

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Einstein Medical Center
Gouley Auditorium
5501 Old York Road
Philadelphia, Pennsylvania
Tuesday, September 6, 2011
7:10 p.m.

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA
COUNCILMAN WILLIAM K. GREENLEE
COUNCILWOMAN DONNA REED MILLER
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN MARIAN B. TASCO

RESOLUTION 110523 - Resolution calling on City
Council's Committee of the Whole to hold
public hearings to educate and inform citizens
on the redistricting process for City Council
Districts in order to create an open and
transparent process and opportunity for public
engagement and input for City Council's
consideration.

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1
2 COUNCIL PRESIDENT VERNA: Good
3 evening, everyone, and welcome. We're
4 really brave souls to be out in this
5 weather.

6 This is a hearing of the
7 Council's Committee of the Whole and the
8 third of four hearings that will focus
9 exclusively on the matter of councilmanic
10 redistricting.

11 I would like to acknowledge my
12 colleagues who are here tonight. To my
13 extreme right is Councilman Bill
14 Greenlee. Next to him is Councilwoman
15 Tasco, and to my left Councilwoman
16 Miller, who are hosting this evening's
17 events, and I will turn the proceedings
18 over to them. However, before doing so,
19 I would like to conclude with some brief
20 remarks.

21 The 1951 Home Rule Charter
22 states, and I quote, "It shall be the
23 mandatory duty of the Council to
24 redistrict the City within six months
25 after the publication of the United

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2 States Census Bureau of the population of
3 the City." In other words, every ten
4 years it becomes Council's duty to redraw
5 the boundaries of the City's ten
6 councilmanic districts. Before we carry
7 out that responsibility, we want to
8 provide you, the public, with an
9 opportunity to weigh in. We have a big
10 task before us and we welcome your input.

11 This year's redistricting
12 process begins at a difficult starting
13 point. Although the City's total
14 population has not changed really
15 significantly in the last ten years,
16 there has been dramatic shifts in the
17 population of many districts. The main
18 challenge that we face is that four
19 districts that have lost significant
20 population - the 3rd, 4th, 8th and 9th -
21 are all located on the west side of the
22 City and are adjacent to each other.
23 Likewise, the three districts that have
24 gained significant population - the 1st,
25 6th and 7th - are located on the east

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2 side of the City. That means that
3 redistricting cannot be accomplished
4 simply by tweaking a few voting divisions
5 here and there. Some significant
6 redrawing of the map is inevitable.

7 The law concerning
8 redistricting is quite complicated. For
9 example, it isn't only to have districts
10 that are nearly equal in population, but
11 other goals serve well. Courts have
12 permitted some deviation from the ideal
13 population to further those goals. Other
14 factors to consider include maintaining
15 neighborhoods, encouraging adequate
16 representation of minority populations
17 and preserving core areas of districts.

18 I have been asked to clarify
19 the deadline under which we are working.
20 The six-month clock started ticking on
21 March 9th, 2011, so the deadline for
22 redistricting is September 9th, 2011. If
23 there is no plan by then -- it's the
24 29th, I believe, isn't it? The 29th?

25 COUNCILWOMAN TASC0: Yes.

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2 COUNCIL PRESIDENT VERNA: If
3 there's no plan by then, Councilmembers
4 will not, will not receive their salary
5 until Council passes a redistricting
6 ordinance and either the Mayor approves
7 it or it becomes law without the Mayor's
8 approval. Our expectation is to
9 introduce proposed redistricting
10 legislation at Council's September 8th
11 session, hopefully. That legislation,
12 like all other bills, will be scheduled
13 for a hearing, at which members of the
14 public will have every opportunity to
15 testify. If all goes well, on September
16 22nd, Council will approve the final
17 version of the bill and the Mayor will
18 sign it.

19 So with these considerations in
20 mind, our job this evening is to listen
21 to you and to learn your concerns. We
22 truly welcome any suggestions you may
23 have.

24 Councilwoman Tasco and
25 Councilwoman Miller, the floor is now

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2 yours. Thank you.

3 And may I just acknowledge
4 Councilwoman Maria Sanchez has just
5 walked in. She's the Councilwoman to my
6 extreme left.

7 Councilwoman Tasco.

8 COUNCILWOMAN TASCO: Thank you,
9 Madam President.

10 Good evening, everyone. Good
11 evening. You weathered this storm to
12 come here, and we really appreciate that
13 you have taken time out of your schedules
14 to come this evening to listen to the
15 testimony and/or testify yourself on what
16 you think the boundaries might look like.

17 I know that there's been some
18 concern because people wanted to respond
19 to maps, but we want to get input from
20 those who have an interest in the
21 redistricting issue, and then as we
22 deliberate, take those considerations --
23 take those issues into consideration.

24 As President said, once we draw
25 the boundaries, there will be a bill

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2 introduced into Council and then there
3 will be a public hearing and you will
4 have an opportunity to see what has been
5 drawn and have your comments included in
6 the public record. And, as you know, we
7 do have what you call a public forum.
8 Once the bill is introduced and is on the
9 Calendar, you have the opportunity to
10 come forth and express not only at the
11 hearing but prior to passage, there are
12 other opportunities to voice your opinion
13 about the process.

14 I'd like to thank the Einstein
15 Medical Center for allowing us to use
16 their facility again. Einstein Medical
17 Center is in the 9th Councilmanic
18 District across the street from the 8th.
19 We work together. They're very
20 cooperative, and we have used this
21 facility on any number of occasions, for
22 public meetings, for the debates that
23 were held in 2007 and the community
24 activities. They're a good neighbor and
25 we enjoy working with them in this

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2 community. Leroy Howell is our contact
3 here and I think he's trying to get --
4 there he is. Thank you, Leroy, for
5 helping us arrange to have this hearing
6 here this evening.

7 I'd like to thank my colleagues
8 for coming out. And now I will ask
9 Councilwoman Miller if she has any
10 remarks, to please go forth.

11 COUNCILWOMAN MILLER: Hi. I
12 too would like to thank everyone for
13 coming out. The weather is just so bad,
14 so stormy, and we're glad to see that
15 people actually came. I also would like
16 to thank Einstein.

17 This is an opportunity for
18 people to voice their issues and concerns
19 and probably learn a few things about the
20 redistricting that happens in this city
21 and cities across the country every ten
22 years. So with that, I guess that's
23 about it.

24 Thank you.

25 COUNCILWOMAN TASC0: Let me

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2 also recognize J. Whyatt Mondesire,
3 President of the statewide NAACP, as well
4 as Philadelphia NAACP and the National
5 NAACP. He's a member of the Board and
6 certainly has been instrumental in
7 encouraging us to have these public
8 hearings. Their agenda is a national
9 agenda to make sure that the boundaries
10 and the process -- the boundaries are
11 fair and the process is fair. So, Jerry,
12 thank you so much.

13 Okay. Now we call Mr. Joe
14 Garcia, our first witness, who is here.
15 Is Mr. Jose Oyola here?

16 MR. GARCIA: No.

17 COUNCILWOMAN TASC0: Just you?
18 Okay. Thank you.

19 (Witness approached witness
20 table.)

21 COUNCILWOMAN TASC0: Oh, excuse
22 me. Derek is going to read the title of
23 the resolution.

24 THE CLERK: Resolution No.
25 110523, calling on City Council's

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2 Committee of the Whole to hold public
3 hearings to educate and inform citizens
4 on the redistricting process for City
5 Council districts in order to create an
6 open and transparent process and
7 opportunity for public engagement and
8 input for City Council's consideration.

9 COUNCILWOMAN TASCO: Good
10 evening.

11 MR. GARCIA: Good evening,
12 ladies and gentlemen. Good evening, all.
13 I'm Joe Garcia for LatinoLines, former
14 marine. My family and I live in the 7th
15 Councilmanic District. My wife and I are
16 raising our family there and our children
17 go to the schools there, too.

18 LatinoLines' detailed nuts and
19 bolts testimony is already on the record,
20 so tonight is a summation of all our
21 points and the movement we're involved
22 in, one man, one vote, a free society of
23 fair and equal opportunities, the
24 movement that gave us the Voting Rights
25 Act of 1965. The movement begun right

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2 here in Philadelphia in 1776 that we cite
3 today on our own behalf.

4 We also fully understand the
5 pressures on you, the City Council. It's
6 a difficult task for fairness. Yet still
7 the record shows the Council never showed
8 us any details and had us all testify
9 anyway. The good news is the record is
10 now more clear than ever and the jury of
11 public opinion is in.

12 In her testimony during the
13 Council's first hearing, Mayor Nutter's
14 Chief of Staff, Suzanne Biemiller, called
15 for City Council to, quote, "slay the
16 gerrymander and make districts that are
17 compact and make sense." Among other
18 references to the 7th District, she also
19 said, "The Administration urges City
20 Council to maintain communities of
21 interest," end quotes.

22 We are grateful and
23 appreciative of the Mayor's support. We
24 are heartened by the support and
25 leadership of Councilwoman

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2 Quinones-Sanchez.

3 LatinoLines is extremely
4 pleased to see the Mayor's Office, the
5 press and other leaders joining us in our
6 assessment and concern for the health and
7 viability of the 7th Councilmanic
8 District.

9 In the very least, the snaking
10 tail and jug handle have got to go. We
11 have heard talk about some plans.

12 Let us be very clear. Any
13 scenario where the 7th District goes
14 above Cottman Avenue is unacceptable and
15 we will call on the Mayor to veto such
16 plans.

17 Our votes must no longer be
18 diluted. No more threats of takeover in
19 possible scenarios reminiscent of the
20 tales of Civil War-era carpetbaggers.
21 It's 2011 and we will have our district
22 back and our neighbors back in our
23 district.

24 The 60 percent Latino voting
25 population we have recommended for the

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2 7th District is fair and reflects the
3 realty of the 7th District's residents.
4 That 60 percent gives us a Citizens of
5 Voting Age number of 50 percent, proper
6 and fair.

7 You may have noticed that in
8 the two prior hearings we were
9 accompanied by lawyers from Latino
10 Justice of New York. Juan Cartagena is a
11 nationally respected civil rights
12 litigator. He came in from New York, as
13 did his colleague, Jose Perez, Esquire,
14 at the first hearing. There have been
15 numerous conferences and we have numerous
16 legal options at this time.

17 We feel hopeful because so many
18 people agree with us that the 7th
19 District must be brought into compliance
20 with the laws of the land, specifically
21 the Voting Rights Act of 1965.

22 While we are hopeful, we are
23 also prepared to do what is necessary to
24 secure fair voting districts in
25 Philadelphia.

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2 We look forward to seeing the
3 Council's maps and plans. We look
4 forward to testifying again at that time.

5 Thank you, Madam Chair, Madam
6 President, Councilwoman Quinones-Sanchez
7 and all esteemed Councilmembers. Thank
8 you.

9 COUNCIL PRESIDENT Verna: Thank
10 you.

11 COUNCILWOMAN TASC0: Thank you.

12 Any questions?

13 (No response.)

14 COUNCILWOMAN TASC0: Thank you
15 very much for your testimony.

16 Mr. Jerry Vattamala.

17 (No response.)

18 COUNCILWOMAN TASC0: Next we
19 have -- we're going to call on these
20 three people before we call the panel up.
21 Ms. Gwendolyn Davis.

22 MS. DAVIS: Jordan Gwendolyn
23 Davis.

24 COUNCILWOMAN TASC0: I'm sorry.

25 (Witness approached witness

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2 table.)

3 MS. DAVIS: Thank you very much
4 for this. My name is Jordan Gwendolyn
5 Davis. I currently live in the Carroll
6 Park section of West Philadelphia, and I
7 would like to first thank you all for
8 having these hearings, because everyone
9 who spoke here has the right to complain
10 for the next ten years if something
11 doesn't go right.

12 Anyway, I'm not here to speak
13 necessarily about West Philadelphia. I'm
14 here to speak about a neighborhood that
15 is close to my heart and where I receive
16 services and often play, the gayborhood.
17 I think that Kenyatta Johnson, who will
18 be representing the 2nd District -- the
19 gayborhood is currently in the 1st
20 District -- would be a better choice for
21 the gayborhood. As someone who has seen
22 the Liberty City Candidates nights, I
23 think that Kenyatta Johnson has the
24 perfect combination of LGBT competence,
25 as well as like understanding the poverty

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2 issues that affect so many in the
3 community, including us trans people,
4 that I think he would be a better idea.
5 And I just do not think Mark Squilla just
6 has any idea of the issue.

7 Now, true, both districts are
8 very diverse, but I just want to
9 reiterate that it would be -- that
10 Kenyatta Johnson is right next door to
11 the neighborhood and he should be pushed
12 in in exchange. One idea would be also
13 to push Squilla into the 26th Ward,
14 because that's more of an ethnic white
15 ward and I think that will just be a
16 better match. It just is a win-win
17 situation for everyone.

18 Thank you.

19 COUNCILWOMAN TASC0: Thank you
20 very much for your testimony.

21 Adam Bonin of JSPAN.

22 (Witness approached witness
23 table.)

24 MR. BONIN: Thank you very
25 much, Councilwoman President Verna and

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2 all the members who are here. My name is
3 Adam Bonin. I am pleased to have the
4 opportunity to testify on behalf of the
5 Jewish Social Political Action Network,
6 which is a Philadelphia-based
7 organization dedicated to advancing
8 quality and opportunity for all in our
9 pluralistic democracy, protecting
10 constitutional liberties and civil rights
11 of those who are oppressed and carrying
12 out the goals of tikkun olam, preparing
13 the world.

14 I'm reminded tonight of the
15 words of the late Senator Mo Udall, who
16 once saved as a clip that everything that
17 needs to be said has already been said,
18 but not everybody has said it yet.

19 Given the hour, given the third
20 public hearing and given that the rain
21 might ultimately end, I'm going to try to
22 keep our remarks brief. You have our
23 written testimony, and I'm going to skip
24 certain parts of it, but I have to start
25 at the beginning, which is my own

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2 personal interest in redistricting, which
3 is that -- this is what I did my senior
4 thesis on at Amherst in 1994, and at the
5 time, I was really influenced by the
6 founding fathers, by John Stuart Mill and
7 the whole idea that you draw the
8 districts to -- you don't draw the
9 districts to ensure that particular
10 groups be represented, that instead you
11 take -- you allow the representatives to
12 serve as filters instead.

13 Then I got to law school, and
14 while I was at Chicago, I took a seminar
15 on election law with a gifted young
16 professor who taught me to think about
17 things differently. He said that in the
18 real world, representative bodies -- in
19 real-world representative bodies, you
20 can't trust each elected member to act
21 perfectly as a filter for the diverse use
22 in his or her own district, and that
23 unless some voices are physically
24 present, they wouldn't be heard at all.
25 My election law professor was Barack

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2 Obama, and we know what happened to him.

3 The question is, what should that teach

4 us about this redistricting process?

5 Number one is to respect

6 communities of interest. We joined with

7 all of those groups who have insisted on

8 the need for a district from which

9 Philadelphia's considerable Latino

10 population is not split up, not

11 diluted -- that its voice is not diluted

12 in any way from having effective

13 representation of the community's common

14 interest.

15 Number two is that these

16 districts be compact, contiguous and

17 clear. There has been much talk in the

18 media about wards being the building

19 blocks of districts, but wards are a

20 political insider's game that have no

21 natural constituency. Look at

22 Philadelphia the way that its citizens

23 do, not by what ward they live in but

24 what neighborhood they live in, their

25 police district, their school attendance

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2 zone, the civic organizations that build
3 up this city, the youth sports leagues,
4 the parishes, all the different small
5 communities that build up this city and
6 through which Philadelphians define
7 themselves. These are the relationships
8 which build community and reflect the
9 development of community. They are
10 geographically focused and they help
11 people focus on the community of interest
12 that they share.

13 The ideal plan should not reach
14 beyond being lawful, but should reflect
15 existing and growing community structures
16 and facilitating their growth. It's
17 through these smaller units that need to
18 be respected as part of the redistricting
19 process.

20 The third point -- actually,
21 the third point we can skip, because
22 there will be public hearings once the
23 map is introduced. I think that is a
24 great thing.

25 The fourth and final thing is

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2 to take an opportunity to rethink this
3 process going forward. It is a little
4 bit odd. I mean, look, it's odd in the
5 beginning that you have this decennial
6 process through which representatives
7 choose their constituents. That's odd in
8 and of itself. It is even odder when you
9 have the timing situation which we have
10 here in which certain members of Council
11 will be remaining in this process for
12 another election and others will not. It
13 would be more fair if all members of
14 Council were in the same boat and looking
15 at the map. There shouldn't be stronger
16 self-interest among some than others.
17 And obviously you have the at-large
18 members who have no particular
19 self-interest at all in this process.
20 Best of all would be a map drawn by an
21 appointed neutral commission, which
22 Council could adopt or reject but not
23 tinker with. Such a change would require
24 a Charter revision, which could also
25 introduce inquiries into whether the

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2 current size and composition of Council
3 should change to ensure a representative
4 and effective Council. Chicago has 50
5 aldermen to our 17 councilors, with a
6 population that's not even twice our
7 size. Houston, which is about the same
8 size as Philadelphia, has nine district
9 Councilmembers and five at-large seats,
10 but no guarantee of representation for
11 the minority party.

12 JSPAN doesn't take a position
13 on these questions, but we aren't afraid
14 to have them asked. The Charter is not
15 set in stone and we need to keep thinking
16 about what it takes to make Philadelphia
17 a more fair, more just and more, small d,
18 democratic city.

19 Thank you for your time.

20 COUNCILWOMAN TASCO: Thank you
21 very much for your testimony. Thank you.

22 Karen Bojar. Am I saying this
23 right?

24 (Witness approached witness
25 table.)

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2 COUNCILWOMAN TASC0: Do you
3 have copies of your testimony?

4 MS. BOJAR: Just one.

5 COUNCILWOMAN TASC0: When you
6 finish, would you give it to the
7 stenographer, please.

8 MS. BOJAR: Sure.

9 COUNCILWOMAN TASC0: Thank you.

10 MS. BOJAR: My name is Karen
11 Bojar and I am a Board member of
12 Americans for Democratic Action. I'm
13 here tonight representing the Chair of
14 ADA, Glenavie Norton, who unfortunately
15 could not make it.

16 ADA calls upon City Council to
17 adopt the following principles for this
18 year's redistricting:

19 One, democracy. The proposed
20 map should be made public in ample time
21 for public comment and there should be
22 multiple, convenient public hearings
23 opportunities after the new Council map
24 is made available to the public.

25 Two, transparency. The public

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2 should be informed of the content of any
3 communications between the redistricting
4 task force and individual members of
5 Council.

6 Three, communities of interest.
7 Consistent with constitutional and Voting
8 Rights Act requirements for equal
9 rights - one person, one vote;
10 majority/minority districts; contiguous
11 districts, et cetera - districts should
12 reflect recognizable communities of
13 interest.

14 Next, compactness. Consistent
15 with constitutional and Voting Rights Act
16 requirements, districts should be
17 geographically compact. If the Council
18 redistricting process does not meet the
19 highest principles of democracy,
20 Americans for Democratic Actions calls
21 upon Mayor Michael Nutter to veto any
22 Council district map that is politically
23 gerrymandered or does not reflect
24 adequate opportunity for public input and
25 comment.

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2 Finally, Americans for
3 Democratic Action calls upon City Council
4 to begin work on an amendment to the Home
5 Rule Charter to provide for ample public
6 hearings and an independent body for
7 future redistricting.

8 So thank you for your
9 consideration.

10 COUNCILWOMAN TASC0: Thank you
11 very much for your testimony.

12 We want to present the
13 FixPhillyDistricts.com presentation, but
14 before we do that, so we let them be the
15 last group, is there anyone else here to
16 testify before we go to FixPhilly.com?

17 (Witness approached witness
18 table.)

19 COUNCILWOMAN TASC0: Good
20 evening.

21 MR. WOLF: Hi there.

22 COUNCILWOMAN TASC0: How you
23 doing?

24 MR. WOLF: Good. My name is
25 Matthew Wolf. I'm from West

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2 Philadelphia, and the only thing that I
3 wanted to impart to you is that I think
4 that it goes to the core of what it means
5 to be a representative democracy that
6 when you're doing this -- and this is
7 obviously -- there's politics involved,
8 there's a wide variety of factors to
9 consider, but there is no factor as
10 important as having the districts be as
11 close as possible in size. It goes to
12 one man, one vote. And while I have
13 heard in the media that a 10 percent
14 variance is allowed by law and I've
15 looked at those cases, I wouldn't be so
16 sure that that is necessarily going to
17 hold up, considering some evolution in
18 the law recently, particularly some
19 language in the Third Circuit decision
20 ten years ago involving Pennsylvania's
21 congressional reapportionment. And I do
22 understand that the law has drawn a line
23 between congressional reapportionment and
24 local reapportionment, but the language
25 in there talking about the changes in

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2 technology and such that allow the
3 map-makers to do this with more precision
4 is something that will likely be tested
5 if there's a wide variance in the
6 population of the districts this time.

7 That's really all I had to say.

8 Thank you very much for your time.

9 COUNCILWOMAN TASC0: Thank you.

10 Thank you. We appreciate your testimony.

11 We now call on

12 FixPhillyDistrict.com, Robert Cheetham.

13 Mark, are you testifying?

14 REPRESENTATIVE COHEN: Yes.

15 COUNCILWOMAN TASC0: You're
16 going to testify?

17 STATE REPRESENTATIVE COHEN:

18 Yes.

19 COUNCILWOMAN TASC0: Do you
20 mind?

21 MR. CHEETHAM: No, I don't
22 mind.

23 COUNCILWOMAN TASC0: State
24 Representative Mark Cohen.

25 (Witness approached witness

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2 table.)

3 REPRESENTATIVE COHEN: Thank
4 you.

5 COUNCILWOMAN TASCO: Whose
6 district is -- part of his district is in
7 the 9th District.

8 REPRESENTATIVE COHEN: That's
9 right. Well, I'd like to welcome you to
10 the 202nd Legislative District, part of
11 the 9th Council District and the 1st
12 Congressional District and Shirley
13 Kitchen's Senate district and all sorts
14 of other good things.

15 I have no prepared testimony,
16 as you see. I would like to just make a
17 series of very, very brief
18 recommendations, Madam Chair.

19 First, I would support a
20 greater Latino percentage in the district
21 now represented by Councilwoman
22 Quinones-Sanchez. I think that would be
23 very popular in the Latino community, and
24 I think it would also be popular in
25 Northeast Philadelphia, many of whose

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2 residents would very much like not to be
3 in that district.

4 Secondly, I remember ten years
5 ago the great struggles the UN threw. My
6 father was a part of those struggles, and
7 I would hope it would not be necessary to
8 go through those same struggles again. I
9 think Councilman Ortiz, Councilman
10 Mariano both suffered greatly from those
11 struggles and the image of City Council
12 also suffered as a whole, and you have
13 now -- there's no election scheduled
14 until 2015 and there will be six new
15 Councilpeople elected next year. There's
16 nothing stopping the new members of City
17 Council, if they so choose, from joining
18 with the other members and revising
19 whatever you do. I would urge that you
20 pass a plan rather than holding out for
21 the most perfect plan for an extended
22 period of time.

23 Beyond those recommendations, I
24 would -- I commend you for holding these
25 public hearings, and I think that you

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2 ought to be aware that the State
3 Legislature has a deviation of under 6
4 percent. That's the standard deviation
5 at the Legislature, who has dealt with it
6 now for about 40 years, and the Supreme
7 Court has repeatedly upheld that. I
8 don't know what the chances are, if any,
9 the Pennsylvania courts would uphold a
10 challenge to a deviation somewhere
11 between 6 and 10 percent. Ten percent is
12 the federal minimum, but you should know
13 that certainly up to 6 percent you would
14 be very safe.

15 I do not envy your task. You
16 have the same problem the State
17 Legislature has in coming up with
18 districts, that some parts of the City
19 have gained population and other parts
20 have lost population, and so the
21 districts have to be stretched to
22 accommodate that.

23 I appreciate the invitation.
24 If there are any questions, I'll be glad
25 to answer them. Thank you.

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2 COUNCILWOMAN TASC0: Thank you
3 very much for your testimony.

4 COUNCIL PRESIDENT VERNA: I'm
5 sorry. Did you say the State Legislature
6 is looking for deviations under 6
7 percent?

8 REPRESENTATIVE COHEN: Under 6
9 percent.

10 COUNCILWOMAN TASC0: That's for
11 the state boundaries, legislative
12 boundaries.

13 REPRESENTATIVE COHEN: That's
14 correct. Justice McEwen has said that he
15 will not support -- Justice McEwen is the
16 swing member of the Legislative
17 Reapportionment Commission in the cycle,
18 and he said he will not support any
19 deviation of 6 percent or higher, but he
20 could support a deviation of 5.8 percent
21 or 5.9 percent. So presumably he speaks
22 for the Supreme Court in that since he's
23 been appointed by the Pennsylvania State
24 Supreme Court.

25 COUNCIL PRESIDENT VERNA: Thank

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2 you.

3 REPRESENTATIVE COHEN: Thank
4 you. Thank you for having this.

5 COUNCILWOMAN TASCO:
6 Councilwoman Quinones.

7 COUNCILWOMAN SANCHEZ: Yes.
8 Can you explain a little bit about how he
9 plays a role in the state legislative
10 drawing process? Because one would argue
11 that the state legislative maps are
12 almost worse than the Council ones. So I
13 wonder how the deviation is the only
14 thing that's allowed to sit, and are they
15 not looking at compactness?

16 REPRESENTATIVE COHEN: I think
17 they're looking at compactness, but I
18 think the main issue is compliance with
19 the Voting Rights Act. There will be a
20 serious attempt made by both political
21 parties in the Legislature to guarantee
22 that there will be two districts with
23 Latino majorities this time for the first
24 time. In addition, the Voting Rights Act
25 requires that we maintain the districts

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2 with black incumbents. And I think we
3 have persuaded the republican party that
4 there should be no democrat from
5 Philadelphia who is without a district.
6 The republican party had talked about
7 getting rid of one of the democrats
8 because there will be two democratic
9 vacancies in all likelihood with the
10 election sheriff of Jewell Williams, the
11 election Councilman of Kenyatta Johnson.
12 But my understanding now is that the
13 republicans are in agreement that we
14 should keep all 24 democratic House seats
15 from Philadelphia, and I'm sure that will
16 happen.

17 I think compactness is the
18 secondary goal. It's not required by the
19 federal Constitution. And under state
20 decisions for the State Legislature, it
21 clearly is subordinate to the questions
22 of equality of population and compliance
23 with the Voting Rights Act. And so I
24 expect that there will be districts that
25 will not meet ideal standards of

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2 compactness.

3 COUNCILWOMAN SANCHEZ: In order
4 to reach the other two goals, which is --

5 REPRESENTATIVE COHEN: In order
6 to reach the other two goals. And also,
7 Philadelphia is a very difficult city in
8 which to meet compactness standards
9 because the City itself is not compact.

10 There are plenty of borderline zigs and
11 zags in the City's borderline itself.

12 The City would be a lot more compact if
13 Cheltenham Township would be a part of
14 the City, if Bucks County didn't sink
15 down so that -- and go a long way down
16 the right side of Northeast Philadelphia,
17 if Lower Merion was part of Philadelphia.

18 I mean, one could redraw Southeastern
19 Pennsylvania and create a more compact
20 city. If we had a more compact city,
21 there would be more compact districts
22 much more easily. But we have to deal
23 with the city that we have and the
24 boundaries we have, and there's no
25 appetite whatsoever to start

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2 redistricting counties to meet standards
3 of compactness. Districts reflect the
4 difficulties within the City.

5 COUNCILWOMAN SANCHEZ: Thank
6 you.

7 REPRESENTATIVE COHEN: Anything
8 else?

9 COUNCILWOMAN TASCO:
10 Councilwoman Miller.

11 REPRESENTATIVE COHEN: Yes,
12 Councilwoman Miller.

13 COUNCILWOMAN MILLER:
14 Representative Cohen, when does your
15 process start and do you have a deadline
16 for ending?

17 REPRESENTATIVE COHEN: Our
18 process started in -- our process is
19 somewhat ongoing, and it started really
20 at the beginning of this year when we
21 tried to reach agreement as to who the
22 fifth person was. And then I guess in
23 May, the Supreme Court ruled that the
24 fifth -- because there was no agreement
25 among the legislative leaders, the

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2 Supreme Court ruled that the fifth person
3 would be Senior Judge Stephen McEwen of
4 Delaware County, who has a long judicial
5 record, most recently serving on the
6 Superior Court of Pennsylvania.

7 The process started in terms of
8 population count when on August 17th the
9 panel said the figures are good enough
10 for us to proceed. They're still not
11 perfect. There's still some minor errors
12 in tabulation despite the advances in
13 computer technology. It still depends an
14 enormous amount on a hand tabulation of
15 figuring out what person is in what
16 precinct and what census block.

17 So they're operating on the
18 assumption that it starts on August 17th,
19 and they have under the state
20 Constitution at least 90 days -- they
21 have maximum, I'm sorry, maximum of 90
22 days to draw districts, which would take
23 us to about November 17th. The goal --
24 and then they have 30 days for public
25 hearings on the plan, which would take us

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2 to December 17th. And then they've got
3 30 days to come up with a plan after
4 that, which would take us to January
5 17th, and that's right around -- that's
6 getting uncomfortably close to the filing
7 deadline for the Legislature.

8 In addition, the tradition is
9 that the congressional redistricting is
10 not done until after the legislative
11 redistricting is completed. So an awful
12 lot of people are getting a little antsy
13 about how they're going to know what
14 their district is in time to file a
15 nominating petition, so there's going to
16 be some effort to try to speed up the
17 process, but the mandatory end would be
18 around January 17th, and hopefully it
19 will end quicker so that everybody knows
20 where they live and what district they're
21 in.

22 COUNCILWOMAN MILLER: And you
23 have, what, a population of about 50 -- I
24 think years ago it was 58,000.

25 REPRESENTATIVE COHEN: It's

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2 creeping up now.

3 COUNCILWOMAN MILLER: It's

4 creeping up?

5 REPRESENTATIVE COHEN: The

6 minimum population is 61,900, is the

7 figure we're operating under. I think

8 the maximum is something like 62,523 --

9 I'm sorry. That's the average. And the

10 maximum would be something like 64,000.

11 So basically between 61,000 and 64,000

12 would be the size of the district. The

13 minimum/maximum figures are based on a

14 5.9 percent deviation. They're -- let me

15 correct that. They're based on a 5.5

16 percent deviation. There will be a

17 slightly bigger difference if they go up

18 to 5.9 percent.

19 COUNCILWOMAN MILLER: Will they

20 hold public hearings in Philadelphia?

21 REPRESENTATIVE COHEN: Yes.

22 They'll hold a public hearing, one.

23 There would be a public hearing held at

24 St. Joseph's University after the --

25 COUNCILWOMAN TASCIO: I don't

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2 know why we don't have ten.

3 REPRESENTATIVE COHEN: City
4 Council people are welcome to come and
5 make demands. Justice -- it's a big
6 state and it's tough to get around, and
7 Justice McEwen was not thrilled at the
8 idea of a lot of public hearings. He's
9 close to 80 years old and he's not really
10 interested in touring the State of
11 Pennsylvania for public hearings. So
12 there will be --

13 COUNCILWOMAN SANCHEZ: Two from
14 the Senate, two from the House DNR and
15 then the judge. That's their committee
16 of five.

17 REPRESENTATIVE COHEN: That's
18 correct. And each of the leaders of the
19 respective party caucuses are the members
20 of the committee.

21 COUNCILWOMAN SANCHEZ: And
22 that's written into law, that structure?

23 REPRESENTATIVE COHEN: The
24 structure is written into law. The
25 appointments of the members of the

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2 committee are made by the leaders.

3 Generally in the past the leaders have
4 appointed themselves. They've not always
5 appointed themselves. And this will be
6 the second time we have a retired judge
7 in this role. Once we had a future
8 judge, a leading lawyer in Pittsburgh,
9 and twice we had deans of the University
10 of Pennsylvania Law School in this role.

11 COUNCILWOMAN TASC0: Thank you
12 very much. Thank you.

13 Any more questions or comments?

14 (No response.)

15 COUNCILWOMAN TASC0: Thank you.

16 REPRESENTATIVE COHEN: Thank
17 you.

18 COUNCILWOMAN TASC0: Okay. I
19 guess now we're ready for you. Thank you
20 so much for your patience. Why don't you
21 state your name for the record. You're
22 going to testify.

23 MR. CHEETHAM: My name is
24 Robert Cheetham. I am here representing
25 the FixPhillyDistricts.com contest and --

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2 I don't know how convenient this will be
3 for members of Council, so we've also
4 handed out testimony here, so the
5 graphics that are behind you, which I
6 realize is inconvenient, will be included
7 in the testimony as well.

8 I'm going to do a brief
9 introduction of the contest. Some of you
10 have already heard this before, so I beg
11 your indulgence, but for the other
12 members of Council who weren't at last
13 week's hearing, I'll walk through it very
14 briefly again. I'll then present on
15 behalf of some of the people who won in
16 the competition but could not be here,
17 and then each of the people who could be
18 here will present after me.

19 Members of Council, Council
20 President, thank you very much for this
21 opportunity to be here tonight.

22 The FixPhillyDistricts.com
23 contest ran for the last several weeks.
24 This was a joint effort between WHYY,
25 Philly.com, the Daily News and the Penn

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2 Project for Civic Engagement. It ran for
3 about three and a half weeks. We had
4 almost 500 people who participated in the
5 competition. They created more than
6 1,200 plans, more than 70 of which were
7 submitted for scoring and 31 of which
8 were submitted to the contest.

9 The basic rules that Council is
10 bound by that we used in the contest,
11 people had to come up with ten districts
12 in their plan. Those districts had to be
13 contiguous, had to follow the equal
14 population rules. We allowed a deviation
15 of about 5 percent, two and a half
16 percent on either side of the average.

17 All ward divisions had to be
18 assigned, and to the extent people could,
19 they needed to try to preserve or
20 consider communities of interest.

21 These were translated into
22 three different scores. One was equal
23 population, the second was compactness,
24 and the third was the number of ward
25 splits. And, finally, respecting

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2 communities of interest was one that we
3 considered, but we didn't have a
4 quantitative metric for that.

5 We asked each of the people who
6 submitted to the contest to write down a
7 narrative of what sort of values they
8 considered when they were creating their
9 plans. The first of these was -- well,
10 people told us a lot of different things.
11 Some of them were the scoring metrics we
12 used, but they considered many other
13 things, including minority communities,
14 neighborhoods, some people started with
15 creating a Center City district,
16 respecting natural boundaries, and some
17 people had some very interesting ideas
18 that were neither required for the
19 contest nor necessarily required for
20 Council districts, but things like parks,
21 universities, development districts and
22 even watersheds.

23 I'm now going to walk through a
24 few of the people. We gave awards to
25 seven plans. We are not necessarily --

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2 none of the partners here were out to
3 endorse any given plan. We think all
4 seven of these plans are very good. Our
5 objective here was to demonstrate that it
6 was possible for and there was an
7 interest in the public being able to
8 become involved in this process.

9 We were excited and thrilled to
10 see that so many plans were created and
11 so many were submitted despite this being
12 August, hurricanes, earthquakes and
13 downpours.

14 The plans that we're going to
15 present here in some cases in each of the
16 three categories were the highest scoring
17 ones. We also gave an overall prize and
18 we have three honorable mentions. So I'm
19 going to walk through a few of these and
20 then I'm going to give a chance for each
21 of the winners who were able to make it
22 here tonight to give their testimony.

23 The first of these is Plan No.
24 711. We had people from not only the
25 Philadelphia area but from outside the

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2 region as well. This gentleman, Gary
3 Zielonis, lives in Erie, Pennsylvania, I
4 believe, and he submitted from -- he
5 recently had surgery and was recovering
6 from surgery and he submitted this from
7 not quite his hospital bed but from his
8 recovery bed.

9 He says, My basic approach to
10 any redistributing project is to first
11 achieve the closest district population.
12 So he began with that. He got it down to
13 a total deviation of only 161 people. So
14 he felt that was pretty darn close.
15 Contiguity and compactness were also
16 important considerations.

17 Some of the districts in his
18 particular plan are modeled on state
19 Senate districts or groupings of state
20 House districts. This was fairly
21 different from many people's, but he
22 brought this particular consideration.

23 My knowledge of these allowed
24 for the development of majority/minority
25 districts and the groupings of

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2 communities of interest. There are
3 distinct districts for South Philly,
4 Southwest Philly, West Philly, Center
5 City/University City, Roxborough/Chestnut
6 Hill, Germantown/Mt. Airy and so on, and
7 a Hispanic district in the middle in
8 parts of Kensington, Juniata, Feltonville
9 and Logan.

10 I did not have any knowledge of
11 incumbent home addresses, so I was not
12 attempting to consider this. Sometimes
13 being from a distance like this allows
14 one to stand back and see things from a
15 different point of view.

16 Thank you for the opportunity
17 to offer my plan for your consideration.
18 I think it combines the best balance of
19 equitable population, contiguity,
20 compactness and preserving communities of
21 interest. Good luck with your tight time
22 constraints -- he's directing this to
23 Council -- and I hope this plan offers
24 some ideas for your consideration.

25 So that was an honorable

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2 mention. The next plan is Plan No. 1175.

3 This was submitted by a team in North
4 Carolina. They actually created dozens
5 and dozens of plans. This was the final
6 one that they submitted, and we thought
7 it balanced a number of different
8 criteria.

9 In making and evaluating our
10 plans, we considered the following
11 criteria: geographic contiguity,
12 population equality, communities of
13 interest, minority voting rights, compact
14 shape, and respecting natural boundaries.
15 The presented plan out of the many that
16 we have designed has achieved excellent
17 scores on the above criteria.

18 Each district population is
19 within two and a half percent of the
20 ideal. It preserves almost all wards,
21 achieves an excellent compactness score.
22 The plan is particularly good at
23 preserving minority voting rights. It
24 has four African American majority
25 districts, one strong Hispanic district

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2 greater than 40 percent and a mixed
3 minority/majority district of African
4 American, Hispanic and Asian. This mixed
5 minority district is important since it
6 represents multiple minorities and also
7 has the highest percentage of Asian
8 population amongst all districts.

9 The plan also respects natural
10 boundaries, which the district boundaries
11 tend to follow. District 3 completely
12 preserves the downtown area and District
13 6 covers the campuses of University of
14 Pennsylvania and Drexel.

15 I'm very glad that this plan
16 was able to incorporate and balance these
17 important criteria and considerations.
18 As you would imagine, however, it's not
19 an easy task to produce such a plan.
20 There are an enormous number of possible
21 plans and it is impossible to arrive at
22 an excellent one from a trial and error
23 approach.

24 I used two computer tools to
25 help me design dozens of very good plans

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2 rather quickly. One tool is the
3 iRedistrict software package, which is
4 based on computational optimization
5 algorithms to quickly design plans
6 according to a set of criteria. The
7 second tool was the online mapping tool
8 provided for the FixPhillyDistricts
9 project, which allowed me to make
10 adjustments to the plans I generated.

11 I strongly feel that given the
12 right tools, anyone can participate and
13 make important contributions to the
14 redistricting process. I wish to thank
15 the FixPhillyDistricts competition
16 organizers and sponsors for promoting
17 public participation and to thank members
18 of Council for allowing me to present
19 this tonight. Thank you very much.

20 That was 1175. Plan No. 1182
21 was submitted by Andy Toy and Jason Yu of
22 Asian Pacific Americans for Progress
23 team.

24 Andy, are you interested in
25 coming up and presenting your plan?

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2 MR. TOY: Sure.

3 (Witness approached witness
4 table.)

5 MR. TOY: Good evening, Council
6 President Verna and members of City
7 Council. My name is Andrew Toy and I'm
8 here as a member of Asian Pacific
9 Americans for Progress, or APAP, the
10 Philadelphia Chapter. I also serve on
11 the Boards of the Philadelphia Chinatown
12 Development Corporation and the Americans
13 for Democratic Action. Thank you for the
14 opportunity to speak today to address the
15 community concerns with the anticipated
16 City Council redistricting. Holding this
17 hearing in a neighborhood after work is a
18 step in the right direction for including
19 citizen voices but, more importantly, I
20 hope you hear our concerns and
21 incorporate them into your decisions on
22 the draft maps which should be revealed
23 to the public as soon as possible.

24 One of the reasons I ran for
25 City Council was to give a voice to many

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2 who felt left out of the decisions that
3 can either move our city forward or hold
4 us back. I hope that with the
5 willingness to have greater transparency
6 and openness and with tools like Azavea's
7 that gives citizens greater access to
8 information, we can be more inclusive and
9 many more will be able to and want to
10 participate in our great democracy.

11 Azavea is a Philadelphia
12 company that is known across the country
13 for its work with geographic information
14 systems and other great work.

15 I also forgot to before mention
16 Harris Sokoloff and Chris Ditullo. Thank
17 you for putting this together. You
18 guys -- Harris is here somewhere.

19 Anyway, and the U.S. Congress
20 has also recognized the need for more
21 openness in introducing the Redistricting
22 Transparency Act of 2010, HR 4918. In
23 particular, as an Asian American, I am
24 concerned that Asian American, Latino and
25 other minority voices are not shut out

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2 through a bad remapping process. As you
3 know, Philadelphia only gained population
4 in the last census because of gains in
5 these and other immigrant populations.
6 We must embrace these changes and respect
7 these voices, for without them our city
8 will shrink and decline.

9 It is also clear that there is
10 court precedent to mandate that these
11 communities of interest not be split to
12 dilute their voices. I know that there
13 are many within the Asian American
14 community who do not want their
15 communities to be split into many
16 districts. They are looking forward to
17 continuing and growing the relationship
18 with their District Councilperson with a
19 more unified voice. A remapping approach
20 such as APAP's on the Azavea site will
21 help to give that greater voice to Asian
22 Americans and other underrepresented
23 communities and will serve the City well.

24 The APAP redistricting map was
25 an effort that came about within the

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2 context of the constant
3 underrepresentation of the Asian American
4 communities in Philadelphia. It was
5 drawn in collaboration with the
6 Organization of Chinese Americans, or
7 OCA, and the local President, Jason Yu,
8 who worked with me, an organization born
9 out of the civil rights struggle of
10 Chinese Americans, the one ethnic group
11 targeted for discrimination by Congress
12 from 1882 to 1943 through the Chinese
13 Exclusion Act, which, among other things,
14 excluded Chinese from voting for 61
15 years.

16 In Philadelphia, despite a
17 growing Asian American population, there
18 is scant representation in government and
19 only a handful of committee people and no
20 other elected officials beyond one judge.
21 We are also very aware that the Latino
22 community has experienced very similar
23 underrepresentation and that
24 gerrymandering has been partly to blame
25 for this.

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2 Our goals were to keep
3 districts compact, not divide communities
4 of interest, and connect without having
5 to cross major barriers, if possible.
6 The Schuylkill River was one place we
7 tried not to cross, so we started by
8 unifying the 3rd Council District to
9 include Southwest Philadelphia. With
10 significant Asian American populations
11 around University City and in the
12 Southwest Philadelphia area, the 3rd
13 District showed a 10 percent Asian
14 American population.

15 We also realized that the
16 center of the City is currently carved up
17 three ways, so we sought to divide it in
18 half by Broad Street, a natural boundary.

19 Finally, in examining the Asian
20 American and Latino communities of
21 interest in addition to the 3rd District,
22 we found there were natural groupings of
23 Latinos around the 7th District, of
24 course, and significant groupings of
25 Asian Americans in the 9th around East

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2 Oak Lane, Olney, Logan, Lower Northeast,
3 Chinatown and South Philly. In
4 particular, the 9th District if drawn
5 compactly has the highest Asian American
6 percentage of any at 14 percent. There
7 were 12 percent in the 1st District,
8 which keeps Chinatown and South
9 Philadelphia east of Broad together, and
10 there were almost 9 percent in the 2nd
11 District. We were able to keep these
12 intact without sacrificing ideas of
13 compactness, and we kept the populations
14 very close to equal.

15 Other than those goals, we did
16 not have any other goals to try to
17 protect certain existing districts from
18 change. We just let the chips fall where
19 they may, and hopefully Council will hear
20 our voices.

21 There are sure to be many other
22 variations, but it is clear that there
23 are strong communities of interest that
24 can be kept whole without sacrificing
25 compactness and the equal distribution of

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2 voters.

3 Thank you.

4 COUNCILWOMAN TASC0: Thank you.

5 MR. CHEETHAM: Thank you, Andy.

6 The next person is Plan No.

7 1243. This is by Steve Horton. Is Steve
8 here this evening?

9 (Witness approached witness
10 table.)

11 COUNCILWOMAN TASC0: Hello
12 there, Steve. How you doing?

13 MR. HORTON: Good evening,
14 President and members of Council. Thank
15 you so much for the opportunity to speak
16 tonight and talk a little bit about what
17 I often call my boots-on-the-ground
18 perspective.

19 As a longtime activist and
20 organizer working with many of you, and
21 many community residents are here today
22 and others are not, my approach here was
23 really to reduce the fragmentation to
24 really, in essence, as reflected in my
25 remarks, as one garners the support and

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2 activism of various issues that affect
3 all our lives. One of the most effective
4 ways to do that is to consolidate and not
5 fragment ourselves in such a way that in
6 any given political jurisdiction, be it a
7 ward or otherwise, you end up turning
8 around saying, is she the Councilperson
9 or is he the Councilperson.

10 So one of the things I wanted
11 to really stress tonight in this whole
12 process is to really say, in essence,
13 organizing and making sure that
14 jurisdictions reflect the essence of the
15 neighborhoods, their natural neighborhood
16 boundaries, their natural ways in which a
17 lot of community residents are brought
18 together, civic groups, business groups,
19 many of whom I have worked with actively,
20 play a very key role in that. This
21 process, which I certainly welcome and I
22 certainly congratulate all the sponsors
23 of this whole process, have been
24 absolutely invaluable. Of the hundreds
25 of people that participate, I

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2 congratulate every one of them for
3 participating in this. And this
4 particular plan tried to basically
5 simplify and manage in a way that is a
6 bit different than the way we've done
7 that. All one has to do is look at the
8 Committee of Seventy list of
9 jurisdictions and quickly you realize
10 that many of our fragmented wards have
11 really come together in such a way that
12 you're wondering how do I best get my
13 issues across. Do I turn to this side of
14 the street or the other side of the
15 street.

16 During that time that I've been
17 involved in that, the challenges have
18 been extensive. We all know that certain
19 pockets that have been mentioned by other
20 speakers like, for example, the east side
21 of the City, there's been a lot of growth
22 and development. So finding the proper
23 balance of population was really
24 challenging, to say the least. And in
25 this variation of that, the idea of being

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2 able to, again, create a distinction
3 where the Council representatives and we
4 who live in these districts would know
5 full well the best way in which to convey
6 those issues to them, more clearly, more
7 succinctly and more in a concentrated
8 way.

9 I think as you look more
10 carefully at the map itself, while there
11 are some variations and there's some
12 elements of that, let me give you one
13 example of a challenge that I faced. As
14 you look up in the map in the 7th
15 District, for example, that particular
16 ward, which is the 25th Ward, for
17 example, has natural connections with the
18 45th and the 31st wards to the south.
19 However, because of population challenges
20 and because of the fact that we were
21 trying to stay within the confines of
22 balance here, we ended up trying to find
23 ways that we could essentially
24 incorporate the elements of that into the
25 district. Certainly making sure that all

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2 of the communities, every one of us -- as
3 they say, we're all better when we
4 participate, and in many ways, government
5 works better when each and every one of
6 us participate in our own way. It can be
7 as simply as voting. It can also be
8 something more extensive in terms of
9 being active in your issues as well.

10 Organizing and the essence of
11 organizing really rely upon each of us,
12 and the most important thing that we face
13 sometimes is the confusion of where to
14 turn, where does one turn in terms of the
15 people that we have to interface with,
16 how do we develop the relationships to
17 get the issues across on a wide range of
18 issues.

19 I spent a lot of my career and
20 a lot of my personal life working in
21 economic development. When I'm working
22 with the small businesses and
23 neighborhoods across the way, how do I
24 get them organized, how do I build a
25 business association, how do I get them

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2 to work collaboratively if they're not
3 sure in which way to turn.

4 So along the way, we tried to
5 take this particular model and use some
6 of these natural boundaries, cluster them
7 in a way that would be very, very
8 straightforward for each of the voters.
9 The voters at the end of the day, it's up
10 to us to make sure that we convey that
11 message to them.

12 So I would again like to thank
13 all the sponsors of this wonderful
14 project. I think it was a great exercise
15 for many of us. I mean, the fact that
16 nearly 500 of us participated in this
17 effort says a lot. And this process that
18 you as Councilmembers are offering us in
19 terms of this dialogue is critical to
20 moving forward with that.

21 So I do welcome your comments,
22 certainly look forward to the ongoing
23 discussion, and I certainly look forward
24 to continuing the discussion as we move
25 forward and get this process going.

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2 Good luck to you all, and
3 please, let's keep the discussion going.

4 COUNCILWOMAN TASC0: Thank you.

5 MR. HORTON: Thank you very
6 much.

7 MR. CHEETHAM: Thank you,
8 Steve.

9 Steve was the ward splits
10 winner. He was in a six-way tie for
11 plans that managed to split zero wards.

12 The next person up was the
13 equipopulation winner, Chris Aguilar,
14 Plan No. 1000.

15 MR. MONDESIRE: Before you go
16 to the door, can I just ask a question?

17 COUNCILWOMAN TASC0: Steve.

18 MR. HORTON: Yes.

19 MR. MONDESIRE: Correct me if
20 I'm incorrect. It looks like you created
21 District 5 to be that much-talked-about,
22 much-rumored-about Center City district,
23 which I know a lot of residents want to
24 live in that area. What's the top
25 boundary? What's that northern boundary

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2 and the southern boundary?

3 MR. HORTON: I believe that's
4 Glenwood Avenue, and then you have Lehigh
5 Avenue and then you come down 33rd
6 Street. It's a lot of Strawberry
7 Mansion. It takes in -- one of the
8 things, for example, that I can just give
9 you an example of that we talked about is
10 obviously coming down, you do take the
11 west side of Center City, but on the east
12 side, again, being as it was in the 1st
13 District and much of -- again, we were
14 talking earlier, there's the
15 consolidation of everything from the
16 natural boundaries of Broad Street, and
17 indeed what you also do is, you have
18 Yorktown, which also incorporates into
19 District 5.

20 So there were some natural
21 connections there, along the Uptown
22 Theatre, Susquehanna NAC, a lot of the
23 communities like that. So the attempt
24 here was to indeed have a district that
25 represents largely North Philadelphia,

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2 with the connection with the areas south
3 of Market Street, where indeed the
4 Council district has been very active as
5 well. So the attempt here was not in any
6 way just have a single district. It was
7 to use a lot of the North Philadelphia
8 areas of that district and connect it to
9 some of the redevelopment that's
10 happening more in Center City.

11 MR. MONDESIRE: And the
12 straight line across the bottom is what
13 street?

14 MR. HORTON: Is South Street.

15 MR. MONDESIRE: Thank you.

16 MR. CHEETHAM: Is Mr. Aguilar
17 here?

18 (Witness approached witness
19 table.)

20 MR. AGUILAR: When I began this
21 endeavor, my chief objective was to
22 create a map that was both simpler and
23 fairer than the present one. I tried to
24 divide in an arbitrary, haphazard manner
25 on the present map I hope to make whole

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2 again. Some cases I found this practical
3 to divide districts along natural
4 boundaries. For example, the 7th
5 District has been bounded by Broad Street
6 in the west on this map and the Tacony
7 Creek in the east. This district far
8 more compact than the incumbent 7th
9 includes within it the predominantly
10 Latino neighborhoods of Hunting Park,
11 Juniata Park, Feltonville, West
12 Kensington, among others.

13 A major part of this exercise,
14 however, was to resolve the problem of
15 how to accommodate the gradual consistent
16 eastward shift of the City's population
17 in recent years, in addition to more
18 localized growth spurts such as has
19 occurred in Center City and around Center
20 City.

21 This map has relieved some of
22 that population pressure by reorienting
23 the 9th District towards the Northeast.
24 It is worth noting, however, that this
25 reoriented 9th District would retain a

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2 majority/minority voting age population.

3 Another radical alteration that
4 is made is in the 1st District, which is
5 redesigned to encompass all of Center
6 City, as well as the near river wards and
7 Kensington, and it follows Spring Garden
8 Street to the west across the Schuylkill
9 River to 40th Street and thereby
10 incorporates Powelton Village as well.

11 In the south of the City you
12 can see that the 2nd District has become
13 one and the same with South Philadelphia.
14 Meanwhile, the border between the 3rd and
15 4th District of West Philadelphia has
16 been pushed southward. The 5th District,
17 which has subtracted territory in Center
18 City, has widened to reach 40th Street in
19 Mantua and crept northward to encompass
20 neighborhoods of Tioga and Logan. And
21 I'll note on this map where we are now
22 would be the 5th District.

23 Looking to the northwest, the
24 8th District has retained its general
25 character, bound in the east by Broad

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2 Street and the south by the Wissahickon
3 Park, and it has added West Oak Lane to
4 the north, which allows it to grow in
5 total population.

6 The 4th District, which
7 includes neighborhoods of Roxborough,
8 Manayunk and East Falls, at least as far
9 as the northwest section, has essentially
10 retained its present configuration in
11 this map.

12 In conclusion, this map has
13 aspired to fulfill the following
14 objectives:

15 One, offer a valid means toward
16 resolving the present confusion of
17 wayward district boundaries in the
18 Northeast.

19 Two, unify communities of
20 interest in South Philadelphia, North
21 Philadelphia and Center City.

22 Three, prevent the division of
23 communities in the Northwest, the region
24 of the City that has lost the most
25 residents.

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2 And, of course, thank you for
3 this remarkable opportunity and thank you
4 to Azavea which made a remarkable
5 experience out of this contest with its
6 amazing software.

7 So I'd be happy to answer any
8 questions.

9 COUNCILWOMAN TASCO: Thank you
10 very much. We appreciate it.

11 AUDIENCE MEMBER: This is for
12 Mr. Aguilar. Would you please define for
13 me where the western boundary for the 9th
14 Councilmanic District is under your plan?

15 MR. AGUILAR: Where the western
16 boundary for the 9th? That's Broad
17 Street.

18 AUDIENCE MEMBER: The street
19 that separates the 8th from the 9th?
20 Yes, right there.

21 MR. AGUILAR: Broad Street.

22 AUDIENCE MEMBER: That is Broad
23 Street?

24 MR. AGUILAR: That is Broad
25 Street.

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2 COUNCILWOMAN TASC0: You're
3 gone. We're gone. We're not in this.
4 We're out. They just took us right on
5 out.

6 MR. AGUILAR: That was done for
7 the purpose of the Northeast and making
8 the Northeast contain three districts,
9 which the population there requires
10 essentially.

11 COUNCILWOMAN TASC0: Did you
12 take into consideration community
13 interests?

14 MR. AGUILAR: Well, this is one
15 possible solution. It's not perfect,
16 obviously. I didn't say it was perfect,
17 but it's one solution.

18 COUNCILWOMAN TASC0: Thank you.
19 Thank you very much. Thank you for
20 participating.

21 MR. CHEETHAM: The
22 second-to-last winner is Fred Murphy.
23 Fred Murphy represents a team of folks at
24 Temple University and perhaps some other
25 places, and Fred was the compactness

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2 winner and is going to present his plan.

3 (Witness approached witness
4 table.)

5 MR. MURPHY: I'm the
6 mathematician; Steve Kimbrough is a Ph.D.
7 in philosophy; Ram Gopalan, Ph.D. in
8 operations research; and Nick Quintas is
9 looking for a job. He's our geographer
10 and knows how to run the geographic
11 information system we used.

12 This plan is one that we
13 developed using some analytic tools. We
14 used a combination of hinature (ph)
15 programming and a Darwinian approach to
16 breeding solutions, and we then did a
17 bunch of hand edits to produce a
18 solution. This is a terrible plan.

19 COUNCILWOMAN TASC0: This is a
20 terrible plan?

21 MR. MURPHY: Yeah.

22 COUNCILWOMAN TASC0: I agree.
23 Matter of fact, I agree that all of them
24 are terrible plans because they've X'd me
25 right on out of them.

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2 MR. MURPHY: And why we did
3 this is, we focused on the contest, which
4 was to come up with a plan that had the
5 most compact districts by one of the
6 definitions of compactness. And if you
7 look at the literature on this, there's a
8 whole literature on definitions of
9 compactness of districts and voter
10 districting analytics. And so what we
11 did is, we just focused on the goal by
12 what's called the Schwartzberg measure
13 that Robert chose and we just kept
14 hammering away, getting it more and more
15 compact by that measure and, in the
16 process, produced a truly terrible map.
17 Okay? And why it's terrible is how it
18 splits up neighborhoods and interests.

19 So what the lesson of this map
20 is is that you cannot just rely on
21 quantitative measures. Gerrymandering is
22 like pornography. You recognize it when
23 you see it, but deciding what isn't is
24 actually pretty hard.

25 And so we did such things -- if

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2 you look at the boundary between
3 Districts 5 and 6, we had to get as
4 straight a line as possible and have the
5 population quantities there, which meant
6 we moved it over to, I guess, about 17th,
7 18th Street, and in the process, we take,
8 say, the 8th Ward and we wound up
9 splitting it among three districts. And
10 that's not the only one. There are two
11 other wards that are split up among three
12 districts.

13 So this is not a map that I
14 would recommend. It was a map designed
15 to win a contest. But it's a starting
16 point. So that, for example, if you move
17 the boundary between the 5th and 6th
18 Districts to Broad Street, say, south of
19 roughly Federal Street and then move the
20 boundary -- leave the boundary at 18th
21 Street and then on South Street cut over
22 to the Schuylkill, you do the population
23 run and you create districts that begin
24 to be more compatible with the
25 population -- the interest of the

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2 populations in those neighborhoods.

3 So what's clearly the case is
4 that you can start with a map like this,
5 which isn't a pretty map, and then with
6 your knowledge of neighborhoods adjust.

7 Now, one of the things that we
8 did, by the way, is that we bred using a
9 genetic algorithm called total Darwinian
10 solutions here. We bred 116 different
11 maps that kept the wards compact. So if
12 one were to define the neighborhoods
13 properly and have enough of them, say --
14 there are 66 wards, have somewhere
15 between 66 and 100 other neighborhoods,
16 150, we can use our technology and within
17 a few days turn around a set of maps that
18 meets the population constraints and only
19 links together neighborhoods, and we can
20 breed probably another 100 of those for
21 you to choose from.

22 So in the process of doing
23 this, we actually developed some
24 interesting technology that may have
25 commercial value for districting, because

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2 these problems appear in a lot of
3 different areas.

4 Nevertheless, don't use this
5 map. And what we learned is some very
6 simple lessons. If you rigidly adhere to
7 a single criterion for what is a good
8 map, you're not going to wind up with
9 reasonable districts. Human intervention
10 is necessary. Yet we can use our
11 analytic techniques to generate a lot of
12 baseline starting points that you
13 wouldn't have thought of. And in fact --
14 I came late, mainly because I had a class
15 that ended at 7:30 tonight, but I saw a
16 few of the maps, and you can see that
17 there are certain similarities and
18 certain patterns, and you can draw on
19 those to come up with sensible districts
20 that truly capture the interest of
21 neighborhoods.

22 And so it is possible to have a
23 process that involves the community where
24 we generate a lot of baselines that are
25 reasonable. Community members can maybe

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2 vote on them and express their opinions,
3 because we're hearing opinions from the
4 audience of people that don't like their
5 neighborhoods by these other plans. We
6 can find that out and then use that as
7 the starting point for coming up with a
8 sensible redistricting plan.

9 But in the end, a redistricting
10 plan has to be a negotiated outcome. It
11 can't satisfy everyone. It's clear that
12 someone's neighborhood is going to get
13 split at some point, and citizens and
14 neighborhoods have to be part of the
15 process, not just pawns in the process.
16 And if you want the politics of this
17 political process to be a celebration of
18 democracy and not a swear word, we need
19 an open process and a clear process that
20 make citizens understand what's going on.

21 Now, I have a final comment,
22 and that is about the contest itself.
23 Robert has done an amazing service here.
24 We all had fun. We all got excited. And
25 in our case, we developed some

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2 interesting technology that actually from
3 a research perspective is publishable.

4 That's why we're professors. But one of
5 the key aspects of this is, this contest
6 generated a huge amount of interest and a
7 huge amount of activity, and we have a
8 lot of problems in this city, nuts and
9 bolts problems, like closing or opening
10 firehouses, designing police districts,
11 developing citizen-government
12 communication technologies. We could be
13 a much better city if the City
14 government, foundations and even the
15 regions get involved in holding these
16 kind of contests for basic problems where
17 technology and group knowledge can apply.

18 And companies are doing this. Netflix
19 ran a competition for how to decide what
20 films to recommend based on what films
21 you took out from them or downloaded from
22 them, and they had a multi-million-dollar
23 prize. I don't expect to get that kind
24 of money in this kind of contest here,
25 but they wound up with some winners that

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2 they implemented and have improved their
3 business. We can do the same here.

4 Thank you.

5 COUNCILWOMAN TASC0: Thank you.

6 Thank you very much.

7 COUNCILWOMAN SANCHEZ: I have a
8 question. One of the things that came up
9 in the last hearing a lot, and I haven't
10 heard it that much here, is around ward
11 splits and the geography of the wards.
12 You said there were 66 wards. There's
13 actually 69, because they're A and B.
14 Did you find that to be a big detriment?

15 MR. MURPHY: Actually, when
16 doing the edits, the hand edits to get
17 things straight, it was really quite
18 obvious that -- even the subdivisions
19 within the district, all those boundaries
20 make no sense, especially in the
21 neighborhoods I knew. And so using the
22 districts as a proxy for this -- or the
23 wards as a proxy was a good idea, but
24 what we really need are a better set of
25 districts that better reflect the

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2 neighborhoods, and the subdivisions
3 within the districts should be defined
4 that way as well. It's a very, very
5 higgly-piggly pattern here that makes no
6 sense. And so we could do a lot better.
7 And an improved governance -- because why
8 wards are important is that the ward
9 leaders communicate with the residents
10 and they can communicate with
11 Councilpeople, if you have sensible ward
12 leaders.

13 COUNCILWOMAN TASC0: Jeff, you
14 have a question of this gentleman?

15 AUDIENCE MEMBER: In your
16 software, did it take into consideration
17 the short-term resident and collegiate
18 people and the population of the prison
19 people in the districts that you counted?

20 MR. MURPHY: I don't know. We
21 just took the numbers that Robert posted
22 and used those, and I don't know what
23 they contain. It all depends on what the
24 Census defines.

25 AUDIENCE MEMBER: If included,

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2 it would be an imbalance, and if
3 excluded, it would be an imbalance in
4 your numbers.

5 MR. MURPHY: You have to make a
6 choice, and there are arguments both
7 ways. Students in many ways are
8 temporary residents, but I teach at
9 Temple and a lot of those students are
10 long-term residents, so they deserve
11 citizenship rights. But if someone going
12 to Wharton and going to become an
13 investment banker in New York, is that
14 someone who deserves voting rights? You
15 know, that's a political question.

16 AUDIENCE MEMBER: Okay.

17 COUNCILWOMAN SANCHEZ: But it
18 is a challenge that we've identified.
19 For instance, when you look at the wards
20 around -- the divisions around Temple,
21 some of those divisions have 650 people.
22 There are 650 students in one building.
23 But because the students were allowed to
24 self-identify where they wanted to be
25 counted. So if they were counted at

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2 home, they weren't counted here. And the
3 same is the case -- I have three prisons
4 in my district. All of those people had
5 a choice to identify in the prison or at
6 home.

7 MR. MURPHY: Well, in New
8 Haven, Connecticut a Yale student became
9 a City Council member because he signed
10 up all his students.

11 COUNCILWOMAN TASC0: Well, we
12 certainly thank you. Certainly we have
13 to look at how we engage the talents and
14 skills from our local universities. So
15 you may be hearing from us.

16 MR. MURPHY: Okay.

17 COUNCILWOMAN TASC0: Thank you.

18 MR. CHEETHAM: Thank you very
19 much, Fred.

20 Fred was the winner of the
21 compactness score item. And one of the
22 things we noticed was what Fred pointed
23 out, that paying attention to any single
24 one of these produced plans that were not
25 optimal. Balancing them all is a very

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2 major challenge.

3 And the last person who is here
4 this evening was given the award for the
5 overall winner, and it is Mr. John
6 Attanasio, and this is his plan.

7 (Witness approached witness
8 table.)

9 MR. ATTANASIO: Thank you for
10 the opportunity to present this
11 testimony. My name is John Attanasio. I
12 live in Center City. I'm a management
13 consultant for non-profit organizations
14 and I am also a lawyer.

15 Although I participated in the
16 FixPhillyDistricts project entirely on my
17 own behalf and my testimony reflects only
18 my personal views, I happen to be a Board
19 member and an officer of the Washington
20 Square West Civic Association, which
21 serves more than 12,000 residents in
22 Center City.

23 I think I first learned about
24 gerrymandering when I was in seventh
25 grade. That was a very long time ago,

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2 but I remember being outraged by the
3 practice then, and I remain outraged
4 today. Even ignoring the most egregious
5 examples of this form of election
6 rigging, the very idea that incumbent
7 politicians should be allowed to define
8 their own electoral districts, especially
9 without mandated, objective, guiding
10 principles, should outrage every person
11 who believes in democracy. Setting
12 district boundaries should promote the
13 interest of voters, not politicians.

14 I jumped at the chance to
15 participate in FixPhillyDistricts in
16 order to demonstrate that City Council
17 district boundaries can, without
18 political influence, be drawn easily,
19 compactly and in a way that preserves
20 communities of interest.

21 In creating my plan, I
22 considered Philadelphia's geographical
23 constraints and neighborhood boundaries
24 and attempted to create compact districts
25 that fit naturally within them. With

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2 only a handful of exceptions, I drew the
3 boundaries without splitting wards
4 between districts.

5 What I did not consider in
6 developing my plan are the current
7 district boundaries or the home address
8 of any incumbent or nominated City
9 Council member. Those factors can serve
10 only to give an incumbent or a party an
11 undeserved electoral advantage. I don't
12 believe these are legitimate goals of
13 redistricting, and I doubt that any
14 member of Council would publicly disagree
15 with that point of view. A redistricting
16 plan should be based on politically
17 neutral and objectively measurable
18 criteria. It should be transparent.

19 One test of the quality of my
20 plan is that the districts can be
21 succinctly described according to
22 commonly known geographical names.
23 District 1 covers the river wards,
24 District 2 covers South Philadelphia,
25 District 3 covers Southwest Philadelphia,

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2 et cetera. You can see them all on the
3 map.

4 While respecting natural
5 geographic and neighborhood boundaries, I
6 also sought to avoid splitting racial and
7 ethnic communities. My plan thus
8 contains one district that is majority
9 Hispanic by voting age population. It
10 also contains four districts that are
11 majority black. These results are
12 consistent with the fact that the voting
13 age population of Philadelphia as a whole
14 is slightly more than one-tenth Hispanic
15 and almost exactly four-tenths black. No
16 gerrymandering was required to achieve
17 these results. In fact, the proposed
18 majority Hispanic district in my plan,
19 District 7, is one of the most compact
20 districts in the plan.

21 Although my plan is just one of
22 many possible plans that could adhere
23 closely to good redistricting principles,
24 the one characteristic that every
25 principled plan would share is that it

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2 would look nothing like the current plan,
3 which is displayed to the left up there.
4 There would be no gerrymander or any
5 other unnatural creature slithering its
6 way, for example, from Oregon Avenue to
7 Cottman Avenue as in today's District 1,
8 or from Rittenhouse Square to Juniata
9 Park as in District 5, or from Cecil B.
10 Moore Avenue to Northeast Philadelphia
11 Airport as in District 7.

12 If Council's plan does not at
13 least eliminate all visible gerrymanders,
14 I hope that Council will have the courage
15 to publicly explain exactly what
16 considerations were taken into account to
17 justify the continued existence of any of
18 these insidious creatures that undermine
19 voters' rights.

20 I'd be happy to answer any
21 questions.

22 COUNCILWOMAN TASCO: Thank you
23 very much. We appreciate it.

24 COUNCIL PRESIDENT VERA: I
25 like my district here.

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2 COUNCILWOMAN TASCO: The 8th
3 is -- we'd have to take you out, Cindy.

4 You didn't take into -- one of
5 the factors in doing the redistricting is
6 consideration of the incumbents, where
7 they live.

8 MR. ATTANASIO: What if no
9 incumbent lived in the district?

10 COUNCILWOMAN SANCHEZ: In court
11 it has been used as one of the factors,
12 not a primary factor. At the federal
13 level it doesn't have to be, because
14 federal congressional folks don't have to
15 live in their districts.

16 COUNCILWOMAN TASCO: And
17 Councilmembers have to live in their
18 district.

19 COUNCILWOMAN MILLER: But it's
20 a rule of running for office, you have to
21 live in that district, if you're a
22 district rep, District Councilperson.

23 MR. ATTANASIO: I understand
24 that, but there's no rule that the new
25 district --

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2 COUNCILWOMAN MILLER: So unless
3 you change the rule, that's what we have
4 to live by.

5 AUDIENCE MEMBER: With all due
6 respect, Councilwoman, is there a part of
7 the City Charter that mandates that in
8 redistricting the incumbent's location
9 has to be taken into consideration?

10 COUNCILWOMAN MILLER: Yes.

11 AUDIENCE MEMBER: Common sense.

12 COUNCILWOMAN TASC0: Otherwise
13 you would have nobody in the 9th.

14 Is there anyone else here to
15 testify?

16 Jerry.

17 MR. MONDESIRE: I'd just like
18 to just take a second to --

19 COUNCILWOMAN TASC0: Come up to
20 the mike so the lady can hear you, the
21 stenographer.

22 (Witness approached witness
23 table.)

24 MR. MONDESIRE: This is just an
25 observation, because, as you said, the

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2 NAACP, we're looking at this across the
3 entire country, and there were quite a
4 few comments about the fact that you
5 incumbents are doing this. Well, just so
6 the audience knows, in Arizona the
7 citizens of the entire state voted for
8 this elaborate eminent commission, two
9 D's, two R's, with this eminent judge,
10 who like our judge has been around
11 forever, so everybody is supposed to like
12 him or her. It turns out it is a woman.
13 They haven't even started. They've been
14 in business ten days and already they've
15 gotten 17 lawsuits.

16 So there is no magic thing
17 about having outsiders do this, just like
18 there's nothing inherently wrong with
19 having you do it. What I think I've
20 enjoyed -- and I think everybody would
21 agree -- it's so much better if all of us
22 can watch you do it. So show us a little
23 more by Thursday.

24 COUNCILWOMAN TASCO: You want
25 us in this big room doing it, right?

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2 Okay. We'll think about that.

3 Certainly we appreciate your
4 coming out. It's been nice, the
5 exchange, and we appreciate Robert for
6 making your presentations here of the
7 winners of your contest. I do think it
8 has been interesting and engaging and
9 informational, and we will certainly move
10 forward and hopefully we'll come up with
11 something really good.

12 Thank you all very much.

13 Let me recognize that we have
14 Theresa here. Theresa is representing
15 Councilman Rizzo here tonight.

16 Thank you very much. This
17 meeting will stand adjourned until the
18 call of the Chair.

19 (Committee of the Whole
20 adjourned at 8:40 p.m.)

21 - - -

22

23

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25

1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on September 6, 2011, and
8 that this is a true and correct transcript of
9 same.

10
11
12
13
14 -----
15 MICHELE L. MURPHY
16 RPR-Notary Public
17
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