GREEN: So I guess
25 I'm trying to understand -- it seems to

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 me the process that was described to
3 Councilman Goode or the process that was
4 just described, there's a joint setting
5 of goals for the project before the RFP
6 goes out. The CDC, or whoever is going
7 to develop it, is aware of the goals at
8 the time that they are submitting their
9 response to the RFP, because it's in the
10 RFP. So are these goals goals for OHCD
11 with respect to what it must meet in all
12 of its projects in the aggregate or are
13 these goals goals for each specific
14 project?

15 MS. McCOLLOCH: They're goals
16 for each specific request for proposals.
17 So each RFP that's issued would say that
18 there's a goal for participation. At the
19 time that the CDC responds to the RFP, it
20 generally does not have the -- because it
21 hasn't --

22 COUNCILMAN GREEN: It knows
23 what the goals are?

24 MS. McCOLLOCH: It knows what
25 the goals are --

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 COUNCILMAN GREEN: Because the
3 goals are in the RFP.

4 MS. McCOLLOCH: Correct. And
5 what it does at the time of RFP is commit
6 to trying to achieve those goals.

7 COUNCILMAN GREEN: Okay. So in
8 the RFP, they commit to try to achieve
9 those goals, but at that stage in the
10 process, they don't have to submit their
11 plan to achieve those goals?

12 MS. McCOLLOCH: Correct.

13 COUNCILMAN GREEN: And that is,
14 I guess, in theory, because you would
15 have five people maybe spending time and
16 money on economic opportunity plans prior
17 to knowing whether or not they have the
18 project?

19 MS. McCOLLOCH: And because
20 they don't have their contractors lined
21 up at the time that they submit to the
22 RFP. So they don't know who the GC is
23 going to be, who the subs are going to
24 be, so forth, at the time they submit to
25 the RFP. But at the time they submit to

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the RFP, they commit to the goals
3 generically.

4 COUNCILMAN GREEN: So you don't
5 object -- but then once they develop the
6 EOP, it is not referred to the Office of
7 Economic Opportunity?

8 MS. McCOLLOCH: No. It is
9 reviewed by the economic opportunity
10 officer at the Office of Housing and
11 Community Development.

12 COUNCILMAN GREEN: Okay. So is
13 that the case with respect to all of the
14 EOPs in the City or do you review the
15 other ones normally?

16 MS. DOWD-BURTON: We have
17 various levels of EOPs. The higher level
18 EOPs for projects like SugarHouse or the
19 Youth Study Center, there's an
20 overarching oversight committee, and so
21 we are actively engaged in monitoring
22 those projects, but there are smaller
23 projects, some that have EOPs, and we do
24 not monitor those.

25 COUNCILMAN GREEN: That's done

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 by an officer within various departments
3 or agencies?

4 MS. DOWD-BURTON: Right.

5 COUNCILMAN GREEN: Okay. So it
6 seems to me, if I'm boiling down the
7 difference here between the
8 Administration and Councilman Goode, it
9 is simply the timing of submission of the
10 EOP?

11 MS. McCOLLOCH: Yes.

12 COUNCILMAN GREEN: It seems
13 like it wouldn't take two hours to work
14 that out in a meeting, Councilman.

15 Thank you.

16 COUNCILMAN GOODE: Thank you,
17 Councilman.

18 I'm not sure the issue is just
19 that, but I think you were right to point
20 out that that could be considered the
21 issue, although I'm not sure the
22 legislation defines it as an issue. I'm
23 not sure the timing factor is within this
24 particular legislation. So I don't think
25 it could be an issue.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 One of the issues might be
3 threshold, but if the Administration is
4 not willing to discuss what the threshold
5 should be, then we'll just determine what
6 the threshold should be.

7 Any other questions or comments
8 from the Committee?

9 (No response.)

10 COUNCILMAN GOODE: Thank you.

11 Is there anyone else to testify
12 on this bill?

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GOODE: Good
16 afternoon. Please state your name for
17 the record and proceed with your
18 testimony on any of these bills.

19 MR. ALI: Good afternoon,
20 Chairman of the Committee and other
21 members of the Committee of Commerce and
22 Economic Development. My name is Jihad
23 Ali. I'm a citizen and I'm involved in
24 construction on a regular basis.

25 I regularly attend the RDA

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Board meetings on a monthly basis. I
3 think I've been doing that for over three
4 years. I regularly attend the PAID
5 meetings. I think I've been doing that
6 for almost four years.

7 Of all the testimony that came
8 forth today on these bills, I almost had
9 to laugh when you laugh, because most of
10 the reasons that they talked about, you
11 had to say, Are they kidding?

12 When you look at development --
13 and I do have experience as a developer,
14 and I've recently completed three
15 affordable housing projects, two in
16 Philly and one in Chester. I've done
17 market-rate developments.

18 One of the things about a
19 developer is, the land is the land. The
20 land is the most important resource that
21 the developer is going to come to the
22 City for. So to say that a developer is
23 not going to want land because there's a
24 requirement that there's a diversity, in
25 fact a developer would expect the City --

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 if the City is serious about development
3 and diversity, you would expect to have
4 that. He's not going to turn down -- I
5 wouldn't turn down land because it said I
6 had a diversity requirement, because
7 you're talking about, as the Chairman
8 pointed out, competent developers with
9 capacity, and those developers are going
10 to have -- when we talk about capacity,
11 we're talking about financial capacity
12 and experience on doing these type of
13 developments. So a developer is not
14 going to turn down land because it has a
15 diversity requirement.

16 On some of these thresholds,
17 when we talk about land, you have to keep
18 in mind that some developers are buying
19 land for a dollar. So really if we're
20 talking about a threshold when it's in
21 regards to land, that threshold could be
22 as low as one dollar, because there's
23 some -- in one of these bills they talk
24 about the grant, financial assistance. I
25 think it's Bill No. 100341, where you

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 talk about economic opportunity plans,
3 you talk about the definitions. On the
4 land value, that value should be included
5 to be -- one dollar should be the
6 threshold on some of that stuff.

7 I think that as a citizen and
8 as -- one of the unknown people that you
9 don't regularly think about are the men
10 and women that are involved in
11 construction every day in the City of
12 Philadelphia. This room would be filled
13 with them had they had the opportunity to
14 be here, but most of them are making a
15 living.

16 So I wanted to support this
17 Committee for all the good work that
18 you've done, and I also want to recognize
19 the voters who voted on this issue on the
20 last election. I think you're doing a
21 great job. I think you have to have that
22 leadership that you have. You have to be
23 able to see that the Administration -- I
24 think all the individuals that testified
25 today, they're all decent, honorable

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 people, but this is really the
3 Administration you're talking about.

4 Now, this Administration has
5 been in place for two years. So the
6 Mayor, he could have had leadership on
7 some issues, but to say now, when you're
8 ready to move forward, that there's an
9 exemption this, they want to revise this,
10 I think this Committee should move
11 forward, exercise the good leadership
12 that you have and make a decision and
13 grant no exemptions, except for whatever
14 you consider is appropriate.

15 But I think that you're doing a
16 great, tremendous job. And there's
17 almost like an Army of workers out there,
18 and the sad part about this is, most of
19 those workers don't reflect the diversity
20 of the City, and this is a step to
21 correct that, and I thank you on behalf
22 of all those people who don't know what
23 you're doing.

24 CHAKA: Thank you, Jihad. That
25 was strong.

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 Is my mike on?

3 COUNCILMAN GOODE: Yes. Please
4 state your name for the record and
5 proceed with your testimony.

6 CHAKA: My name is Chaka from
7 Skills Bank Building Association. And I
8 inherited a construction company. I was
9 born with a shovel in my hand. My father
10 had his own construction company and I
11 have my own.

12 I've built houses for the top
13 ten builders in this country, David
14 Cutler Builders, (unintelligible)
15 Engineering, a whole list of them, a
16 whole list of them. And to sit here and
17 hear this testimony that they only have
18 two to three prime contractors that they
19 consistently go to, Jihad reflects only
20 one thing, they're part of the "good old
21 boy" network. And this Committee I
22 support wholeheartedly. Give me my
23 marching orders and, you know, it will be
24 done.

25 But you have to have a more

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 inclusive -- you can't have this illusion
3 of inclusion when you only have two to
4 three primes doing all the work. What
5 happens is, you build not only a giant,
6 but a monster, and it becomes so
7 entangled and weaved that they can buy
8 property, acres, for one dollar. That
9 opportunity will never be given to a
10 small construction company like my own.

11 But I want to thank you for
12 having the courage. Some people have to
13 commit political suicide. They're not
14 going to be reelected again, so they
15 might as well commit themselves to making
16 change while they have an opportunity,
17 and this is the whole atmosphere, to make
18 change. This is -- well, this is an
19 opportunity to make change. I'm just
20 going to say that.

21 But I want to thank you so very
22 much for having the courage to take this
23 position, and I support this Committee.

24 Thank you so very much.

25 COUNCILMAN GOODE: Thank you

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 both for your testimony.

3 Any questions of this panel?

4 (No response.)

5 COUNCILMAN GOODE: Thank you
6 very much.

7 Is there anyone else to testify
8 on these bills?

9 (No response.)

10 COUNCILMAN GOODE: Councilman
11 Clarke.

12 COUNCILMAN CLARKE: Thank you,
13 Mr. Chairman. Before we go into the
14 public meeting -- and, Mr. Chairman, as
15 you know, I'm usually a little more
16 involved in the conversation,
17 particularly as it relates to this
18 particular issue, but sometimes you get
19 to a point where it's so redundant, that
20 enough is enough. And I think that our
21 willingness and our ability to simply act
22 on these bills to send one message,
23 because being in government for more than
24 20 years, I clearly understand that there
25 are different processes throughout

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 different departments, and that sometimes
3 creates confusion and creates an
4 inability to adequately monitor what
5 should be taking place to move, working
6 with you and other members of this -- not
7 only this Committee, but this Council, to
8 provide some level of consistency so the
9 message that's sent throughout the City
10 of Philadelphia and the surrounding
11 counties is one message from one city and
12 one legislative and administrative body.

13 So I think it's important as it
14 relates to these particular ordinances to
15 add to some of the things that we've
16 already done to make it, frankly
17 speaking, a lot easier for
18 Ms. Dowd-Burton and Mr. Kevin Dow and
19 people who are responsible for monitoring
20 and ensuring that we have reasonable
21 opportunities.

22 So I guess I say all that to
23 say that I'm through with the
24 conversations, frankly speaking. I think
25 this should move forward, adopt the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 appropriate amendments, and at the end of
3 the day, shift the responsibility to the
4 people who are actually seeking either
5 land or subsidized housing opportunities
6 or other things from the City of
7 Philadelphia and make it more of a burden
8 on them to do the right thing.

9 So we look forward to -- I know
10 personally I look forward to voting on
11 both the amendments and the bills, and
12 hopefully we can move forward and shift
13 that level of responsibility on those
14 entities that come before this
15 legislative body.

16 Thank you.

17 COUNCILMAN GOODE: Thank you,
18 Mr. Chairman.

19 This Committee will stand in
20 recess for 30 seconds.

21 (Pause.)

22 COUNCILMAN GOODE: We will move
23 from our public hearing to a public
24 meeting to consider these bills.

25 The Chair recognizes

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 Councilwoman Brown for a motion on Bill
3 No. 100304.

4 COUNCILWOMAN BROWN:
5 Mr. Chairman, I move that Bill No. 100304
6 be reported out of Committee with a
7 favorable recommendation and further move
8 that the rules of Council be suspended so
9 as to permit first reading at the next
10 scheduled session.

11 (Duly seconded.)

12 COUNCILMAN GOODE: All in
13 favor?

14 (Aye.)

15 COUNCILMAN GOODE: Those
16 opposed?

17 (No response.)

18 COUNCILMAN GOODE: The ayes
19 have it. Bill No. 100304 is reported out
20 of Committee with a favorable
21 recommendation and a suspension of the
22 rules to allow first reading at our next
23 Council session.

24 The Chair recognizes
25 Councilwoman Brown for a motion on the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 amendment to Bill No. 100369.

3 COUNCILWOMAN BROWN:

4 Mr. Chairman, I move that Bill No. 100369
5 be amended.

6 (Duly seconded.)

7 COUNCILMAN GOODE: All in
8 favor?

9 (Aye.)

10 COUNCILMAN GOODE: Those
11 opposed?

12 (No response.)

13 COUNCILMAN GOODE: The ayes
14 have it.

15 The Chair now recognizes
16 Councilwoman Brown for a motion on Bill
17 No. 100369, as amended.

18 COUNCILWOMAN BROWN:

19 Mr. Chairman, I move that Bill No.
20 100369, as amended, be reported out of
21 Committee with a favorable recommendation
22 and further move that the rules of
23 Council be suspended so as to permit
24 first reading.

25 (Duly seconded.)

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 (No response.)

3 COUNCILMAN GOODE: Bill No.

4 100341 is amended.

5 The Chair now recognizes
6 Councilman Clarke for a motion on Bill
7 No. 100341, as amended.

8 COUNCILMAN CLARKE: Thank you,
9 Mr. Chairman. I move that Bill No.
10 100341, as amended, be moved out of this
11 Committee with a favorable
12 recommendation, with rules suspension as
13 to allow reading at the next session of
14 Council.

15 (Duly seconded.)

16 COUNCILMAN GOODE: All in
17 favor?

18 (Aye.)

19 COUNCILMAN GOODE: Those
20 opposed?

21 (No response.)

22 COUNCILMAN GOODE: Bill No.
23 100341, as amended, is reported out of
24 the Committee with a favorable
25 recommendation and a suspension of the

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 rules to allow first reading at our next
3 Council session.

4 The Chair now recognizes
5 Councilman Clarke for an amendment to
6 Bill No. 100134.

7 COUNCILMAN CLARKE: Thank you,
8 Mr. Chairman. I move for an adoption for
9 the amendment to Bill No. 100134.

10 (Duly seconded.)

11 COUNCILMAN GOODE: All in
12 favor?

13 (Aye.)

14 COUNCILMAN GOODE: Those
15 opposed?

16 (No response.)

17 COUNCILMAN GOODE: The Chair
18 now recognizes Councilman Clarke for a
19 motion on Bill No. 100134, as amended.

20 COUNCILMAN CLARKE: Thank you,
21 Mr. Chairman. I move that Bill No.
22 100134, as amended, be reported out of
23 Committee with a favorable recommendation
24 and request for rules suspension as to
25 allow reading at the next session of

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 Council.

3 (Duly seconded.)

4 COUNCILMAN GOODE: All in

5 favor?

6 (Aye.)

7 COUNCILMAN GOODE: Those

8 opposed?

9 (No response.)

10 COUNCILMAN GOODE: Bill No.

11 100134, as amended, is reported out of

12 the Committee with a favorable

13 recommendation and a suspension of the

14 rules to allow first reading at our next

15 Council session.

16 The Chair now recognizes

17 Councilman Clarke for a motion on an

18 amendment to Bill No. 100135.

19 COUNCILMAN CLARKE: Thank you,

20 Mr. Chairman. I move for an amendment --

21 a motion for an amendment to Bill No.

22 100135.

23 (Duly seconded.)

24 COUNCILMAN GOODE: All in

25 favor?

1 6/3/10 - COMMERCE - BILL 100134, etc.

2 (Aye.)

3 COUNCILMAN GOODE: Those

4 opposed?

5 (No response.)

6 COUNCILMAN GOODE: Bill No.

7 100135 is amended.

8 The Chair now recognizes

9 Councilman Clarke for a motion on Bill

10 No. 100135, as amended.

11 COUNCILMAN CLARKE: Thank you,

12 Mr. Chairman. I move that Bill No.

13 100135, as amended, be reported out of

14 Committee with a favorable recommendation

15 with rules suspension as to allow reading

16 at the next session of Council.

17 (Duly seconded.)

18 COUNCILMAN GOODE: All in

19 favor?

20 (Aye.)

21 COUNCILMAN GOODE: Those

22 opposed?

23 (No response.)

24 COUNCILMAN GOODE: Bill No.

25 100135, as amended, is reported out of

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 the Committee with a favorable
3 recommendation and a suspension of the
4 rules to allow first reading at our next
5 Council session.

6 The Chair now recognizes
7 Councilman Clarke for a motion on the
8 amendment to Bill No. 100201.

9 COUNCILMAN CLARKE: Thank you,
10 Mr. Chair. I move for the adoption of an
11 amendment to Bill No. 100201.

12 (Duly seconded.)

13 COUNCILMAN GOODE: All in
14 favor?

15 (Aye.)

16 COUNCILMAN GOODE: Those
17 opposed?

18 (No response.)

19 COUNCILMAN GOODE: Bill No.
20 100201 is amended.

21 The Chair recognizes Councilman
22 Clarke for a motion on Bill No. 100201,
23 as amended.

24 COUNCILMAN CLARKE: Thank you,
25 Mr. Chair. I move that Bill 100201, as

1 6/3/10 - COMMERCE - BILL 100134, etc.
2 amended, be reported out of Committee
3 with a favorable recommendation with a
4 request for rules suspension as to allow
5 reading at the next session of Council.

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 100201, as amended, is reported out of
15 Committee with a favorable recommendation
16 and a suspension of the rules to allow
17 first reading at our next Council
18 session.

19 Thank you very much. This
20 concludes our meeting.

21 (Committee on Commerce and
22 Economic Development concluded at 2:30
23 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on June 3, 2010, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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

