

9/12/18 - SPECIAL COMMITTEE
SPECIAL COMMITTEE ON REGULATORY
REVIEW AND REFORM

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, September 12, 2018
10:40 a.m.

PRESENT:

COUNCILMAN DEREK S. GREEN
COUNCILMAN BOBBY HENON
COUNCILMAN AL TAUBENBERGER
HAROLD T. EPPS
ROB WONDERLING

Resolution 170179 - Resolution authorizing the creation of a "Special Committee on Regulatory Review and Reform," to identify archaic, superfluous, and confusing provisions in The Philadelphia Code and in departmental regulations; and to recommend revisions that streamline, clarify and enhance the City's regulatory environment, for the purpose of accelerating the growth of well-paying jobs in Philadelphia while ensuring the safety and well-being of its residents.

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Special Committee on Regulatory Review and Reform
September 12, 2018

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2 COUNCILMAN GREEN: Good

3 morning. I'd like to call this Special
4 Committee on Regulatory Review and Reform
5 to order. I am Councilman Derek Green,
6 one of the Co-Chairs of the Special
7 Committee.

8 I note we have a quorum by the
9 attendance of, to my right, Co-Chair
10 Commerce Director Harold Epps, to my left
11 Co-Chair and President and CEO of the
12 Greater Philadelphia Chamber of Commerce
13 Rob Wonderling, as well as some of my
14 colleagues on the Special Committee,
15 Councilmembers Bobby Henon, Al
16 Taubenberger, as well as a number of
17 Special Committee subcommittee chairs.

18 Based on the fact that we have
19 a quorum, I will ask the Clerk to read
20 the title of the hearing.

21 THE CLERK: Resolution 170179,
22 a resolution authorizing the creation of
23 a "Special Committee on Regulatory Review
24 and Reform," to identify archaic,
25 superfluous, and confusing provisions in

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2 The Philadelphia Code and in departmental
3 regulations; and to recommend revisions
4 that streamline, clarify and enhance the
5 City's regulatory environment, for the
6 purpose of accelerating the growth of
7 well-paying jobs in Philadelphia while
8 ensuring the safety and well-being of its
9 residents.

10 COUNCILMAN GREEN: Thank you,
11 Mr. Iannuzzi.

12 I want to thank you for all
13 being here today. I also want to
14 acknowledge some of the Special Committee
15 members, the subcommittee chairs that
16 have confirmed their attendance today,
17 Leslie Spina from the Child Care
18 Committee, Mike Brown and Pam Fly from
19 the Construction and Real Estate
20 Committee, Nick Bayer and Saba Tedla from
21 the Food and Hospitality Committee, Anuj
22 Gupta and Jennifer Rodriguez from the
23 Small Businesses Committee, Laurie Actman
24 from the Tech/Startups Committee, and
25 Chet Riddick from the Manufacturing

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2 Committee.

3 We are here today to reaffirm
4 the commitment of our City government and
5 business community to work together to
6 strengthen our business climate and their
7 ability to start, grow, and maintain
8 operations in the City of Philadelphia.

9 About 18 months ago, in
10 partnership with the Council President, I
11 introduced Resolution No. 170179, which
12 authorized this Special Committee. In
13 that time, we've had six subcommittees
14 consisting of public and private
15 stakeholders exploring industry-specific
16 issues particular to City operations, be
17 they legislative, policy or regulatory.
18 We are proud of the work that has been
19 accomplished or begun, which the members
20 will be witnessing for us in detail
21 shortly.

22 Before we get into their
23 testimony, I want to review the
24 guidelines to ensure a swift, equitable,
25 and productive hearing.

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2 Chairs Epps and Wonderling have
3 remarks following mine. Once other
4 Councilmembers have had a chance to
5 speak, we'll hear from two panels of
6 subcommittee chairs, each of which will
7 have three minutes to testify. At the
8 end of both panels, all members of the
9 Special Committee will have an
10 opportunity to ask questions, but the
11 time for that is also limited. A member
12 of my staff will be keeping everyone
13 accountable to their allotted time.

14 We thank you in advance by
15 abiding by this timeframe so that
16 everyone has an equal chance to be heard.

17 Finally, I want to reiterate my
18 thanks to everyone who has been involved
19 in this process from my co-chairs to
20 fellow Councilmembers to the business
21 leaders who have volunteered their time,
22 expertise, businesses for entities like
23 the Sustainable Business Network and the
24 Greater Northeast Philadelphia Chamber of
25 Commerce and the Greater Philadelphia

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2 Chamber of Commerce for their
3 participation, as well as the staff
4 ensuring the efficacy of this Special
5 Committee.

6 In addition to my staff, I
7 would like to especially thank Sylvie
8 Gallier Howard, Libby Peters, Jonathan
9 Snyder, Justine Bolkus, Stephanie
10 Orlando, Joe Lynn, and Lauren Cox from
11 Commerce; John Mondlak and Meredith Trego
12 from Planning; Tim Thornton and Graham
13 Quinn from Philadelphia 311; Paul Deegan
14 from PIDC; Darrell Davis from the
15 Chamber; Chris Goy and Samantha Calderone
16 from the Council President's staff, and
17 all others who have worked behind the
18 scenes to make this Special Committee
19 effective as we continue to improve
20 dealings between the City and its
21 businesses. It is vital to the economic
22 development for all of our residents.

23 With that, I would like to
24 acknowledge my Co-Chair, Harold Epps, for
25 remarks.

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2 MR. EPPS: Mr. Tri-Chair,
3 Councilman Clarke, thank you, and good
4 morning, members of the Special Committee
5 on Regulatory Review and Reform. As
6 stated, my name is Harold T. Epps and I
7 am the Director of Commerce for the City
8 of Philadelphia. Along with my
9 colleagues Councilman Derek S. Green and
10 Rob Wonderling of the Greater
11 Philadelphia Chamber of Commerce, I've
12 had the pleasure of serving as one of the
13 Chairs of the Special Committee on
14 Regulatory Review and Reform. I want to
15 recognize the Council President for his
16 leadership in establishing this important
17 body.

18 As Councilman Green has just
19 noted, this group of individuals was
20 convened and charged with a very
21 important task - to create a dialogue
22 between the public and private sectors
23 about Philadelphia's regulatory
24 environment and help us as a city improve
25 that environment to further support

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2 innovation, entrepreneurship, and
3 economic growth.

4 To accomplish this, six
5 subcommittees were formed: Childcare,
6 Construction and Real Estate, Food and
7 Hospitality, Small Businesses, Tech and
8 Startups, and Manufacturing. These
9 subcommittees met monthly and worked on
10 issues spawning from repealing outdated
11 regulations to working on new legislation
12 to designing new and innovative pilots to
13 improve customer service.

14 Over the course of the last 18
15 months, 16 outdated regulations have been
16 repealed. Additionally, legislation was
17 passed to align the timing of U&O
18 payments with other business taxes. And
19 legislation has been finalized to
20 eliminate a longstanding complaint from
21 the business community related to the
22 payment schedule of the business income
23 and receipt tax, thereby reducing the tax
24 burden on new businesses.

25 We've created a weekly

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2 newsletter to keep the businesses abreast
3 of legislation and regulations that could
4 impact them, a quarterly newsletter to
5 highlight process improvement in various
6 City departments, and worked with L&I to
7 develop an over-the-counter signage
8 application to help save businesses time
9 and money.

10 We have made a commitment to
11 implementing change right away, and I am
12 proud of what we have accomplished to
13 date. That being said, the work is not
14 done. Not even close. One of the
15 biggest challenges and opportunities that
16 we have in front of us is to improve our
17 business processes and cross-departmental
18 coordination so that businesses receive
19 the services and support they need in
20 order to launch, grow, and thrive.

21 When processes are complex,
22 they favor those with more time, more
23 resources, and more money. This creates
24 an uneven playing field and stifles
25 entrepreneurship. We must continue to

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2 engage the private sector and think
3 outside the box about how we as a city
4 can innovate to meet the challenges and
5 demands of the 21st century economy.

6 A partnership such as this
7 Special Commission, with the active
8 involvement of the private sector and two
9 branches of government, is a unique
10 opportunity to effect important change.

11 We are truly grateful to the business
12 leaders who so generously gave their time
13 to this endeavor. We hope we can
14 continue to engage you as advisors to
15 this important work.

16 Thank you all for your time
17 this morning, and I am happy to answer
18 any questions you have at the end of this
19 panel. Thank you very much.

20 COUNCILMAN GREEN: At this
21 point, I'd like to acknowledge to my left
22 the other Co-Chair, Rob Wonderling.

23 MR. WONDERLING: Thank you,
24 Councilman Green, and to you and to
25 Commerce Director Epps, I know I speak on

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2 behalf of the Chamber of Commerce for
3 Greater Philadelphia and the City's
4 business community, we really do
5 appreciate this opportunity to work in
6 good faith to create an engaged and
7 sustained process to improve the inner
8 relationships between entrepreneurs and
9 enterprises and employers in this City
10 with our City government. And I also
11 want to echo and amplify Councilman Derek
12 Green's comments about Council President
13 Clarke's leadership around this specific
14 issue. I know it was Councilman Green
15 and Commerce Director Epps that
16 approached the Council President about
17 the establishment of this Commission, and
18 we found that to be a refreshing step in
19 the right direction to create an ongoing
20 process in which there is this
21 collaboration between the free enterprise
22 system that's got the mantle of
23 responsibility to grow the economy of
24 this city and the government that serves
25 us all.

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2 I also want to really commend
3 and thank a number of key leaders from
4 our business community, those active in
5 the Chamber of Commerce for Greater
6 Philadelphia, who donated and committed
7 countless hours of their time and their
8 staff time and have worked really hard to
9 get us to this point today and will
10 continue hopefully to serve as part of
11 this process. They are Leslie Spina, who
12 has been leading our Childcare
13 Subcommittee; Michael Brown and Pamela
14 Fly have co-chaired the Construction and
15 Real Estate Subcommittee; Saba Tedla and
16 Nick Bayer have co-chaired the Food and
17 Hospitality Subcommittee; Chet Riddick
18 has chaired our Manufacturing
19 Subcommittee; Jennifer Rodriguez and Anuj
20 Gupta have co-chaired the Small Business
21 Subcommittee; and representing the
22 University of Pennsylvania, Laurie Actman
23 has been representing our burgeoning
24 startup and tech sector by chairing the
25 Tech and Startup Subcommittee.

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2 I mentioned a moment ago that
3 we are buoyed in working in good faith as
4 to what we've created over the past year,
5 and I want to just make a couple of broad
6 comments, if I might.

7 One, I think we're learning how
8 to work together differently in a way
9 that creates a culture that eliminates
10 barriers to growth, that eliminates
11 barriers to free enterprise in this City.
12 And although I would suggest that the
13 repeal of the 16 regulations to date have
14 been modest and on the periphery of
15 what's important for future growth, we're
16 learning how to work together. And
17 probably the real result today, the
18 top-of-the-fold news headline, for those
19 that still hold and read a newspaper, is
20 that we've built this institutional way
21 to look at, from a regulatory
22 perspective, from a statutory
23 perspective, and from a government
24 process perspective, ways in which this
25 government can be more responsive and

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2 sensitive to the ever-changing wants,
3 needs, and attitudes and marketplaces of
4 our free enterprise system. And what we
5 are hopeful for at the Chamber of
6 Commerce for Greater Philadelphia is that
7 this will continue.

8 Far too often, those of us that
9 are old hands in public service know that
10 an extraordinary amount of attention and
11 calories and mind share and effort and
12 time is always spent on the effort, the
13 process to get somewhere, and rarely is
14 time spent on the outcome to achieve the
15 result you were hoping to. And so even
16 though 16 ordinances repealed is, I use
17 the word again "modest," it's an outcome.
18 It's a measurable outcome that I think
19 we've built this infrastructure and this
20 process that will serve us well to
21 measure even more and, dare I say, bolder
22 opportunities at real regulatory reform
23 for this government.

24 Time is not our friend.

25 Capital and free enterprise now moves at

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2 an increasingly faster pace in a global
3 marketplace. So this interim report is,
4 as Commerce Director Epps says, good
5 work, but part of a journey to follow.

6 Thank you.

7 COUNCILMAN GREEN: Thank you,
8 Co-Chair Wonderling.

9 At this time, we're going to
10 call up our first panel, which are the
11 Childcare, Construction and Real Estate,
12 and Food and Hospitality Subcommittees.
13 If Leslie Spina, Mike Brown and Pam Fly,
14 as well as Nick Bayer and Saba Tedla can
15 come up. Well, why don't we have the
16 first part of the panel with Ms. Spina as
17 well as Mike and Ms. Fly.

18 (Witnesses approached witness
19 table.)

20 MS. SPINA: Good morning,
21 members of City Council. My name is
22 Leslie Spina. I'm the Executive Director
23 of Kinder Academy. We operate five
24 high-quality program centers in Northeast
25 Philadelphia. That's 500 families. I

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2 serve as the Co-Chair for the Childcare
3 Subcommittee reporting to the Special
4 Committee on Regulatory Review and
5 Reform. Typically I would be here to
6 talk to you about the importance of early
7 childhood education for the future of our
8 city. Although that is near and dear to
9 my heart, today I come here to share the
10 results of our exploration of barriers,
11 perceived and otherwise, to establishing
12 and expanding high-quality childcare
13 programs in Philadelphia.

14 Every member of the
15 subcommittee was committed to this work,
16 presenting to and collecting feedback
17 from over 200 providers from every corner
18 of this great city. Our recommendations,
19 as contained in the report, focus on
20 creating a clear path to open and operate
21 childcare programs. The most important
22 among these is the creation of a
23 childcare license, comparable to the
24 family day care license, which would
25 create more clarity for childcare center

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2 operators and improve compliance with
3 important health and safety regulations.

4 The current system of following
5 the same regulations designed for the
6 restaurant industry creates confusion for
7 everyone, including health inspectors.

8 We also made recommendations that focus
9 on clarifying and adopting congruent
10 language across agencies and improving
11 communication from regulatory agencies to
12 childcare professionals to keep them
13 informed of important updates and health
14 issues.

15 There are many opportunities to
16 streamline the process of doing business
17 and continuing to be competitive in
18 Philadelphia. We hope our work leads to
19 continued improvement and access to
20 operating a small business as well as
21 expansion of high-quality childcare
22 centers for families to choose from in
23 the City of Philadelphia.

24 In closing, I'd like to thank
25 everyone who participated in this

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2 process, including the Department of
3 Commerce, the Health Department, L&I, and
4 members of City Council.

5 I would be happy to answer any
6 questions that you may have for me at the
7 end of this panel. Thank you very much.

8 MR. BROWN: Good morning,
9 members of the Special Committee on
10 Regulatory Review and Reform. My name is
11 Michael Brown. I'm the Chairman and CEO
12 of Environmental Construction Services
13 and Managing Partner of 360 Nexus. I
14 serve with Pamela Fly as the Co-Chair of
15 the Construction and Real Estate
16 Subcommittee. This morning I would like
17 to highlight a few accomplishments of
18 this subcommittee and some of our future
19 goals.

20 Our subcommittee's main focus
21 was real estate -- sorry. The main focus
22 of the Real Estate Subcommittee was to
23 identify ways to improve the regulatory
24 process around the construction and real
25 estate industries in Philadelphia. Our

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2 group was comprised of representatives
3 from real estate development,
4 contractors, educational institutions,
5 and building and contractor associations.

6 Our subcommittee created and
7 distributed surveys to several
8 Philadelphia area trade groups, including
9 the Building Industry Association,
10 Homeowners Association of Philadelphia,
11 the Development Workshop, Mechanical
12 Contractors Association, and others in
13 order to identify the most significant
14 regulatory challenges facing the
15 development community today. The
16 feedback we received on the surveys
17 helped us to drive our recommendations to
18 the Special Committee.

19 Early on our subcommittee
20 identified issues with both the approval
21 process for domestic water service and
22 the local Plumbing Code as key areas in
23 need of improvement. Working with the
24 Water Department, we helped to identify
25 and encourage improvements in the

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2 permitting process for domestic water
3 service that will help to streamline the
4 entire development process and make
5 Philadelphia a better place to do
6 business.

7 As stated in the report, our
8 subcommittee has also been proactive in
9 the replacement of the current Plumbing
10 Code with a new Plumbing Code that is
11 more consistent with the International
12 Plumbing Code in an effort to make the
13 City more business-friendly and easier
14 for development. A code that is
15 understandable to design professionals
16 outside of the City, while receiving
17 valuable input from our local trades,
18 allows for greater investment in
19 Philadelphia. Furthermore, design
20 professionals will have the option of
21 designing for codes that are standard
22 across the country while taking into
23 consideration things that are unique to
24 our city. A member of our Regulatory
25 Reform Committee, we're proud to say, has

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2 been on the Plumbing Advisory Board and
3 has been active in its rewrite.

4 However, there is still more
5 work to be done to make the proposed
6 changes to the Plumbing Code a reality,
7 as well as to implement the additional
8 changes needed to improve the regulatory
9 environment for the construction and real
10 estate industries in Philadelphia. We
11 hope to continue to collect those ideas
12 through our members and through an
13 outreach to the entire community,
14 including our citizens, other contracting
15 associations, and people that are
16 affected by these codes, to facilitate
17 changes that make development and
18 construction in Philadelphia easier,
19 ultimately driving for a more vibrant and
20 flourishing city.

21 Thank you for the opportunity
22 to testify, and I am happy to answer any
23 questions upon completion of this panel.

24 COUNCILMAN GREEN: Thank you,
25 Mr. Brown and Ms. Spina.

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2 If we could have Mr. Bayer and
3 Ms. Tedla come to the podium so they can
4 give presentation from the Food and
5 Hospitality Committee, and then we'll
6 open up for questions for the panel.

7 (Witnesses approached witness
8 table.)

9 MR. BAYER: Good morning,
10 members of the Special Committee on
11 Regulatory Review and Reform. My name is
12 Nick Bayer. I'm the founder and CEO of
13 Saxbys Coffee, and I am joined by Saba
14 Tedla, the owner of Booker's and Askam,
15 two fantastic restaurants here in
16 Philadelphia. Together we serve as the
17 Co-Chairs of the Food and Hospitality
18 Subcommittee. This morning we'd like to
19 highlight a few accomplishments of the
20 subcommittee and as well as some future
21 goals.

22 The main focus of the Food and
23 Hospitality Subcommittee was to bring
24 together a diverse group of food
25 businessowners to identify and address

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2 some of the main challenges we face,
3 whether opening our first food business
4 in Philadelphia or trying to grow and
5 expand here in the City. Members of our
6 subcommittee included restaurants,
7 franchisees, food truck owner operators,
8 and food business consultants.

9 One of the main accomplishments
10 of this group was partnering with
11 Commerce, Philly 311, Health, and L&I to
12 launch a food business process
13 improvement pilot, which is set to kick
14 off this month. The pilot will use a
15 customer relationship management tool to
16 guide new food businesses through the
17 process of opening a new food business by
18 streamlining communication and decreasing
19 wait times.

20 We hope that the pilot is just
21 the beginning of an overall shift in how
22 food businesses interact with the City.
23 We know that opening a new food business
24 in the City can take more than a year and
25 that the cost of expediting paperwork can

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2 cost a new business thousands of dollars
3 before it even opens its doors. We've
4 recommended simplifying some of the most
5 difficult processes, such as signage and
6 sidewalk cafes, by creating by-right
7 permitting based on clear and consistent
8 guidelines set forth by the departments.

9 As we all know, Philadelphia is
10 the birthplace of American
11 entrepreneurship, and that is best seen,
12 and for most of us enjoyed, in our food
13 and beverage hospitality industries.

14 In closing, we would like to
15 thank everyone from both the public and
16 private sectors who came together to
17 begin addressing these issues.

18 Councilman Green, we really
19 appreciate you putting together such a
20 great group of people with Commerce
21 Director Epps and with Rob Wonderling.
22 It's been fantastic to be able to work
23 with Sylvie and Libby from Commerce, and
24 everybody from L&I and Health and Philly
25 311 really came together. It was really

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2 impressive from a businessowner
3 perspective to see the City lean in and
4 really want to do something about this.
5 Our food, beverage, and hospitality
6 sector is so critically important to the
7 City, and I really thank you so much for
8 putting this together.

9 Thank you.

10 MS. TEDLA: We're speaking
11 together. He spoke for the team.

12 COUNCILMAN GREEN: All right.
13 At this point, we're going to open up for
14 questions for the panel. I'm going to
15 initially start.

16 Mr. Bayer, you talked about the
17 pilot. Give me some perspectives on the
18 nature of the pilot and how you think
19 that will help businesses in the City to
20 grow, or Ms. Tedla.

21 MS. TEDLA: What we've done is
22 selected a few restaurants that are
23 either in process of opening and at what
24 stage they're in or new restaurants that
25 are due to open. So we're tracking

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2 through the process applying for
3 permitting as well as Health Department
4 application reviews and how long that
5 time is taking to see if there is room
6 for improvement and what are the
7 gridlocks of the process.

8 By doing those pilot samples of
9 the restaurants, we're trying to repair
10 some of the gridlock that they're having
11 proactively in the process. So if a
12 restaurant is taking over a year to open,
13 that's hindering them from having to
14 start their revenue, and the City would
15 not be collecting taxes if they are not
16 open. Therefore, we're trying to figure
17 out where the gridlocks are and
18 streamlining that process.

19 COUNCILMAN GREEN: And I know
20 we're looking at using some of the CRM
21 software that I think was officially
22 identified that we have some extra
23 licenses as part of the 311 process. So
24 as you're tracking that timeline, are you
25 also looking at how the CRM software

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2 could help reduce the time period between
3 one step to the next, especially in
4 reference to communication between
5 departments?

6 MS. TEDLA: Indeed. The idea
7 is how long is the queue process taking
8 for each of the set process, and the CRM
9 would -- they could document that process
10 and where the loopholes are.

11 MR. BAYER: I think one of the
12 critical components of this was just
13 adding transparency to the process. I
14 think one of the things for me was really
15 humanizing this process.

16 We've been fortunate to build
17 and operate 16 cafes in the City of
18 Philadelphia, and to sit down with people
19 from 311 and L&I and from Health and to
20 see that they were as excited and willing
21 to help us continue to grow our business
22 and Saba's business and everybody else
23 who took part in this was really, really
24 encouraging, and I think that the level
25 of transparency that we're going to bring

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2 to this pilot so that they can see what
3 it is that we go through and, just as
4 importantly, we get to see what they go
5 through and try to ensure that we follow
6 the rules and regulations that do exist,
7 I think that that's going to be very
8 beneficial for everyone.

9 COUNCILMAN GREEN: I think
10 that's a real key point, the opportunity
11 for communication, because from the
12 business perspective, there are certain
13 things and issues having a challenge in
14 going forward and the City department may
15 not have the full perspective and context
16 of those challenges, especially because
17 from my perspective, time is money. And
18 also on the other side, having the
19 businessowners to see some of the
20 challenges that some of the
21 Administration is having in reference to
22 communicating between departments and
23 other challenges they're having. So I
24 think having that perspective to walk in
25 each other's shoes is very important,

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2 which allows us to come to a common
3 understanding to really kind of shrink
4 that timeline and especially we can use
5 the CRM software as a way to reduce time
6 and enhance communications.

7 MR. BROWN: Absolutely.

8 MR. WONDERLING: So I'm
9 actually making this request of all of us
10 since we're all part of this process. So
11 I thought I heard it takes over a year to
12 get fully permitted to open up a
13 restaurant in the City of Philadelphia.
14 I think one of the things we ought to
15 examine in the pilot is compare that
16 against, say, King of Prussia and Cherry
17 Hill, by example, and then Boston and
18 Austin and Washington, DC, by example, so
19 that we can determine whether or not this
20 work on process actually puts us in a
21 better position to be competitive with
22 municipalities close by and cities that
23 we compete with all the time for capital.

24 Thank you.

25 MR. EPPS: So I would want to

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2 reiterate that, because through Commerce
3 what we see literally on a weekly basis
4 is institutions that are in the food and
5 beverage making choices around literally
6 where in the world they're going to open
7 up their next venue. And so as we do
8 this work, it's important that we have
9 the best-in-class data, and we'll depend
10 upon you to help guide us there.

11 My question is back to
12 Mr. Brown and, that is, the Plumbing
13 Code, which I know just enough about to
14 be dangerous. You speak that the rewrite
15 has started, but can you just say a few
16 words, just a few, about the next steps
17 that will get us closer to what you all
18 deem to be where we need to be.

19 MR. BROWN: So I think one of
20 the biggest things with the Plumbing Code
21 is that we have to have a collaborative
22 process in identifying what's best, the
23 best steps forward. When we conducted
24 our initial surveys, the purpose was to
25 bring in contractors associations,

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2 developer associations, local people in
3 the design professional community to
4 ensure that we take into consideration
5 everything that's happening with new
6 advances in plumbing.

7 Philadelphia is a city with an
8 old infrastructure. We're a little
9 different than a new city that's coming
10 out of the ground. So you have to take
11 into consideration what's already
12 existing inside of Philadelphia, but that
13 does not mean to throw away what the new
14 advances in plumbing are. The importance
15 is to have a standardized code that
16 allows us to quickly get through the
17 permitting process without any ambiguity.

18 So the goal going forward is to
19 establish committees that take all
20 perspectives into consideration to help
21 streamline how the Plumbing Code is
22 adopted, with the hope that it's adopted
23 in congruence with a standardized code
24 like the International Plumbing Code.

25 MR. EPPS: So as I understand

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2 it, and this is really coming from my
3 stellar First Deputy Sylvie Gallier
4 Howard, is part of the next step is for
5 each committee to have three to five very
6 clear steps that they're going to be
7 taking for further simplification that
8 will get us outcomes, as CEO Wonderling
9 has talked about. To all three
10 committees, do you feel like you're at
11 that point to help us with definitive,
12 clear next steps that we need to take
13 over the next nine months? I view this
14 like a school year. So what are we going
15 to accomplish between now and next May?
16 Do you feel like for you and others that
17 we are there or can get there quickly?

18 MR. BROWN: So I'll speak for
19 Real Estate and Construction only. I
20 believe that we completed task number
21 one. Now we have to reboot and recharge
22 for task number two.

23 Have we begun that process yet?
24 No. We just finished, finalized task one
25 of getting our survey out, getting input.

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2 Now what we're hoping is that we get
3 direction from the Special Committee to
4 establish the steps going forward to
5 further our task.

6 MR. EPPS: And how about the
7 first group for Childcare?

8 MS. SPINA: Okay. Shoot.

9 MS. EPPS: Ms. Spina?

10 MS. SPINA: Yes.

11 MR. EPPS: So for your
12 subcommittee, do you feel like we are
13 where we need to be around clarity on the
14 next steps to be taken and what are those
15 things that we're going to do such that
16 next year at this time we have clearly
17 moved the ball down the field?

18 MS. SPINA: Absolutely. I
19 think as we looked at the challenges that
20 face the field in general, we went from a
21 very broad perspective down to
22 pinpointing some action items that we can
23 move forward that make sense to do and
24 are the first steps in making it more
25 streamlined to open a business and to be

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2 compliant with all the regulatory
3 guidelines that are required in the City
4 of Philadelphia.

5 MR. EPPS: And since food and
6 beverage make up about 25 percent of our
7 businesses, I hear about that more often,
8 so I am assuming that the pilot is going
9 to provide the guidance on the steps we
10 need to take to get us closer to the
11 velocity that we need to be committed in.

12 MR. BAYER: What was that?

13 MR. EPPS: In Commerce I hear
14 every day about the challenges food and
15 beverage confront just because of the
16 sheer magnitude of it is a part of our
17 economy. I'm just clarifying that the
18 pilot will be the mechanism to provide
19 that clarity on the steps we need to take
20 to get us closer to being competitive
21 around the time it takes to open up a
22 business.

23 MR. BAYER: Yeah. I think
24 there's great confidence in that. I
25 mean, CRM is going to be a huge help, and

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2 I think that it's really encouraging to
3 know that we're all pulling in the same
4 direction, whether we're from the private
5 sector, the public sector. We're pulling
6 in the same direction and that we're
7 going to allow the velocity needed to be
8 able to make the decision to open a food
9 or beverage or hospitality establishment
10 and be able to bring it to life, because
11 the penalties and the time that come with
12 not being able to do that with velocity
13 are oftentimes the difference between
14 being successful and not being
15 successful.

16 MR. EPPS: Thank you.

17 COUNCILMAN GREEN:

18 Councilmember Henon.

19 COUNCILMAN HENON: Thank you,
20 Mr. Chair. And I want to congratulate
21 and commend you and your efforts and your
22 co-chairs for really shepherding the
23 Committee in the business reform. I find
24 it as a District Councilperson, I have
25 to -- it's a little more -- even though

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2 the issues are macro across the City of
3 Philadelphia in climate with business
4 attraction and retention, streamlining a
5 lot of the processes and governance and
6 its startups and how the departments can
7 really leverage private and public
8 sectors together to ensure that
9 businesses really get online quick and
10 offer the product and services that is
11 needed here in the City. So I get to see
12 that a little more firsthand, but what I
13 haven't seen lately, up until this
14 Committee and some recent attempts, is a
15 collaborative effort at really reaching
16 out to the stakeholders and the
17 businesses themselves and asking them,
18 all right, what are your obstacles or
19 what are your really huge in delays,
20 what's weighing you down. And being a
21 part of the Committee in a smaller part,
22 not as a co-chair, we were able to
23 streamline some of your early
24 recommendations with some of the smaller
25 restaurants in our commercial corridors.

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2 And I think with small business being a
3 large part of our communities, making
4 sure that a vacant property or building
5 on a commercial corridor that's really
6 kind of the face of our community where
7 we're really trying to promote and
8 attract what the City is all about and
9 its multitude of levels and facets, we
10 shouldn't have a wait time for a year.

11 So making sure that in our
12 commercial corridors -- I'll give you an
13 example. With your recommendation, we
14 have by-right opportunities for small
15 business entrepreneurs and restaurants to
16 have outside seating during a particular
17 time of the year, limited to space and
18 meeting the requirements by the
19 Department of L&I and Health Department.
20 So it really gives, I think, somebody who
21 is taking a chance at putting it all on
22 the line the confidence to know that not
23 only is the business community but the
24 City is doing all it can to help you
25 through and navigate some of the process.

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2 And it also helps leverage some of the
3 programs that the Commerce Department has
4 with our Storefront Improvement Programs,
5 our SafeCam programs, and some of the
6 other incentives that encourages some of
7 the businesses to open up where I think
8 it's going to be walkable, presentable,
9 and sustainable. And I think that really
10 personifies what we're all about and what
11 we're trying to accomplish in getting
12 into zoning and getting into the
13 childcare issues and challenges that we
14 have.

15 So I think we're -- in 2018, I
16 mean, we've come a long way. In 2018, I
17 see a lot of change for the positive and
18 really reaching out and bringing those
19 who are the end users, the startups, the
20 risk-takers, the passionate neighborhood
21 people who want to start up a business
22 and educate our kids and offer some sort
23 of product, know that we hear you and I
24 think we're on the right path.

25 Council in the past has too

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2 often changed the rules once the game has
3 already started, and I think now you're
4 setting a plan where we all can actually
5 work in concert together, because you're
6 actually talking to small businesses.

7 So I want to thank not only
8 you, Chair, and the co-chairs, but all of
9 the subcommittee chairs and departments
10 that had technical support in bringing
11 businesses and some of these related
12 issues and concerns in small business
13 reform a part of the process, because
14 without being a part of the process,
15 everything is smoke and mirrors and it
16 really -- we're about deliverables, and I
17 think the recommendations and some of the
18 deliverables that you have shown from day
19 one is an indicator on where we're headed
20 with this Committee.

21 So I just really want to take
22 the opportunity to thank you all for
23 allowing me to be a part of it. Council
24 President saw a need for creating a
25 special committee on small business and

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2 business reform, and I think it's really
3 proven itself successful in a short
4 period of time. So I'm glad to be a part
5 of the process, and I look forward to
6 continuing to see this as an ongoing,
7 evolving type of collaborative effort
8 with the City and the private sector. So
9 I appreciate your time and your
10 dedication to this matter.

11 Thank you.

12 COUNCILMAN GREEN: Thank you,
13 Councilmember Henon.

14 Councilman Taubenberger, I see
15 you wanted to be recognized.

16 COUNCILMAN TAUBENBERGER: Yes.
17 Mr. Chairman, thank you very, very much.
18 And also to reiterate what my colleague
19 Councilman Henon has said, I thank all
20 participants, particularly the Co-Chairs
21 as well, and also the leadership of our
22 President of City Council, Darrell
23 Clarke, and also the Mayor of the City of
24 Philadelphia, because without their
25 buy-in, none of this will get done. And

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2 I think we have great opportunity and
3 people have already spent hours and
4 hours.

5 I actually do have a question,
6 if I may, if I could ask Mr. Bayer in
7 regards to the pilot for restaurants. My
8 father had a restaurant long ago, and it
9 was difficult then and I think it's
10 somewhat more difficult now to open up.
11 The pilot, is that in effect yet or will
12 that be going?

13 MR. BAYER: It's getting ready
14 to start.

15 COUNCILMAN TAUBENBERGER: And
16 your estimated time would be
17 approximately?

18 MR. BAYER: This month we start
19 and the pilot is, what, six months?
20 About six months.

21 COUNCILMAN TAUBENBERGER: And
22 then how long will it last?

23 MS. TEDLA: Probably a year.
24 On average, it takes six to a year for
25 any restaurant to open. So a full cycle

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2 will have to be a year to a year and a
3 half in order for us to get true data
4 output that would represent a large
5 population of the restaurants.

6 COUNCILMAN TAUBENBERGER:
7 Ms. Tedla, thank you.

8 And one last question, if you
9 have an understanding, and this is
10 different than a Council hearing, of
11 course. With larger cities, where do you
12 think we are now without a pilot? I
13 mean, how is it in comparative to Boston
14 or even New York as far as timing to open
15 a restaurant, with your knowledge?

16 MS. TEDLA: Well, I have lived
17 in other -- I lived in Washington, DC. I
18 have friends --

19 COUNCILMAN TAUBENBERGER: Good
20 place as well.

21 MS. TEDLA: I have friends who
22 do own restaurants there and also
23 Virginia. From my perspective, I think
24 like Virginia is probably more
25 streamlined than Washington, DC, but, I

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2 mean, I can't really compare to like
3 Boston. But in DC, for example, the
4 Health Department is probably more
5 efficient than their L&I, whereas here I
6 feel like L&I is more efficient than the
7 Health Department. That is one of the
8 experiences that I have experienced.

9 As a restaurant owner, I feel
10 like the Health Department is a little
11 outdated in terms of their processes as
12 well as the documentation of what you
13 have to submit. Like L&I will have a
14 structured process and what you have to
15 do from the plumbing requirement, but
16 then Health Department has something
17 totally different than what L&I requires.
18 So I feel like the Health Department is a
19 little outdated here, but I feel like DC
20 is the opposite. The Health Department
21 is more progressive than their L&I
22 segment.

23 COUNCILMAN TAUBENBERGER: Okay.

24 MS. TEDLA: But that's the only
25 experience.

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2 MR. BAYER: Just to add, I
3 totally agree with what Saba said. So
4 we're fortunate to have cafes in DC,
5 getting ready to open in Pittsburgh, and
6 one of our subcommittee members is Justin
7 Rosenberg, the founder of Honeygrow based
8 here in Philadelphia, and they've opened
9 quite a bit in New York. New York,
10 believe it or not, is actually a much
11 more expeditious process than opening in
12 Philadelphia. I think that's one of the
13 critical components here, is that our
14 process is slow, and obviously time is
15 costing us money.

16 I think that there are some
17 technological challenges, which I think
18 the CRM is going to help quite a bit,
19 because hearing L&I and Health talk, they
20 want to help us, but there's a lot of
21 technological challenges that are holding
22 them back. And I think that New York,
23 DC, and what we're seeing in Pittsburgh,
24 they've made some investments there that
25 have allowed for that process to go

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2 faster, and hopefully this will allow for
3 that to happen as well here in
4 Philadelphia.

5 COUNCILMAN TAUBENBERGER: I
6 mean, I think it's very true in any
7 business, time is money, without
8 question. We all know that. But getting
9 that resolved is the challenge. The
10 devil is always in the details.

11 MR. BAYER: Absolutely.

12 COUNCILMAN TAUBENBERGER: Thank
13 you both for your input. Thank you.

14 MR. EPPS: Mr. Bayer, I am
15 absolutely a bottom line person, so I'd
16 like to hear weeks and months. So it's
17 taking us nine, 12 months here. Your
18 experience is how many weeks and months
19 does it take in the most efficient place
20 that you're familiar with?

21 MR. BAYER: I mean, in some
22 situations it's taken us half as much
23 time to open in another city than it has
24 here. So oftentimes that can be as quick
25 as four and a half or five months we've

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2 been able to open in other markets, which
3 I think is -- candidly, I think that
4 that's very realistic. I think that
5 that's something that businessowners
6 should strive to be able to hit and be
7 prepared to hit and obviously for our
8 regulatory bodies to be able to work with
9 us to be able to get to that level.

10 MR. EPPS: Thank you. I mean,
11 that's the kind of clarity and
12 specificity we got to have so we know
13 what we're shooting for.

14 COUNCILMAN GREEN: One last
15 question I have before we get to the next
16 panel. If I could have Ms. Spina come
17 back up as well.

18 And, Ms. Tedla, you could
19 actually -- actually, if I can have
20 Ms. Spina and Mr. Brown to come back to
21 the panel.

22 As you were listening to the
23 pilot for food and hospitality, from your
24 industries, from childcare and
25 construction and real estate, do you see

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2 the benefit of a similar type of CRM type
3 of technology being used in a pilot
4 perspective in your industries and how
5 that will be helpful and, if so, what
6 departments do you think would be needed
7 to have that better communication to help
8 make things faster for both a childcare
9 center to open as well as from
10 construction and real estate to move
11 forward on development projects?

12 MS. SPINA: Yes. I think we
13 could benefit vastly from taking some
14 samples of how long it takes. Part of
15 the issue, the big part of the issue, is
16 the confusion that someone new to the
17 industry does not know what they need.
18 So if we had a checklist, which is what
19 we'd like to accomplish with doing a
20 childcare license, they would know that
21 they need approval from the Fire
22 Department, they would need L&I approval,
23 they would need Health Department
24 approval, they need a business privilege
25 license, and on and on. Right now people

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2 who have not done this run from one
3 agency to the next and are frequently
4 told, oh, you need something else before
5 I can let you proceed. So there is a
6 vast amount of wasted time and a very
7 high level of frustration, because it's
8 unclear the order of what has to happen
9 and who these things go to and whether
10 you can do them yourself or you need an
11 attorney to do them. And we frequently
12 heard when we were interviewing -- and I
13 said we spoke to over 200 people across
14 the City -- it's always "they said," and
15 I don't know who "they" is and nobody
16 else does either. So if we could put
17 "they" on a piece of paper and say,
18 here's what they said you need to do,
19 then we would really eliminate the time.

20 I have seen people take up to a
21 year trying to get a childcare center
22 open. If you need zoning, that's a whole
23 other issue. Obviously that's not on the
24 table today, but having efficiencies in
25 place will allow people to do the right

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2 thing the first time and not try to get
3 around the challenges.

4 MR. BROWN: And I second that
5 from the construction industry. So one
6 of the things that came out of our survey
7 is how do you do business in
8 Philadelphia, is it standardized, is
9 there a standard procedure for everything
10 that you do, or do you find that the way
11 you get things done is by going through
12 some circuitous route that -- we won't
13 say what the exact circuitous routes are,
14 but people don't understand how to get
15 things through certain departments well,
16 and it's not standard.

17 This is going to sound really
18 dumb, but in the interest of keep it
19 simple, stupid, I mean, when you go to
20 get your pizza, it's real simple. You go
21 online, you order your pizza. It's like,
22 oh, your pizza is here, this phase, this
23 phase, this phase. It's in the car.
24 Next thing you know, doorbell rings and
25 your pizza shows up, right?

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2 L&I and the permitting process
3 needs to start to take technology into
4 account, and we can't keep running away
5 from it. We have to look at how we're
6 getting things through the process and
7 standardize procedures and that we learn
8 from them. We said, you know, key
9 performance indicators. We try to get
10 better and faster and not have side doors
11 on how to get things through for some
12 people and other people have to go the
13 circuitous route, and you're going to get
14 to that through technology. And we could
15 set up a pilot program and we could take
16 a couple of buildings or a couple of
17 developers or a couple of projects and
18 see how we can track how they're getting
19 through the different agencies. And then
20 from there, that's where you're going to
21 get better and better. We'd be happy to
22 look at sections or departments that
23 maybe we can start to implement some kind
24 of technology in.

25 MS. SPINA: This isn't

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2 finger-pointing. It's about having a
3 lack of understanding, because for me, if
4 you need to know what milestones are for
5 a two-year-old, I can tell you. If you
6 need information about the Plumbing Code,
7 I can't tell you. So I rely on someone
8 at L&I to give me good information.

9 So I think that we're all
10 looking to make sure that we're doing the
11 right thing and we have a path to the end
12 goal and having everything checked off
13 and complete, especially when it comes to
14 the health and safety of children.

15 MR. BROWN: And as a plumbing
16 contractor, I don't even know. But
17 everything has to be expedited. The only
18 way we get clarity is if I expedite a
19 plumbing license. I know that then I'm
20 going to get it in time. If you do not
21 expedite a plumbing license, you have no
22 idea when you're going to get a plumbing
23 license. So you have to pay for
24 expedited fees.

25 MR. EPPS: And what's the

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2 incremental cost, what's the range of
3 incremental expedited fees?

4 MR. BROWN: I mean, it costs
5 you \$250. It could cost you -- it
6 depends, but you got to understand, like
7 for us, let's say we're doing
8 multi-family housing or we're doing a
9 series of houses and we have a thousand
10 construction projects and you have to pay
11 an expediting fee for each individual
12 one, if each one is under a different
13 inspection. So it gets cost prohibitive.
14 But you shouldn't have to do that. I
15 shouldn't have to expedite everything
16 that I go through just to get a date. I
17 should be able to get a date on a
18 non-expedited, one where I know the
19 construction is coming three months or
20 six months down the line.

21 MR. EPPS: That's why we're
22 here.

23 Thank you.

24 COUNCILMAN GREEN: Are there
25 any questions for the panel?

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2 (No response.)

3 COUNCILMAN GREEN: Seeing none,
4 thank you, panel.

5 And we'll move to our second
6 panel, Small Businesses, Tech/Startups,
7 and Manufacturing, Anuj Gupta and
8 Jennifer Rodriguez, Laurie Actman, and
9 Chet Riddick.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREEN: Why don't we
13 start with -- well, since you have
14 Mr. Riddick here and Ms. Actman here, why
15 don't we have you two start and then
16 we'll follow up with Small Business.

17 MR. RIDDICK: Would you like me
18 to go first? Thank you very much.

19 Good morning, members of the
20 Special Committee on Regulatory Review
21 and Reform. My name is Chet Riddick.
22 I'm the President and CEO of Alpha
23 Enterprise Group. I served as the Chair
24 of the Manufacturing Committee. This
25 morning I would like to highlight a few

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2 of the accomplishments of this committee
3 and some future goals.

4 The main focus of our
5 subcommittee was to identify regulatory
6 impediments to attract, retention, and
7 growth of manufacturing businesses in the
8 City of Philadelphia. Our group was
9 comprised of companies such as Rhoads
10 Industries, the large metal fabricator at
11 the Navy Yard; Northeast Fence Company, a
12 small family-owned business manufacturer
13 in Northeast Philadelphia; and PT Baler,
14 a mid-sized manufacturer of recycling
15 equipment in Port Richmond. The Greater
16 Northeast Chamber of Commerce, a
17 non-profit whose member included many of
18 the manufacturers in the Northeast, also
19 participated and one of the committee's
20 guest speakers for several of their
21 industrial members.

22 Working with the Commerce
23 Department, PIDC, and Councilman Henon's
24 office, we identified a number of
25 conditions negatively affecting

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2 manufacturing. We first discussed
3 general issues affecting all businesses
4 in Philadelphia - taxes, shortage of
5 skilled workers, competition from states
6 and countries with dramatically lower
7 labor costs, access to capital, and
8 public financial incentives, and the
9 difficulty of dealing with City
10 bureaucracy. And as you heard from other
11 committees here today, they talked about
12 how to get things through the process and
13 how to get things through the City of
14 Philadelphia.

15 We then focused on two issues
16 specific to manufacturing, the dwindling
17 supply of high cost of industrial real
18 estate as a result of the gentrification
19 of former industrial areas and, two, the
20 conflicts of noise levels created by
21 proximity of residential use to existing
22 industrial operations.

23 We recommend that the City of
24 Philadelphia and the Zoning Board of
25 Adjustment resist requests of developers

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2 to rezone or grant variances for
3 residential and commercial conversion of
4 industrially zoned real estate. This
5 will preserve existing supply and enable
6 manufacturing companies to compete on
7 price when looking for land and buildings
8 for their companies. As stated in the
9 report, our subcommittee has proposed
10 developing a formal coordination process
11 with the Commerce Department, the City
12 Planning Commission, City Council, and
13 the Zoning Board of Adjustment and the
14 manufacturing community to oppose the
15 residential and commercial conversion of
16 industrial land and buildings.

17 We also recommend that the City
18 Health Department Air Management Services
19 Division review the current noise level
20 and air quality code requirements and to
21 work with the Commerce Department to make
22 these levels more compatible with modern
23 business operations in the City.

24 In conclusion, I would like to
25 stress that the Regulatory Committee and

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2 Reform should be an ongoing process to
3 the City of Philadelphia and to the
4 public and private leadership.

5 I would like to thank the City
6 Council. I would like to thank the City
7 Commerce Department, Harold Epps. I
8 would like to thank you, Councilman
9 at-large Derek Green. I'd like to thank
10 you, Rob Wonderling, for creating this
11 Commission and providing the opportunity
12 for me to testify today.

13 I am happy to answer any
14 questions that you may have.

15 MS. ACTMAN: Good morning,
16 members of the Special Committee on
17 Regulatory Review and Reform. My name is
18 Laurie Actman. I'm the Chief Marketing,
19 Communications and Program Officer at the
20 Penn Center for Innovation. For the past
21 18 months, I've also served as the Chair
22 of the Tech, Startup, and Life Sciences
23 Subcommittee. This morning I'd like to
24 share a few priorities of this
25 subcommittee and some recommendations

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2 we've made for our ongoing work and also
3 thank you for convening this Committee
4 and forming the subcommittee. It's been
5 amazing to be part of it.

6 First, I'd like to highlight
7 that Philadelphia is becoming a more
8 attractive city for the tech, startup,
9 and life sciences community by the day.
10 Recent new developments and investments
11 by some of our leading educational
12 institutions, corporations, and
13 non-profits have transformed the
14 environment for growing emerging
15 companies by providing infrastructure,
16 resources, and investment. Some
17 representative examples include:

18 Penn's retrofit of an old
19 DuPont paint manufacturing site into the
20 Pennovation Center, an incubator and
21 co-working space for tech, life science,
22 and robotics companies;

23 Penn's new partnership with
24 Johnson and Johnson Innovation, which is
25 establishing a JPod or presence at the

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2 Pennovation Center to support and connect
3 with the life sciences innovation and
4 startup community in Philadelphia;
5 Drexel's launch of an incubator
6 and innovation center at 3401 Market
7 Street;
8 The Science Center's expansion
9 and soon-to-open innovation space managed
10 by the Cambridge Innovation Center;
11 The launch of Comcast's Lift
12 Labs and their new second tower in Center
13 City;
14 The launch of the Vanguard
15 Innovation Center in Center City;
16 The growth and expansion of
17 Philly Tech Week organized by
18 Technical.ly Philly; and
19 The growth and expansion of the
20 Amplify Philly effort at South by
21 Southwest managed by Philly Startup
22 Leaders.
23 The members of our subcommittee
24 are excited to continue to grow and
25 strengthen this ecosystem here in our

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2 hometown and are passionate about
3 promoting diversity and inclusion in our
4 industries.

5 One of the main accomplishments
6 of this subcommittee was working with the
7 Administration and Councilman
8 Taubenberger to address the payment
9 structure for the business income
10 receipts tax, which requires a business
11 to make an annual estimated payment based
12 on revenue they have not yet earned.
13 This hits new businesses with limited
14 cash flow particularly hard.

15 For the past several months,
16 both our subcommittee and the Small
17 Business Subcommittee helped convene
18 roundtables and gathered feedback from
19 our networks to help the City modify the
20 payment structure in a way that helps
21 businesses without hurting the City's
22 budget.

23 I'd also like to commend the
24 Revenue Commissioner, Frank Breslin, and
25 the First Deputy Revenue Commissioner,

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2 Marisa Waxman, for working closely with
3 us and being very encouraging and
4 transparent about alternatives and
5 actually the impacts this would have for
6 the City and the businesses that they
7 have to engage with.

8 We believe this kind of
9 communication between the public and
10 private sector is essential to creating
11 the type of environment that fosters
12 innovation and entrepreneurship. We know
13 that Philadelphia can become a global
14 leader in technology and life sciences.
15 We also know that we have the human
16 capital here in our city to fuel this
17 innovation, and we look forward to the
18 ongoing work of growing and diversifying
19 the talent pipeline in our industries.

20 I think the outcome of this
21 legislation, which maybe the Councilman
22 wants to talk more about, could be a
23 great win for this effort, our
24 subcommittee, the full committee, the
25 City, and the community of stakeholders

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2 we've convened. So I'm really excited
3 about that.

4 And thank you for the
5 opportunity to testify today, and I'm
6 also happy to answer any questions.
7 Thanks.

8 COUNCILMAN GREEN: Thank you
9 very much.

10 At this point let's bring up
11 Anuj Gupta and Jennifer Rodriguez from
12 the Small Business Subcommittee.

13 (Witnesses approached witness
14 table.)

15 MR. GUPTA: Good morning,
16 members of the Special Committee on
17 Regulatory Review and Reform. My name is
18 Anuj Gupta and I'm General Manager of the
19 Reading Terminal Market. I served as
20 Chair of the Small Business Subcommittee,
21 along with my colleague and friend
22 Jennifer Rodriguez. This morning I would
23 like to highlight a few accomplishments
24 of this subcommittee and some future
25 goals. Before I do that, I do just want

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2 to thank a couple people, including
3 Councilman Taubenberger and his staff,
4 who have been incredibly committed and
5 engaged throughout the entire process,
6 and two gentlemen sitting in the back
7 there, Darrell Davis from the Chamber of
8 Commerce and Jonathan Snyder from the
9 Department of Commerce, who provided
10 invaluable staff support throughout this
11 process and kept us in line and
12 forward-moving.

13 The Small Business Subcommittee
14 represented a diverse group of
15 businessowners, coalitions, and chambers
16 coming together to provide insight about
17 the City's website and online forms,
18 licensing processes, burdens related to
19 tax policy, and the City's dumpster
20 medallion system. The Small Business
21 Subcommittee was committed to improving
22 the regulatory process for local
23 businesses across commercial corridors
24 and helping them understand how to better
25 interact with City government.

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2 Through continued collaboration
3 with Councilman Taubenberger, the
4 Department of Commerce, and the
5 Department of Revenue, and the Life
6 Sciences and Startup Subcommittee, we are
7 able to start a discussion on allowing
8 first-year businesses to pay their second
9 year BIRT liability in quarterly
10 installments.

11 It's no secret Philadelphia has
12 a fairly complex tax code, one that often
13 places unique burdens on new and existing
14 businesses here in the City. Simplifying
15 the tax compliance burden for new
16 businesses will do more to grow our local
17 economy and create jobs. I am confident
18 legislation will be passed in the near
19 future to make it easier for new
20 businesses to operate.

21 The Small Business Subcommittee
22 was also able to convene meetings with
23 the Department of Licenses and
24 Inspections to discuss recommendations
25 for repealing regulations for unused

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2 licenses and permits, further cleaning up
3 The Philadelphia Code from archaic
4 legislation. Our subcommittee also met
5 with the Health Department to discuss
6 ways to improve education so businesses
7 can learn how to comply with Health
8 Department regs and not receive
9 violations that can be disruptive to a
10 business operation. We also discussed
11 the need for improved signage regulations
12 that provide for a simpler and less
13 subjective process that is not incredibly
14 onerous as it currently is.

15 However, there is still work to
16 do. As stated in the report, our
17 subcommittee is committed to working with
18 the Department of Revenue to provide
19 feedback on redesigning business tax
20 forms, working with the Department of
21 Health and other City agencies to create
22 a customer service-driven culture. We'd
23 like to create an environment in which
24 explicit expectations of how government
25 agencies will work in collaboration with

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2 businesses and are accountable to its
3 customers and residents.

4 In closing, I'm looking forward
5 to continuing to identify new areas for
6 regulatory reform and process improvement
7 in the City of Philadelphia.

8 Thank you for the opportunity
9 to testify before you today, and I'm
10 happy to answer any questions that you
11 have at the end of this panel.

12 MS. RODRIGUEZ: Good morning.
13 My name is Jennifer Rodriguez. I'm the
14 President and CEO of the Philadelphia
15 Hispanic Chamber of Commerce, and I am
16 here today pleased to have been -- have
17 worked in collaboration with Anuj for the
18 last year and a lot of the effort that we
19 collectively, this group, has put forward
20 and an important document that has been
21 issued.

22 I will, however, say that I am
23 rather disappointed that the only
24 Councilperson in this room is Councilman
25 Taubenberger. I thought that we would

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2 have an opportunity to really have a
3 dialogue with the broader community and
4 Council in general. So I think it should
5 be noted that when the business community
6 shows up in City Council, we would like
7 our Council representatives to join us in
8 the conversation.

9 I'll be happy to answer any
10 questions, of course.

11 COUNCILMAN GREEN: I guess one
12 question I would like to ask is similar
13 to the question that I asked the last
14 panel in reference to the pilot that was
15 discussed in reference to food and
16 hospitality. From the perspective of
17 small businesses and technology and
18 manufacturing, can you envision a pilot
19 that would also be helpful for those
20 areas and also what departments that you
21 would think?

22 MR. RIDDICK: Can you repeat
23 that question? I couldn't hear you.

24 COUNCILMAN GREEN: Just a
25 follow-up similar to what's been

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2 discussed in the Food and Hospitality
3 Subcommittee where we're working on a
4 pilot to have better communication
5 between various departments and kind of
6 tracking the time period it would take
7 for a new food or hospitality business to
8 get started and also seeing that could
9 also be done in the childcare perspective
10 and also the construction and real estate
11 perspective where we could have some type
12 of pilot where we could monitor the
13 timeline for either a business to get
14 started or get a certain project done and
15 how that will be also maybe effective in
16 the other subcommittees, like Tech and
17 Startup, Small Businesses, as well as
18 Manufacturing.

19 MR. RIDDICK: Well, one of the
20 things that we focused on in our
21 committee was looking at the process
22 that's in place in terms of how when
23 businesses come into the City of
24 Philadelphia what is their first point of
25 contact, how do they get information on

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2 opportunities, areas where they can do
3 business here in the City of
4 Philadelphia, and what we found is that
5 the website was the first place that
6 people were driven to and that the
7 website was not informative enough to
8 actually give a footprint of where to go,
9 who to talk to, and what you needed to do
10 to be able to come into the City of
11 Philadelphia and do work.

12 We did understand that the
13 Department of Commerce does have
14 representatives in its department that
15 people can go to, but there's just no
16 direction to tell people that's one of
17 the places they can go first to do
18 business.

19 MR. EPPS: So what comment in
20 response that -- again, coming from the
21 private sector, I completely agree with
22 you, but I think in response to that,
23 there's been the first round of many
24 series of enhancements to the website. I
25 would ask Lauren Cox to come forward and

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2 provide some additional updates on where
3 we are in response to that, because we
4 have heard it, and some improvement has
5 been made and, again, more to come. But
6 since I'm not the expert and she is, I'll
7 let her speak.

8 (Witness approached witness
9 table.)

10 MS. COX: Just so everybody in
11 the room is aware, we're part of an
12 ongoing process --

13 MR. EPPS: Please identify
14 yourself, please. I know who you are.

15 MS. COX: Sorry. Lauren Cox,
16 Communications Director for the
17 Department of Commerce.

18 We are in the process of
19 undergoing changes to our departmental
20 website as part of the larger initiative
21 across all of the City departments to
22 move over to the new platform, which was
23 Beta and is now the full Phila.gov. So
24 one of the things that we focused on was
25 trying to streamline information, make it

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2 a lot more accessible in terms of the
3 language that was being used, and sort of
4 organize things in the way that we felt
5 people were trying to use it.

6 The great thing about this new
7 platform is that we in the department
8 have a lot more control over it. So
9 we've heard some of the feedback from
10 your committee, and obviously as we
11 continue to get that feedback, we'll make
12 additional changes. If you guys tell us
13 we still have no idea where to find the
14 incentives, okay, let's try to move it
15 around, let's package it a little
16 different, move it up in terms of where
17 it appears on the website. So we are in
18 the first phase of that. We just
19 switched it over a little earlier in
20 August, and we'll be continuing to make
21 those updates.

22 Some of the related departments
23 have not gone through that change yet.
24 So Revenue went through that similarly
25 about six months ago. L&I has not gone

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2 through it yet. Planning has not gone
3 through it yet. Health is a little more
4 complicated. But eventually they will
5 all be on the same platform and
6 everything will be able to move a lot
7 smoother. So Commerce is making sure
8 that we are in the room when those other
9 departments are going through the change.
10 That way, we can help represent the
11 business community and make sure that
12 things are moving the way that we've
13 heard that you would like them to and
14 that they're organized in a way that
15 makes a little more sense.

16 MR. EPPS: And, Ms. Cox, would
17 you also speak to the language
18 translation capability.

19 MS. COX: Yes. So on the new
20 Phila.gov site, I think it's 120 or
21 120-plus languages. Everything that is
22 on that site is translatable at the click
23 of a button that uses the Google
24 Translate function. So no matter what
25 language you speak, hopefully it is one

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2 of those 120.

3 Once you get on the website, it
4 will automatically translate that with a
5 click of a button, making everything a
6 lot more accessible to folks particularly
7 in our immigrant communities who may not
8 speak English as a first language.

9 MR. WONDERLING: I have a
10 follow-up question for Ms. Laurie Actman.
11 You referenced -- I know the Councilman,
12 Councilman Taubenberger, has worked hard
13 on an ordinance related to what our tech
14 community refers to as the "second year
15 slap" and the payment around. Can you
16 provide a bit more detail on the
17 alternative to the current situation and
18 what does that mean, how it would be
19 implemented, does it require a change in
20 statute, et cetera?

21 MS. ACTMAN: I think actually
22 I'd love to defer to the Councilman and
23 also invite up Sylvie from the Commerce
24 Department to provide a little more
25 detail.

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2 We have done extensive
3 stakeholder outreach and had several
4 in-person meetings, and I think the
5 change is as much symbolic as practical,
6 which is actually really exciting about
7 it.

8 COUNCILMAN TAUBENBERGER: Well,
9 thank you really for the shout-out
10 earlier, and Mr. Gupta as well. Thank
11 you very, very much.

12 Being a member of this
13 Committee but also being a Councilman
14 at-large and talking to other
15 businessowners, I have heard this over
16 and over again on how onerous this tax
17 is. This tax not only -- and we're not
18 getting rid of the tax. It's the
19 collection process. You realize, we are
20 the only government certainly in the
21 United States that collects tax like
22 this, as far as the obligation is there
23 for a full year ahead of time. No other
24 city does it, no state does it, and
25 certainly the federal government doesn't.

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2 So we really have to get in
3 line, because this collection strategy on
4 our behalf actually leads to the
5 reputation of this city being very
6 onerous and very bad on taxes. This
7 leads to when -- I've said this a
8 thousand times, and it's based on my gut,
9 not on any collective wisdom as far as
10 doing a poll, but you ask ten accountants
11 and you tell them where you want to start
12 your business, I truly believe -- this is
13 me personally -- that nine of them will
14 tell you not to come in the City of
15 Philadelphia, and the collection of this
16 tax is one of them.

17 I also realize we have to work
18 with the Administration, because there's
19 a cost to the dollars involved, and
20 that's where the rubber meets the road.
21 And I have been working with the
22 Administration, continue to do so. We're
23 going to have a town hall meeting later
24 this month where people can voice this,
25 as they voiced to me, the need to do away

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2 with this type of collection strategy.

3 I am also, at the behest of the
4 Administration and others, working with
5 them, going to amend the bill that we
6 have currently passed in a way that is
7 more palatable all around, but will
8 continue the process.

9 I will say this: As a
10 legislator, as a City Councilman, I am
11 totally committed to changing this
12 collection strategy. I don't care what
13 it takes. Eventually it has to come to
14 an end. It is not good for business, and
15 the dollars that it saves are minuscule
16 in a \$4 billion budget. We just have to
17 work really another way.

18 So that's my strategy briefly,
19 and I am committed to continue to work on
20 it. And any other thoughts, I'd be happy
21 to hear them.

22 MS. GALLIER HOWARD: Good
23 morning. My name is Sylvie Gallier
24 Howard, First Deputy Commerce Director.

25 So I'll just add just --

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2 because this is sort of a tricky topic
3 and a lot of people got lost in the
4 detail. So where the legislation was --
5 and we really thank the Councilman for
6 introducing the legislation, because the
7 issue of the double payment of the BIRT
8 tax is something we've heard complaints
9 about for as long as I've been at
10 Commerce, but I think for as long as it's
11 been around. It's really a burden for
12 new businesses.

13 So the legislation, the way it
14 ended up at the end of session was that
15 new businesses would not have to pay any
16 estimated payments the first year that
17 they pay taxes, but in the second year
18 that they pay taxes, basically that
19 double payment was deferred to the second
20 year. And from the perspective of the
21 Commerce Department that's been wanting
22 this change for a long time, we said that
23 doesn't quite get us to where we want to
24 be. So we contacted the Councilman and
25 we said, could we work on maybe even

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2 getting it even better over the summer,
3 and he graciously accepted. And we did
4 roundtables, we did a survey, and we
5 ended up with -- well, we will be ending
6 up -- hopefully tomorrow there will be
7 some changes -- with allowing for
8 quarterly payments in that second year.
9 So instead of deferring the double
10 payment, in that second year of paying
11 taxes businesses would true up on
12 whatever they owe from the year before --
13 sorry. They'd pay their year before's
14 liability and then they would be able to
15 pay their estimated payment in quarterly
16 installments. And then by the third year
17 of paying taxes, they're like any other
18 existing business basically.

19 Now, the Councilman wanted to
20 have quarterly payments for everyone.
21 That is something that the Administration
22 would like. However, it poses a \$180
23 million -- essentially it goes against
24 our balance, our fund balance, and
25 because we have a relatively low fund

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2 balance with the City, that's a problem.

3 The town hall is really -- it's
4 an opportunity to talk to the Treasurer,
5 to Rob Dubow. We're going to have
6 someone from PFM, Kathy Clupper, to
7 really discuss this and just discuss what
8 are the priorities, because the
9 Administration really is open to making
10 changes along with Council, and we just
11 need to prioritize given financial
12 realities.

13 MR. WONDERLING: So I think
14 that we should move beyond the symbolic
15 on this issue. I want to applaud
16 Jennifer Rodriguez and her Chamber of
17 Commerce and her members, because this is
18 real. It goes beyond symbolism. And I
19 don't remember offhand the total amount
20 of tax anticipation notes this government
21 issues annually to fund current
22 operations, but to me, this should be
23 applied to all enterprises. We hear that
24 continually, that this government tends
25 to segment and target enterprises with

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2 legislative initiative. Here's a chance
3 where all boats would rise with the same
4 tide. And it has to be -- by the way, to
5 your point on the fund balance, this is
6 an accrual balance sheet issue, not a
7 cash issue for the government and,
8 therefore, I don't think at all there's
9 any barrier at all to -- as you do the
10 short-term debt vehicles with this
11 government annually, and I forget the
12 total amount in TANs that issue year to
13 year, that you could achieve this, and
14 that would be more than symbolism. That
15 would be real, real progress in the tax
16 code here in the City.

17 MS. GALLIER HOWARD: So just so
18 everyone is aware, the town hall is on
19 September 26th. I think it's from 8:00
20 to 10:00 a.m. It will be at Community
21 College, and we'll have a whole
22 discussion about this. So we can
23 definitely continue to have this
24 conversation.

25 MR. EPPS: From the Commerce

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2 Department, Rob, we completely agree with
3 you. What we have said with the
4 Councilman, this is the first step in a
5 journey and we do not plan to stop. This
6 is something that we definitely need to
7 ensure Philadelphia is competitive on,
8 and our present condition makes us worst
9 in class, nowhere near best in class,
10 worst in class.

11 COUNCILMAN GREEN: Thank you.

12 I actually had a couple
13 additional questions. One for Ms. Actman
14 from the tech/startup perspective. You
15 talked about a number of the initiatives
16 between Comcast, Drexel, Vanguard, your
17 institution at Penn, PSL, the Science
18 Center. Has there been any opportunity
19 in the conversation with those entities
20 that are coming together either on a
21 quarterly or twice-a-year basis just to
22 communicate among themselves regarding --
23 because each one is doing some really
24 unique things, but I think if there's a
25 way they could kind of work in a

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2 collaborative way, that would be really
3 beneficial.

4 MS. ACTMAN: I agree, and this
5 has been raised for a few years by a
6 number of places, including the, I think,
7 recent Brookings report about how to, I
8 guess, leverage our innovation assets
9 better.

10 I would say we coordinate very
11 often informally around many of these
12 initiatives. One thing that's great, and
13 I know it's become an issue in terms of
14 available lab space at the City, we refer
15 our startups who get funded and need
16 space to each other constantly. So in
17 terms of Penn, Drexel, the Science
18 Center, 1776, all of the kind of startup
19 infrastructure around town, we're kind of
20 one huge referral network, with
21 everyone's priority being let's keep
22 these startups that started in the City
23 in the City. So I see a lot of
24 collaboration there.

25 We collaborate very actively

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2 around Philly Tech Week, around Amplify
3 Philly, around some of these special
4 initiatives. I know the Chamber's new
5 Precision Medicine Initiative is going to
6 be very collaborative around many of
7 these entities as well.

8 There's certainly an
9 opportunity, perhaps maybe with
10 leadership from the City, to create an
11 Innovation Council to have -- I don't
12 know if it's quarterly or twice a year to
13 convene all these entities to find a few
14 things to collaborate on. In the past,
15 some of those initiatives have been
16 driven by special circumstances, like the
17 Democratic Convention or just maybe the
18 Amazon effort.

19 So people really come together
20 around huge initiatives, but I would say
21 there isn't like a consistent table other
22 than the recent kind of Brookings study.
23 So everyone is busy, but I think it would
24 be nice if the City had like a convening
25 function there that people might find new

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2 ways to collaborate. So it's something
3 to think about.

4 COUNCILMAN GREEN: And one
5 other question for your group. Did the
6 issue of venture capital come up? I know
7 I've had conversations with various
8 people in the maker community and other
9 aspects of the tech and startup community
10 where the issue of venture capital has
11 been a concern. Was that part of the
12 conversation at all?

13 MS. ACTMAN: It was certainly
14 raised as something that can be a
15 challenge in terms of holding back kind
16 of the development of our innovation
17 ecosystem here. I would say from the
18 Penn perspective, this year, this
19 calendar year, our Penn startups are
20 going to raise over \$500 million, like at
21 an unprecedented level we've ever seen
22 before. In FY18 -- actually we just all
23 calculated this -- the startups out of
24 Penn brought in almost \$450 million.

25 So I feel like the visibility

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2 and momentum around what we're all
3 collectively doing is making it easier to
4 attract venture capital to these high
5 potential startups. I don't know how
6 much that trickles down to the community
7 at-large. And then the second challenge
8 is obviously keeping the startups in the
9 City, and that's really kind of more what
10 this conversation is about. So I think
11 the trends are really positive.

12 COUNCILMAN GREEN: Okay. And I
13 just have one other question for
14 Mr. Riddick from the manufacturing
15 perspective. Mr. Riddick, if you could
16 come back to the table.

17 You raised the issue that I've
18 heard for a number of years of the
19 concern and the kind of battle between
20 industrial land that could be used for
21 future manufacturing growth and the huge
22 impact of residential development in the
23 City and some of the things you talked
24 about.

25 Was there any concept or

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2 thoughts in reference to creating some
3 type of manufacturing land bank where
4 land could be designated or held in some
5 type of land bank entity for future
6 industrial manufacturing groups?

7 MR. RIDDICK: In our committee,
8 we did not come up with that type of
9 discussions in our committee, but what we
10 did look at is that there is a tremendous
11 amount of industrial space here in the
12 City of Philadelphia, and what we're
13 seeing is and what we've reviewed in our
14 committee was that a lot of your
15 residential areas have been zoned/rezoned
16 areas now for industrial use, and that's
17 where we had talked about the noise level
18 issues and some of the fines that are
19 going out to businesses that have
20 operations that are so close to
21 industrial areas. And I for one --
22 actually, we have a warehouse in the
23 Northeast Philadelphia, and we were fined
24 several different times because of the
25 noise level, and what we have found is

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2 that the noise level ordinance was so
3 outdated in regards to about five
4 decibels that if you just dropped an ink
5 pen, you know, and the neighbor calls,
6 then we're going to get a fine.

7 And so we didn't talk about
8 trying to set up a separate industrial
9 area or a bank of land or areas within
10 the City of Philadelphia. If you go back
11 to 2010, there was a very extensive
12 report on industrial use land in the City
13 of Philadelphia, and that report, I
14 think, is still active today or should be
15 looked at today, because there is already
16 a study that's been done. Several
17 thousands of dollars have been spent in
18 that report to define areas in
19 Philadelphia. It may need to be updated
20 currently right now, but there are areas
21 in Philadelphia that can be attractions
22 to businesses coming into this area.

23 COUNCILMAN GREEN: All right.

24 Thank you.

25 Are there other questions for

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2 this second panel?

3 (No response.)

4 COUNCILMAN GREEN: Okay.

5 Seeing no other questions for the second
6 panel, I want to thank all of the
7 attendees here from members of the
8 Special Committee, the subcommittee
9 co-chairs for presenting information. As
10 I think both co-chairs and myself
11 acknowledge, this is just the beginning
12 of a process. I think just in this
13 conversation this morning, a number of
14 additional ideas I know have come to my
15 perspective that can be done, some from a
16 legislative perspective or just from a
17 City leadership perspective, of trying to
18 push this ball forward and how we can
19 enhance and grow small business growth in
20 our city.

21 With that, if there's no other
22 comments from any co-chairs, I'd like to
23 move from the public hearing to go into
24 the public meeting section of the Special
25 Committee hearing.

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2 I would like to
3 acknowledge Co-Chair Epps for a motion on
4 the report of the Special Committee as it
5 was considered by this Committee.

6 MR. EPPS: Thank you,
7 Mr. Chairman. I move that the report of
8 the Special Committee on Regulatory
9 Review and Reform, as it was considered
10 by the Special Committee on this day,
11 September 12th, 2018, be adopted by the
12 Special Committee and reported to
13 Council.

14 COUNCILMAN GREEN: Is there a
15 second?

16 (Duly seconded.)

17 COUNCILMAN GREEN: It has been
18 moved and properly seconded that the
19 report of the Special Committee on
20 Regulatory Review and Reform, as it was
21 considered by this Special Committee on
22 this day, September 12th, 2018, be
23 adopted by the Special Committee and
24 reported to Council.

25 All those in favor of the

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2 motion will signify by saying aye.

3 (Aye.)

4 COUNCILMAN GREEN: Those

5 opposed?

6 (No response.)

7 COUNCILMAN GREEN: The ayes

8 have it and the motion carries. The

9 report will be issued to Council at the

10 next session of Council.

11 Thank you for your attendance
12 and participation in this work which is
13 very important to the growth of our city.

14 (Special Committee on
15 Regulatory Review and Reform concluded at
16 12:00 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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