

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, April 2, 2012
10:25 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILLS 120164, 120165, 120166
RESOLUTION 120167

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COUNCIL PRESIDENT CLARKE: Good morning. This is a continuation of the public hearing of the Committee of the Whole regarding Bills No. 120164, 120165, 120166 and Resolution 120167.

Ms. Lewis, would you please read the titles of the bills and resolutions.

MS. LEWIS: Bill No. 120164, an ordinance to adopt the Capital Program for the six Fiscal Years 2013 to 2018 inclusive.

Bill No. 120165, an ordinance to adopt a Fiscal 2013 Capital Budget.

Bill No. 120166, an ordinance adopting the Operating Budget for Fiscal Year '13.

Resolution No. 120167, a resolution providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2013 through 2017, and incorporating proposed changes with

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 respect to Fiscal Year 2012, which is to
3 be submitted by the Mayor to the
4 Pennsylvania Intergovernmental
5 Cooperation Authority (the "Authority")
6 pursuant to the Intergovernmental
7 Cooperation Agreement, authorized by an
8 ordinance of this Council approved by the
9 Mayor on January 3, 1992 (Bill No.
10 1563-A), by and between the City and the
11 Authority.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you.

14 We will now hear from the
15 Administration. Would you please
16 approach the witness table.

17 (Witness approached witness
18 table.)

19 MR. GILLISON: Good morning,
20 Council President Clarke, members of City
21 Council. I am Everett Gillison, Chief of
22 Staff in the Office of the Mayor. On
23 behalf of Mayor Michael Nutter, I'm
24 pleased to provide my testimony on the
25 proposed Fiscal 2013 Operating Budget. I

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 understand that you have received my
3 written testimony.

4 COUNCIL PRESIDENT CLARKE: Yes,
5 sir.

6 MR. GILLISON: And I will rest
7 on submitting that.

8 The bottom line is that our
9 General Fund budget has 3,090,676 in
10 Class 100, which is no change from last
11 year, 35 full-time employees, 23 women,
12 12 men, of which 16 are minority. And
13 our Class 200 budget is \$590,336, of
14 which we have one contract in lobbying
15 for 386,000, \$100,000 being with an
16 M/W/DSBE firm, for a 26 percent matter.

17 I'll be glad to answer any
18 questions you may have.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Mr. Gillison, and good
21 morning.

22 Mr. Gillison, I just had one
23 question with respect to the Commission
24 on Aging. You requested a relatively
25 significant increase in funding. Can you

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 kind of talk me through that?

3 MR. GILLISON: The Commission
4 on Aging?

5 COUNCIL PRESIDENT CLARKE:

6 Aging, yes.

7 MR. GILLISON: Yes.

8 I think, Lydia, come on up.

9 Ms. Hernandez is here.

10 Information about the Commission on Aging
11 primarily is a \$1.5 million in grant
12 revenue funds, which supports that
13 activity, and it has an increase of about
14 \$500,000 found within, but Ms. Hernandez
15 can give you specifics.

16 COUNCIL PRESIDENT CLARKE:

17 Thank you.

18 (Witness approached witness
19 table.)

20 COUNCIL PRESIDENT CLARKE: Good
21 morning.

22 MS. HERNANDEZ: Good morning.

23 COUNCIL PRESIDENT CLARKE: How
24 are you?

25 MS. HERNANDEZ: The increase is

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 really focused on continuing to build on
3 the services that are being provided,
4 which include the Senior Community
5 Service Employment program and the
6 APPRISE program.

7 In addition, we are really
8 looking at creating strategy around the
9 increased population that Philadelphia
10 will experience over the next five years,
11 and that includes the Commission seeking
12 to implement the strategic plan that was
13 developed last year and published
14 earlier -- late last year that includes
15 really taking a look at making
16 Philadelphia as age friendly as possible
17 to ensure the safety and the access of
18 our senior citizens, which includes
19 supporting senior services as in the
20 senior centers and expanding the
21 activities. The goal really is to make
22 Philadelphia an age-friendly city.

23 COUNCIL PRESIDENT CLARKE: One
24 question off the script. What's the
25 targeted population in terms of age? I'd

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2 like to think that I'm not within that
3 category, but --

4 MS. HERNANDEZ: And all of us
5 who are getting our AARP notice will put
6 it in the trash until that moment when we
7 face the truth.

8 For the Community Service
9 Employment program, the services are for
10 folks 55 and over. Other programs have a
11 cutoff of 60 or 65.

12 In our vision, it's really that
13 50, past 50 age population. But for
14 specific services, yes, there is age
15 limits that are either by legislation or
16 by practice, and the first example is
17 APPRISE. You have to be on Medicare to
18 receive the services of APPRISE, which
19 gives people information about what their
20 best choices are in terms of the services
21 that are available through Medicare.

22 COUNCIL PRESIDENT CLARKE:

23 Okay. Thank you.

24 Councilman Goode.

25 COUNCILMAN GOODE: Thank you,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Mr. President.

3 Good morning, Mr. Gillison.

4 MR. GILLISON: Good morning.

5 COUNCILMAN GOODE: I met with
6 the Mayor two weeks ago and he committed
7 the Administration to convening the
8 Economic Opportunity Review Committee and
9 the Living Wage and Benefits Committee,
10 because the Administration has the only
11 two public-sector seats on those
12 committees. Can you forward to the Chair
13 a timetable for the convening of those
14 two committees?

15 MR. GILLISON: I will.

16 COUNCILMAN GOODE: Thank you.

17 And I'll just run through the
18 general questions I have for each
19 department that you covered some of in
20 your testimony.

21 What's the largest contract
22 that you will award in Fiscal Year '13?

23 MR. GILLISON: It's the
24 lobbying contract for \$5,090,336.

25 COUNCILMAN GOODE: And what

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2 firm holds that contract this fiscal
3 year?

4 MR. GILLISON: We have several
5 firms. It goes from Loper Associates,
6 Wojdak, Holland, and Gray and Loeffler.

7 COUNCILMAN GOODE: And is it a
8 renewable contract?

9 MR. GILLISON: It is. We have
10 bid those contracts. We now have them
11 all both expiring, and they all do
12 contain one-year renewals at our call.

13 COUNCILMAN GOODE: And how many
14 years have these firms held the contract?

15 MR. GILLISON: Loper has had it
16 for at least four, Wojdak has had it for
17 at least four, Holland and Knight has had
18 it for one, and Gray and Loeffler has had
19 it for one.

20 COUNCILMAN GOODE: And what are
21 the contract requirements?

22 MR. GILLISON: The requirements
23 are that they consult with City officials
24 gaining an understanding of City and
25 public policy. They serve as liaisons

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2 between the City and the Pennsylvania and
3 General Assembly, also the U.S. Senate,
4 House of Representatives, between the
5 City and federal government. They serve
6 as liaisons between the City and the
7 Governor's Office, the state departments
8 and state agencies, the White House and
9 the federal departments and agencies.
10 They assess the political landscape to
11 help guide the City's lobbying strategy.
12 They also provide research, monitoring
13 and lobbying with respect to all aspects
14 of pending legislation that impacts the
15 City, and they also assist in fostering
16 positive working relationships with
17 members of the Legislature and their
18 staff, especially among members of the
19 Philadelphia Delegation. And they
20 provide regular legislative reports and
21 routine updates on strategies, planned
22 activities undertaken to the Director of
23 Legislative Affairs.

24 COUNCILMAN GOODE: And one of
25 those firms for Fiscal Year '13 will be a

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2 certified disadvantaged business?

3 MR. GILLISON: Yes. Gray and
4 Loeffler is a disadvantaged firm.

5 COUNCILMAN GOODE: And when
6 will you rebid this work?

7 MR. GILLISON: We are in the
8 process now of thinking whether or not we
9 will have to rebid or whether we will
10 just extend the current contract. We do
11 have three renewable years that we could
12 actually continue.

13 COUNCILMAN GOODE: Okay. Thank
14 you.

15 MR. GILLISON: Thank you.

16 COUNCILMAN GOODE: Thank you,
17 Mr. President.

18 COUNCIL PRESIDENT CLARKE:
19 Thank you, Councilman.

20 Real quick, before I go on to
21 Councilman Jones. In your response to
22 Councilman Goode with respect to the
23 lobbyists, you said that they should
24 interact or can interact with City
25 officials. Does that include City

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2 Council?

3 MR. GILLISON: I would think
4 so, yes. I think that they can -- they
5 would be able to call if they find that
6 they get information to put us on notice
7 that different things are happening
8 beyond our regular interactions. So the
9 answer, I would believe, would be yes.

10 COUNCIL PRESIDENT CLARKE: All
11 right. I ask that question because in my
12 12 years now as a Councilmember and prior
13 to that as a staff member, it was always
14 viewed that lobbyists work for the
15 Administration. I think people in
16 Harrisburg actually think that lobbyists
17 work for all of us. And leading up to
18 this particular term in Council, I had
19 received some inquiries from individuals
20 suggesting that City Council should have
21 its own lobbyists, and I was actually
22 discouraged by some former members,
23 actually former Council Presidents, that
24 that was not a good idea, but I always
25 felt that we got -- we never really got

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2 information in a realtime since,
3 particularly from Harrisburg, because,
4 one, we're not up there as a body; two,
5 we never had interaction.

6 So that's a long sentence to
7 say if members of Council needed to reach
8 out to the lobbyists that are hired on
9 contract with the City, would that be
10 something that the Administration would
11 be comfortable with?

12 MR. GILLISON: I think it's
13 part of the discussion that we will
14 continue to have.

15 COUNCIL PRESIDENT CLARKE: Part
16 of the discussion?

17 MR. GILLISON: The bottom line
18 is that we're working together. We're
19 working together in order to advance the
20 interests of the City, and I think that
21 if there's a question that you would have
22 or any Councilperson would have, we would
23 want to have information as quickly as
24 possible to help us do what we need to do
25 in order to advance the interest of the

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2 City.

3 So I think that that's part of
4 the ongoing discussion between both of
5 us.

6 COUNCIL PRESIDENT CLARKE:
7 That's not -- that's like a yes or no.

8 MR. GILLISON: I think that --

9 COUNCIL PRESIDENT CLARKE: Not
10 to push you, but --

11 MR. GILLISON: No; I think
12 that --

13 COUNCIL PRESIDENT CLARKE: What
14 you're saying, that we need to have that
15 conversation, Administration and the
16 Mayor's Office?

17 MR. GILLISON: Yeah, we need to
18 have that conversation to see how that
19 would work out. But, yes, I think it
20 would be a good idea for us to work
21 together in order to advance our common
22 goals. We're trying to advance the
23 City's interest, and I think that's part
24 and parcel of what we do. And if you
25 feel that there's a way for us to work

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2 that together with the firms that we've
3 already had on, I'd like to sit down and
4 continue talking about that and see how
5 would that work.

6 So I don't have a problem with
7 it and I don't think the Mayor would have
8 a problem with it either.

9 COUNCIL PRESIDENT CLARKE:

10 Okay. All right. Thank you.

11 The Chair recognizes
12 Councilmember Jones.

13 COUNCILMAN JONES: Thank you,
14 Mr. President.

15 Good morning.

16 MR. GILLISON: Good morning.

17 COUNCILMAN JONES: I just
18 wanted to cite and piggyback off of what
19 you said. When City Council and the
20 Administration work together, amazing
21 things do happen. One example was
22 Ms. Hernandez's report that was produced
23 in conjunction with AARP, WHYY. Our
24 counsel was a part of a one-day seminar
25 and symposium on aging in the new age,

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2 which produced recommendations on how to
3 make it a livable city. That was a
4 perfect example of us working with the
5 Administration and, at the end of the
6 day, working with your qualified staff to
7 do some good stuff. So we want to see
8 more of that as opposed to less of that
9 in certain areas.

10 So I'm going to continue my
11 questioning with what I asked you during
12 the Five Year Plan, that I am very clear
13 about what the City's plan is for a green
14 city. I'm very clear about the Mayor's
15 anti-crime strategy. I am not so clear
16 about their anti-poverty strategy and
17 wanted to know since the break between
18 when I asked you it in the Five Year Plan
19 and now that we're getting down to brass
20 taxes about budget priorities, what is
21 the City's plan to deal with the 26
22 percent of the population that lives
23 under the poverty guidelines?

24 MR. GILLISON: And as I
25 suggested to you, I thought that putting

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2 together something as an answer that I
3 would be able to hand you and say, This
4 is our plan, much like our Greenworks
5 plan, is a good idea for us to work on.
6 So we are going to try and put that
7 together.

8 I think overall, though, the
9 plan always will have to have certain
10 components. The components will
11 encompass both Commerce in order for
12 doing the job and economic development.
13 It will have to have a public safety
14 aspect to it, because as we have always
15 tried to deal with our RISE, one of the
16 best ways that we can deal with public
17 safety is to provide people rapid
18 attachment to jobs. So RISE does that,
19 or at least tries to do that with a
20 certain small segment of persons coming
21 out of incarceration.

22 We also have obviously various
23 ways that we deal with maintaining people
24 so they don't fall continually behind.
25 So MOCS does have a lot of the various

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2 programs of trying to maintain people
3 with our heating hotline or even our
4 other initiatives that we try to help and
5 keep people in an environment where they
6 can for themselves get out of or at least
7 not fall too far behind.

8 COUNCILMAN JONES:

9 Mr. Gillison, is it safe to say that the
10 Mayor's Office of Community Service is
11 the titular head spear in the
12 anti-poverty war against the poverty
13 movement?

14 MR. GILLISON: I think that it
15 will -- I think that as you see our -- I
16 don't say that it would be the titular
17 head. I think that what we're trying to
18 do is to say that it is -- right now it
19 is part of a multi-faceted approach
20 between economic development, the Mayor's
21 Office on Community Services, probably
22 the RISE office, additionally the Office
23 of Housing, and Education. I think all
24 of those play a part, but I don't think
25 that there's any one agency. I think

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2 MOCS could, but it is one of just many
3 agencies at this time.

4 COUNCILMAN JONES: So what
5 agency officially fills out the Community
6 Service Block Grant to the state and
7 applies for anti-poverty funds for the
8 City of Philadelphia?

9 MR. GILLISON: It would be MOCS
10 and also the Office of Housing and --

11 COUNCILMAN JONES: So the line
12 item of the anti-poverty money coming
13 from the state comes from what agency?

14 MR. GILLISON: MOCS.

15 COUNCILMAN JONES: So I will
16 have questions later on, Mr. President,
17 to that organization to answer the
18 question, what is the City of
19 Philadelphia's anti-poverty strategy,
20 considering that over the last four years
21 that population has grown significantly.
22 So just like we have a rallying cry
23 against poverty -- I mean against crime
24 or pro green, we should have a clear and
25 concise strategy against reducing the

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2 number of people that are damned to that
3 level of economic lifestyle.

4 Thank you, Mr. President.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you, Councilman.

7 The Chair recognizes
8 Councilmember Henon.

9 COUNCILMAN HENON: Thank you,
10 Council President.

11 Mr. Everett, just to expand a
12 little bit on some of the previous
13 questions from the Council President and
14 Councilman Goode on the services, outside
15 consulting services, from the Mayor and
16 the Mayor's Office. Do we have anybody
17 in-house who is -- who handles some of
18 the lobbying purposes on behalf of the
19 Mayor's Office in either a state or
20 federal capacity?

21 MR. GILLISON: When you say --

22 COUNCILMAN HENON: Like
23 External Affairs.

24 MR. GILLISON: Yes. Terry
25 Gillen is for federal legislation and

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2 Terry Gillen runs that particular agency
3 in our structure.

4 COUNCILMAN HENON: So I would
5 assume that the several consulting firms
6 that we have here on lobbyists dealing
7 with the Mayor's Office as reports
8 reporting back to the office, is that the
9 same with Ms. Gillen on some of the
10 federal lobbying and legislation?

11 MR. GILLISON: Yes. I mean,
12 Terry spends quite a bit of time making
13 sure that the lobbyists that are working
14 and that once we get information from
15 them, that these things are coming up.
16 For example, just last week, the grants
17 were announced in public safety for Fire.
18 Some of the SAFER grants were coming up.
19 Terry received that early information
20 from the lobbyists, passed it on to the
21 appropriate Deputy Mayor, of which that
22 happens to still be one of my titles, to
23 make sure that I am the Commissioner so
24 we'll be aware, and what the new emphasis
25 would be, we ended up -- and then worked

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2 that and worked that angle in order to
3 make sure we'll put ourselves in the best
4 possible position to get the grant that's
5 out there.

6 So we have a very fluid and
7 what I would like to emphasize a realtime
8 response to all the things that are going
9 on, and our structure allows for that
10 kind of rapid response.

11 COUNCILMAN HENON: I was just
12 trying to clarify the role of the federal
13 External Affairs Manager/Coordinator for
14 all the lobbyists, or is she a grant
15 writer?

16 MR. GILLISON: No, she's not a
17 grant writer. She is the -- it would be
18 a coordination role.

19 COUNCILMAN HENON: For just the
20 federal?

21 MR. GILLISON: Federal.

22 COUNCILMAN HENON: And state?
23 So all of the outside contract services
24 provided she would coordinate?

25 MR. GILLISON: Federal for the

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2 most part is what Terry's role is.

3 COUNCILMAN HENON: Okay.

4 Great. I do have -- and I'm sorry that
5 the Commissioner for the Aging had sat
6 down. I have a quick question for
7 Commissioner of Aging. Is that okay?

8 MR. GILLISON: Sure.

9 Ms. Hernandez is right there.

10 (Witness approached witness
11 table.)

12 COUNCILMAN HENON: Thank you.
13 Sorry to ask you to come back up.

14 Approximately how many elderly
15 longevity residents of the City of
16 Philadelphia do you service on a yearly
17 basis? It would be 62 and older.

18 MS. HERNANDEZ: Well, let's be
19 clear. The direct services for aging
20 goes through the Philadelphia Corporation
21 for Aging, which is the state-funded
22 organization that was set up years ago as
23 an independent 501(c)(3). So they
24 provide things like long-term care, food
25 to the homebound, other services,

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2 community home healthcare, et cetera. So
3 they are the primary area agency on aging
4 for the City of Philadelphia.

5 The City itself, through the
6 programs of the Mayor's Commission on
7 Aging, provides services of information
8 and referral. So several hundred
9 probably on a monthly basis come through
10 our offices, sometimes with questions,
11 sometimes they're caregivers, sometimes
12 they're family members who are trying to
13 figure out how to best position a senior.
14 We serve 92 participants in the Senior
15 Community Service Employment program and
16 we also serve probably under a thousand
17 in the individual assessments for the
18 APPRISE program, where people come in
19 with their Medicare information and their
20 healthcare information so that we can
21 counsel them on what might be the best
22 way for them to -- what their Part D
23 coverage should be and other things.

24 COUNCILMAN HENON: Right. You
25 do a wonderful job, so I commend you on

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2 addressing the needs of our seniors. I
3 would imagine that in excess of 50
4 percent of our City population would be
5 55 and older?

6 MS. HERNANDEZ: No. It's more
7 like 30 percent if you count the 50 and
8 over. If you look at the 55 and over,
9 it's a little bit less than 21 percent
10 depending on -- the figures are not set
11 exactly because there is a migration,
12 both an in-migration and out-migration
13 for a lot of reasons, and so -- but it is
14 close to one in three probably over the
15 next five years.

16 COUNCILMAN HENON: One in three
17 over the next five years. Probably, I
18 would assume, that would be on some sort
19 of fixed income and in more need of some
20 of the services and guidance that --

21 MS. HERNANDEZ: That's some of
22 the mythology about our senior
23 population. If you talk to senior
24 directors, which I do, they see three
25 different segments: the very frail,

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2 which is population over 85 with serious
3 cognitive and physical disabilities;
4 folks over 75, who are still very active,
5 very engaged; and then the new what
6 they're calling the young elderly, which
7 are folks who really are finding this is
8 the next career, this is the next thing
9 I'm going to do. And part of our
10 strategy is to really capture that
11 energy, that knowledge, that information
12 to support services across the City,
13 whether it's supporting a chess program
14 or many people really do want a second
15 career. And so some of our participants
16 in the Senior Community Service
17 Employment go on to jobs in the agencies
18 at which they were placed.

19 COUNCILMAN HENON: Absolutely.
20 I couldn't agree more. And I think any
21 exemptions that the City could provide
22 for people to provide that opportunity
23 for a second career or another
24 opportunity to play chess and congregate
25 in the communities will be helpful.

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2 Thank you very much.

3 MS. HERNANDEZ: But there is
4 three different sort of seniors. It's
5 really becoming very clear that what the
6 senior center directors call the young
7 seniors, they're ready -- and they don't
8 like the term "seniors," so many centers
9 are rethinking renaming themselves
10 something else so it doesn't feel like
11 it's a senior center.

12 COUNCILMAN HENON: That
13 includes my mother.

14 Thank you. Thank you very
15 much.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you, Councilman.

18 The Chair recognizes
19 Councilmember Johnson.

20 COUNCILMAN JOHNSON: Thank you,
21 Council President.

22 I'm looking for -- is there a
23 representative here from the Office of
24 Housing and Community Development here
25 with us?

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2 MR. GILLISON: Office of
3 Housing?

4 COUNCILMAN JOHNSON: Is Deborah
5 available?

6 COUNCIL PRESIDENT CLARKE:
7 She'll be here testifying a little later.

8 MR. GILLISON: I was just told
9 their hearing is at 1:30.

10 COUNCILMAN JOHNSON: 1:30 this
11 afternoon? All right. And the Inspector
12 General's Office?

13 MR. GILLISON: Yes. I know
14 that she follows me. Her hearing is
15 right after mine, but, yes, Ms. Kurland
16 is here.

17 COUNCILMAN JOHNSON: Okay.
18 Thank you. I'll wait.

19 MR. GILLISON: Okay.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you.

22 The Chair recognizes
23 Councilmember Brown.

24 COUNCILWOMAN BROWN: Good
25 morning, Mr. President.

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2 Good morning.

3 MR. GILLISON: Good morning.

4 COUNCILWOMAN BROWN: If we
5 could ask the leadership, Ms. Hernandez,
6 to come back to the witness table
7 regarding aging, I have some additional
8 follow-up questions.

9 MR. GILLISON: Sure.

10 COUNCILWOMAN BROWN: While we
11 wait for her, it states in the testimony
12 that for Fiscal Year 2011, \$2,400 of the
13 scholarship dollars were not utilized.
14 Can you provide some detail as to why
15 that happened?

16 MR. GILLISON: Twenty-four
17 hundred dollars?

18 COUNCILWOMAN BROWN: In the
19 budget detail.

20 MR. GILLISON: I don't have
21 that.

22 COUNCILWOMAN BROWN: Section 2,
23 Page 30.

24 MR. GILLISON: I'll have to get
25 that to you, Councilwoman.

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2 COUNCILWOMAN BROWN: I'm just
3 curious given --

4 MR. GILLISON: Yes. I know
5 that we were pretty proud of sending out
6 that we supported, I think, about 184
7 persons with scholarships, and most of
8 that money has gone out.

9 COUNCILWOMAN BROWN: And that's
10 an increase; is it not?

11 MR. GILLISON: I think it went
12 up by three, but I'll get that detail to
13 you on that \$2,400.

14 COUNCILWOMAN BROWN: Please.
15 Good morning, Commissioner.

16 MS. HERNANDEZ: Good morning.

17 COUNCILWOMAN BROWN: On the
18 followup to Councilman Henon's questions
19 around aging, you indicate in the
20 testimony that your office covers a
21 number of different services. The only
22 one I see not listed is, there's
23 anecdotal information that senior housing
24 is a real need, a growing need for
25 seniors in the City, and when you think

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2 about the types of information and
3 referrals that you get, can you speak to
4 at all the number of referrals you get
5 for seniors looking for housing suitable
6 for seniors?

7 MS. HERNANDEZ: And in many
8 times, those inquiries have to be
9 directed to other agencies, because we
10 really do not focus on that, other than
11 to provide the information, and in many
12 cases, the issue of housing is everything
13 from the type of housing, long-term care
14 or assisted living, to minor repairs that
15 have to be made to the home, and there
16 are various programs around the City,
17 both in OHCD and at the Philadelphia
18 Corporation for Aging, that supports
19 seniors in seeking and finding the right
20 kind of situation for themselves.

21 COUNCILWOMAN BROWN: Okay.
22 Know that we've introduced a resolution
23 actually calling for hearings on that
24 topic, because we get so many requests in
25 our office for seniors looking for

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2 housing. So you may be invited back,
3 just to put on the record your role in
4 that thread of trying to help seniors.

5 MS. HERNANDEZ: I would
6 appreciate that. That's a major issue
7 also in our office in terms of inquiries
8 both from seniors themselves and family
9 members.

10 COUNCILWOMAN BROWN: Does your
11 office have any interface with the
12 Department of Planning, Mr. Ginsberg's
13 (sic) office, in any way?

14 MS. HERNANDEZ: Actually, in
15 the present role that we're developing,
16 we're looking at Philadelphia's age
17 friendliness, and so we are reaching out
18 to all the departments in the City and
19 have been planning collaborations around
20 exactly those kinds of issues to take a
21 look at this population, who is where,
22 not just the fact that they're in the
23 City but where are they located, what
24 kinds of opportunities are there to do
25 transitional housing. So, yes, that's a

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2 conversation that's ongoing.

3 COUNCILWOMAN BROWN: Okay. So
4 just let me underscore that. When you
5 mention in your response to Councilman
6 Henon that one in three over the next
7 five years, that we anticipate what that
8 reality is going to be and look to see
9 how we can make one-stop shopping
10 available for seniors, the way we do for
11 small businesses and other constituencies
12 around the City, I think the time is
13 here.

14 MS. HERNANDEZ: And also the
15 collaboration with the Philadelphia
16 Corporation for Aging is going to be very
17 important, because they really are the
18 funders, they're the ones that receive
19 the Older American funding and the
20 lottery funding.

21 COUNCILWOMAN BROWN: Yes.
22 Speak more about the employment program
23 that you offer.

24 MS. HERNANDEZ: Folks come to
25 us who have left industries that might

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2 have left the City or their jobs were
3 eliminated and they find themselves in a
4 situation where they cannot support
5 themselves without some kind of
6 additional training, and they actually --
7 it's a subsidized income that folks get
8 for about 20 hours a week and they get
9 placed in programs that may enhance their
10 existing skills. So if perhaps this
11 person has a great work ethic, never
12 missed a day of work, has no idea what a
13 keyboard is or how the computer functions
14 within jobs, we place them, from district
15 health centers to community
16 organizations, that will in fact give
17 them the opportunity to exercise and
18 experience skills that they may not have
19 experienced in the past.

20 COUNCILWOMAN BROWN: Sure.

21 MS. HERNANDEZ: And then we
22 provide training, and most of it around
23 customer service, keyboarding, those
24 kinds of issues, as needed, so that
25 people can make the transition.

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2 Unfortunately, folks cannot be
3 in the program for more than four years.
4 So it's a very focused, very hands-on
5 experience for many of the folks that we
6 work with.

7 COUNCILWOMAN BROWN: Okay. The
8 bell has rung. I'll honor it.

9 Thank you, Mr. President.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you, Councilwoman.

12 The Chair recognizes
13 Councilmember Henon.

14 COUNCILMAN HENON: Thank you,
15 Council President.

16 I'm sorry. I have one last
17 follow-up question to an earlier one that
18 I had posed.

19 Do you know how many of the
20 seniors own the actual properties that
21 you're providing service or advice or
22 guidance to?

23 MS. HERNANDEZ: In different
24 areas -- I don't have a citywide number,
25 but, for example, in collaborating with

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2 Philly Rising, we've been doing that
3 analysis in various Philly Rising areas,
4 and in many cases it's over 60 percent of
5 the over 65 population that's
6 owner-occupied. So it's a very high
7 number.

8 COUNCILMAN HENON: That's
9 extremely high.

10 MS. HERNANDEZ: Yeah. In the
11 Frankford area, for example, it was
12 almost 70 percent of the seniors were
13 owner-occupied. So that is a challenge
14 in terms of being able to keep people in
15 their own homes safe and secure.

16 COUNCILMAN HENON: Right. And
17 I think in the 6th Councilmanic, in which
18 I was elected to represent, I believe 55
19 percent or slightly higher, 57 percent,
20 are 55 and older. So providing
21 exemptions for those seniors 62 and older
22 who are 60 percent homeowners, own the
23 properties, is extremely important.

24 MS. HERNANDEZ: Very important.

25 COUNCILMAN HENON: Could be

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 vital.

3 MS. HERNANDEZ: Yeah.

4 COUNCILMAN HENON: Thank you.

5 I have no further questions.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you, Councilman.

8 The Chair again recognizes
9 Councilmember Brown.

10 COUNCILWOMAN BROWN: I do have
11 a quick followup, please. I just need to
12 know of the employment program, are those
13 citizens -- do they have to be income
14 eligible?

15 MS. HERNANDEZ: Yes. There's
16 some income guidelines that impact
17 eligibility. So it's residency, income,
18 and then we try to place them in programs
19 that will help them gain skills to be
20 marketable again.

21 COUNCILWOMAN BROWN: Okay.
22 Lastly, let me say congratulations to one
23 of your staff persons, Lauren Vidas, who
24 is moving on to do greater, bigger
25 things, we believe, and to state for the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 record that tongue and cheek, we
3 acknowledge her leadership three or four
4 years ago with the event I do for rising
5 women leaders, and to now know that she's
6 leaving the Mayor's Office to go on to do
7 more important work is a great thing. So
8 kudos to you and your team.

9 MR. GILLISON: Thank you.

10 COUNCILWOMAN BROWN: Thank you,
11 Mr. President.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you, Councilwoman.

14 Any other questions for this
15 witness?

16 (No response.)

17 COUNCIL PRESIDENT CLARKE:
18 There being none, thank you very much,
19 Mr. Gillison.

20 MR. GILLISON: Thank you.

21 COUNCIL PRESIDENT CLARKE: We
22 will now have the Office of Inspector
23 General.

24 (Witness approached witness
25 table.)

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2 MS. KURLAND: Good morning,
3 President Clarke and members of City
4 Council. I am Amy Kurland, the Inspector
5 General for the City of Philadelphia, and
6 I'm pleased to appear before you again.

7 In 2011, the Office of the
8 Inspector General saved and recovered
9 more than \$9 million for the City while
10 working with a \$1.26 million budget.
11 Furthermore, our investigations led to
12 the termination for misconduct of 24 City
13 employees last year.

14 I want to thank you for the
15 opportunity to present the Office of the
16 Inspector General's operating budget
17 request. The proposed Fiscal Year 2013
18 budget for our office totals \$1,255,822
19 in the General Fund, and that represents
20 no change from Fiscal Year '12. Ninety
21 percent of our budget supports our
22 full-time positions, and there is no
23 provision for overtime costs. Nine
24 percent of the budget is for Class 200,
25 and we have additionally five

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2 professional services contracts. We have
3 a \$75,000 contract with a retired Federal
4 Bureau of Investigation agent who works
5 on complex financial investigations and
6 forensic audits.

7 We also manage professional
8 service contracts for surveillance. In
9 October 2011, we increased our
10 surveillance contracts from two to four
11 companies. One of those companies is a
12 100 percent minority-owned and
13 OEO-approved MBE. Two of the other
14 surveillance firms have made commitments
15 to use OEO-certified M/W/DSBE
16 subcontractors in approximately 10 to 15
17 percent range. This is a dramatic
18 increase in our participation from 0
19 percent to 13 percent in the second
20 quarter of Fiscal Year '12. Our OEO
21 participation goal was 17 percent for
22 Fiscal Year '12 and remains the same for
23 2013. And we look forward to continuing
24 our strong minority participation and
25 meeting our goal in professional service

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2 contracts this year.

3 We are very committed to
4 maintaining our diverse workforce. The
5 current makeup of the OIG staff is 56
6 percent women and 33 percent minorities,
7 leading to a 67 percent total OIG staff
8 percentage for women and minorities. Our
9 management structure is 100 percent
10 female.

11 I understand that Council has
12 my written testimony, and I certainly
13 won't read all of that, but I would like
14 to highlight a few things from 2011.

15 Through 2011 we helped rid the
16 City of 122 corrupt City employees, and
17 no employee has successfully appealed our
18 recommended termination and won
19 reinstatement with back pay. We continue
20 to prioritize cases that have the biggest
21 impact on the City. Some examples: We
22 have continued to push to implement our
23 policy recommendations in City
24 departments where failure in oversight
25 and accountability persist. We made

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 recommendations to departments in five
3 cases, and those departments made
4 significant changes.

5 Also, we are working with the
6 Office of Economic Opportunity to monitor
7 City contracts for evidence of front
8 companies, also known as "pass-throughs,"
9 which create the false appearance of
10 contracting diversity. In one of those
11 investigations, the City has begun
12 debarment proceedings against one
13 contractor, removed a second contractor
14 from its list of certified minority
15 businesses, and completed a no-fault
16 settlement with a third contractor, which
17 agreed to pay the City \$100,000 and
18 increase minority participation by 50
19 percent.

20 We have begun a new initiative
21 that replaces the previous ad hoc system
22 of pension recovery. We make sure City
23 employees who are convicted of certain
24 felony charges do not receive their
25 pensions. In this area, we believe our

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 efforts have saved approximately \$7.6
3 million last year. We also make sure
4 employees who have stolen money from the
5 City pay that money back.

6 We have used our resources and
7 financial recovery in some cases to
8 directly assist taxpayers. As part of
9 the resolution of a large-scale
10 administrative case, we discovered
11 \$100,000 in unredeemed rewards vouchers.
12 These vouchers were redeemed by Philly
13 Rising for clean-up projects in the
14 community.

15 We also have had several
16 significant criminal cases this year, and
17 they were all felony cases. A joint
18 OIG-FBI investigation led to the
19 indictment of two businessmen who
20 allegedly paid a \$10,000 bribe to the
21 City. This investigation we believe was
22 especially significant because it shows
23 that the City of Philadelphia is not for
24 sale and that City employees are indeed
25 honest and hardworking.

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2 In another criminal case, we
3 discovered that a City vendor had
4 defrauded the City of over a million
5 dollars by billing for work that was not
6 performed, and federal authorities are
7 seeking restitution in that case.

8 In calendar year 2011, we
9 recommended disciplinary action against
10 34 City employees. Of these cases, 24
11 employees were terminated and 10 were
12 suspended or demoted. Other action we
13 also recommended, such as reprimands, was
14 taken in 20 additional cases.

15 In summary, our investigations
16 have resulted in a high number of
17 sustained cases. Our recommendations
18 have been followed and upheld. This is a
19 strong indication that evidence in our
20 investigations is strong and reliable and
21 that OIG disciplinary recommendations are
22 reasonable.

23 We hope that this year will
24 bring continuation of our strong
25 performance and we will continue to build

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2 partnerships with citizens and government
3 officials to improve the quality of life
4 for all Philadelphians.

5 Thank you. I welcome any
6 questions.

7 COUNCIL PRESIDENT CLARKE:
8 Thank you, Ms. Kurland. I have a couple
9 of questions.

10 On Page 1 of your testimony,
11 you talk about surveillance contracts.
12 What exactly, if you can publicly talk
13 about that, what is that?

14 MS. KURLAND: President Clarke,
15 there are various departments throughout
16 the City who notify us that somebody is
17 not a resident of the City or somebody
18 has a second job that they're doing on
19 City time or something like that, and if
20 the department believes that that case
21 warrants more investigation, we will
22 employ a company, an investigative
23 agency, who will do the surveillance.
24 They then issue us a report, and then we
25 put that -- send that back to the

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2 department. We do this because it's much
3 more cost effective than having our
4 investigator spend the hours that are
5 needed to watch somebody.

6 For example, if somebody is not
7 a resident, if we believe somebody is not
8 a resident of Philadelphia, we need to
9 conduct surveillance on that person from,
10 say, 6:00 in the morning until 9:00 and
11 then again from, say, 4:00 in the
12 afternoon until 7:00. So that's a lot of
13 person hours for the investigators in my
14 office. We find that it makes more sense
15 to contract that out.

16 COUNCIL PRESIDENT CLARKE:
17 Well, with respect to that particular
18 issue as it relates to City employees,
19 isn't that traditionally the
20 responsibility of the City Controller's
21 Office?

22 MS. KURLAND: I believe that
23 the Controller's Office and the Inspector
24 General's Office both have jurisdiction
25 to investigate residency cases.

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2 COUNCIL PRESIDENT CLARKE:

3 Well, I mean, when you're talking about a
4 cost-effective measure, I mean, we
5 already have an agency, and I know
6 there's this issue about some of the
7 crossovers as it relates to Controller's
8 Office and Inspector, but in this
9 particular case, I mean, this has clearly
10 been something that the City Controller
11 has been responsible for as long as I've
12 been here. And we're talking about cost
13 savings. I would think that this would
14 be a case that if you hear or have
15 information relating to a City employee
16 not necessarily living in the City or
17 adhering to the current qualifications
18 for City employee, you would just refer
19 that to the Controller's Office, and that
20 has been one thing that they've done
21 pretty well. So why would we replicate
22 that?

23 MS. KURLAND: We do very few
24 residency cases compared to the other
25 types of investigations that we do. The

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 residency cases that we do usually
3 involve higher level City employees, and
4 as I said, the Controller's Office has
5 not traditionally done those type of
6 residency cases, or at least they haven't
7 in the past couple years.

8 COUNCIL PRESIDENT CLARKE: All
9 right. Can you send me a little
10 information on the number of cases, just
11 a snapshot of what you've been doing in
12 that? Because that's just one that I
13 just, frankly speaking, never understood
14 why we do that if we already have an
15 agency that's been very aggressive in
16 that, from my perspective.

17 MS. KURLAND: I'm sorry. You
18 would like a number --

19 COUNCIL PRESIDENT CLARKE: Can
20 you send me a number of the cases --

21 MS. KURLAND: The number of
22 residency cases?

23 COUNCIL PRESIDENT CLARKE:
24 Since you now say that higher level
25 questionable employees' residencies have

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 not traditionally been investigated by
3 the Controller's Office. So that in my
4 mind kind of suggests something that
5 maybe they don't feel comfortable going
6 after people in a higher level. I would
7 like you to kind of send me some
8 information on that.

9 MS. KURLAND: I'd be happy to
10 send you the residency cases that my
11 office does. I really have no way of
12 determining the residency cases that the
13 Controller's Office does.

14 COUNCIL PRESIDENT CLARKE:
15 Okay. But you made the statement that in
16 the past, they have not gone after the
17 higher ranking employees, or you implied
18 that.

19 MS. KURLAND: I say that
20 because we have done those cases.

21 COUNCIL PRESIDENT CLARKE:
22 You've done them?

23 MS. KURLAND: And President
24 Clarke, I'd be happy to get a list of the
25 residency cases that we've done this

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 year.

3 COUNCIL PRESIDENT CLARKE:

4 Okay. Thank you. Thank you,

5 Ms. Kurland.

6 Ms. Kurland, on the pretty
7 substantial money that you have captured
8 as it relates to fraud and some other
9 issues relating to cases, does that money
10 go into the General Fund, the return of
11 that?

12 MS. KURLAND: Yes.

13 COUNCIL PRESIDENT CLARKE: It
14 goes directly into the General Fund?

15 MS. KURLAND: Yes, it has.

16 COUNCIL PRESIDENT CLARKE:

17 Okay. Thank you.

18 With respect to the Revenue
19 Department, you indicate that there are
20 measures that you put in place to
21 basically keep people from taking money
22 and putting it in their pockets. Is
23 there a strategy associated with that
24 that you can talk about publicly?
25 Because I know a lot of the things that

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 you do, you don't necessarily want to tip
3 your hat.

4 MS. KURLAND: Yes. We did make
5 substantial policy recommendations to the
6 Revenue Department following our
7 investigations. We don't have the power
8 to put those measures in effect. That
9 would be up to the department, but we
10 have made the recommendations. We've
11 worked with the Revenue Department to
12 help them put the measures in place, and
13 I think that most of those things have
14 been corrected.

15 COUNCIL PRESIDENT CLARKE:

16 Okay. That's all for me.

17 I'd like to recognize
18 Councilmember Goode.

19 COUNCILMAN GOODE: Thank you,
20 Mr. President.

21 Good morning, Ms. Kurland.

22 MS. KURLAND: Good morning,
23 Councilman.

24 COUNCILMAN GOODE: First, let
25 me salute and commend you for your work

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 in enforcing fair contracting and rooting
3 out some of the fraud that exists out
4 there. I think it sends a strong message
5 and will discourage a lot of that in the
6 future.

7 MS. KURLAND: Thank you.

8 COUNCILMAN GOODE: I just want
9 to run through the surveillance contracts
10 real quickly.

11 How much money is spent on
12 surveillance contracts?

13 MS. KURLAND: We have four
14 surveillance contracts, and each of them
15 is for \$10,000 for a fiscal year. I'm
16 not certain how much has been spent so
17 far.

18 COUNCILMAN GOODE: For Fiscal
19 Year '13, do we know who those
20 contractors will be?

21 MS. KURLAND: Who the
22 contractors are? Yes. Commercial Index
23 Bureau, Endeavor Investigations Company,
24 Keystone Intelligence Network and Titan
25 Investigative Alliance.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCILMAN GOODE: And how long
3 have these firms held the contract?

4 MS. KURLAND: Commercial Index
5 Bureau and Titan Investigative Alliance
6 were also contracted with us last year,
7 and the other three are new -- the other
8 two are new.

9 COUNCILMAN GOODE: And so when
10 will any new surveillance contracts be
11 bid?

12 MS. KURLAND: I'm sorry?

13 COUNCILMAN GOODE: When will
14 any new surveillance contracts be bid?

15 MS. KURLAND: I believe that at
16 the end of Fiscal Year 2013, those
17 contracts will come up for renewal or be
18 bid out again.

19 COUNCILMAN GOODE: Were there
20 participation goals set in the RFP?

21 MS. KURLAND: Yes.

22 COUNCILMAN GOODE: And what
23 were the goals?

24 MS. KURLAND: I believe it was
25 17 percent. If I could just have a

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 moment.

3 Fifteen percent.

4 COUNCILMAN GOODE: One of the
5 firms is a disadvantaged firm?

6 MS. KURLAND: That's correct.

7 COUNCILMAN GOODE: At 100
8 percent?

9 MS. KURLAND: One hundred
10 percent.

11 COUNCILMAN GOODE: So why was
12 the goal set at 17 percent for the other
13 contracts?

14 MS. KURLAND: No. It was 15
15 percent for total, I believe.

16 COUNCILMAN GOODE: But one of
17 the firms came in as a disadvantaged firm
18 for 100 percent of the contract.

19 MS. KURLAND: That's right.

20 COUNCILMAN GOODE: Which means
21 that that's 25 percent of contract
22 dollars already.

23 MS. KURLAND: I'm going to have
24 to ask for some help on that.

25 COUNCILMAN HENON: One out of

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the four.

3 MS. KURLAND: One out of the
4 four was 100 and the other --

5 COUNCILMAN GOODE: Which means
6 that there's already 25 percent just from
7 using one disadvantaged firm and then
8 their participation goals on the other
9 three contracts, and so the question is,
10 why is the goal 17 percent?

11 MS. KURLAND: Well, we also
12 have an investigative contract in
13 addition to those four surveillance
14 contracts.

15 COUNCILMAN GOODE: I understand
16 that. I'm asking just about the
17 surveillance contracts. I'm asking what
18 was the goal set in the RFP and why was
19 the goal set at 17 percent?

20 MS. KURLAND: I'm not certain.
21 I'm going to have to get back to you on
22 that. I'm sorry, Councilman.

23 COUNCILMAN GOODE: And if these
24 are renewable contracts, is that goal
25 going to be reviewed and can that goal be

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 increased as the contracts are renewed?

3 MS. KURLAND: We are always
4 trying to increase that goal. We have
5 been trying to recruit minority firms to
6 respond to the RFPs. The issue that we
7 have had is that some of the companies
8 who have responded were substantially
9 more expensive. So the combination of
10 minority participation and lowest bid is
11 what caused us to choose these companies.

12 COUNCILMAN GOODE: Okay. If
13 you could just send through the Chair an
14 explanation of why that goal is at 17
15 percent if that goal has already been
16 exceeded, that would be helpful.

17 MS. KURLAND: Okay. I will get
18 that information.

19 COUNCILMAN GOODE: Thank you.

20 Thank you, Mr. President.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilman.

23 The Chair recognizes

24 Councilmember Henon.

25 COUNCILMAN HENON: Thank you,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Council President.

3 I too want to commend you for
4 the amount of dollars that you put back
5 into the General Fund. You said it was,
6 if I can -- your testimony was over \$25
7 million, is that correct, in four years?

8 MS. KURLAND: In four years,
9 yes, sir.

10 COUNCILMAN HENON: Was that all
11 dollars that were recovered or were they,
12 for instance, if they were -- if people
13 were fired from fraud uncovered from your
14 office and punished, rightfully so, and
15 convicted, so are their jobs added to
16 that \$25 million or was it actual \$25
17 million?

18 MS. KURLAND: No. If I can
19 just break down those numbers. The \$25
20 million represents partial recovery and
21 part savings. We estimate savings and we
22 combine that with the dollars actually
23 recovered to come up with that number.

24 In the termination cases,
25 you're correct that most of the time

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2 those employees are rehired -- I mean,
3 are replaced. But we don't know whether
4 they're replaced at the same salary. We
5 don't know whether they're -- when
6 they're replaced, there are DROP issues
7 or they come in with different pension
8 issues. So what we've done in those
9 cases is that we estimate a two-year
10 salary projection. Most federal agencies
11 use the lifetime of the person's
12 employment to estimate the salary
13 savings, but we take only two years, and
14 we think that's very conservative. And
15 that number, which we estimate to be last
16 year approximately \$2.3 million, is not
17 included in our savings and recovery,
18 simply because we can't be exact with
19 what it is.

20 COUNCILMAN HENON: And what I'm
21 trying to get to here is, I think Council
22 President asked and I'm sure other folks
23 have similar questions about the
24 difference between the City Controller's
25 Office, your office and the

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 recommendations that you give to a
3 department, say, Revenue, for example,
4 for a new hire, recommendations for that
5 department to implement. Is there any
6 followup or would the Board of Ethics be
7 responsible for ensuring that the
8 integrity of that position that was
9 vacated is being upheld and rules in
10 place? I'm just looking to see what the
11 followup is.

12 MS. KURLAND: Okay.

13 COUNCILMAN HENON: Because I
14 think what you're doing is great and it's
15 necessary and we need to have it,
16 especially if it's taking place, but I
17 want to make sure that there's followup
18 to some of the things that you discover.

19 MS. KURLAND: I don't believe
20 that the Board of Ethics is involved in
21 monitoring the position. We would hope
22 that when the Department of Revenue, for
23 example, hires a new employee, they would
24 do the appropriate background check, and
25 hopefully when that new employee is put

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 in place, the measures that we've
3 recommended have also been put in place,
4 which would minimize the possibility for
5 fraud.

6 COUNCILMAN HENON: I think
7 moving forward, it would be my new
8 Council recommendation would be some sort
9 of accountability and followup. I don't
10 know if you coordinate with the Mayor's
11 Office with any of these discoveries and
12 seeing it to fruition as they move
13 forward, just for the simply fact that
14 the integrity of these positions, in
15 which you say that we're saving money.

16 MS. KURLAND: Well, we do work
17 closely with the department when we make
18 these recommendations. So the Revenue
19 Department, for example, we worked
20 together with them to make the
21 recommendations. We require them to
22 report back to us usually within 30 to 60
23 days after they receive our report to let
24 us know what measures have been put in
25 place. So there's followup in that

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2 sense.

3 COUNCILMAN HENON: So after 30
4 days, case closed?

5 MS. KURLAND: On our end, it's
6 closed, because, as I said, we can't
7 impose those recommendations, we can only
8 make them.

9 COUNCILMAN HENON: Do you
10 coordinate with the Mayor's Office in any
11 of those suggestions, recommendations or
12 dealings?

13 MS. KURLAND: No. We just deal
14 directly with the departments.

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

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilman.

19 The Chair recognizes
20 Councilmember Squilla.

21 COUNCILMAN SQUILLA: Thank you,
22 Mr. President.

23 Mrs. Kurland, I again would
24 reiterate what all the Councilmember says
25 about bringing the extra money into the

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2 City. As you know, we well need it. My
3 concern more is that when you make
4 recommendations, in follow up with what
5 Councilman Henon said, about the actual
6 followup and the intent of the
7 departments to follow what your
8 recommendations are, there's been several
9 issues where we as Councilmembers are
10 leery of keeping going after the people
11 who pay their taxes and have money out
12 there that's actually available to the
13 City that we never go after. And I think
14 your department is good at recognizing
15 those things, but your office's ability
16 to let the organization know or the
17 department know what they're doing wrong,
18 do you inform Council of these things?

19 MS. KURLAND: We don't inform
20 Council specifically, but when we make
21 recommendations, the recommendations are
22 posted on our website. Those are public
23 documents.

24 COUNCILMAN SQUILLA: And so
25 after 30 days when they report back to

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2 you what they feel they may or may not do
3 to either follow your recommendation or
4 not, is it at that point, as far as your
5 department is concerned, that it's over?

6 MS. KURLAND: That's correct,
7 and we close our case.

8 COUNCILMAN SQUILLA: Even if
9 they don't follow your recommendation?

10 MS. KURLAND: We've never
11 really had a situation where a department
12 said we're not going to follow your
13 recommendation. Usually what happens is,
14 they're in the process of implementing
15 our recommendations, but, like I said,
16 our recommendations have always been
17 accepted in the policy area.

18 COUNCILMAN SQUILLA: All right.
19 Because we know like in the past when you
20 say that Revenue Department is out there
21 or RDA is out there and maybe they had
22 sold properties or never came to
23 agreement or never settled on those
24 properties, so the City is still not
25 collecting any taxes, we're still paying

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2 the water bills for these properties. Is
3 there a way for Council to find out that
4 information?

5 MS. KURLAND: One of the
6 biggest issues that we have is property
7 issues, which I think is one of the
8 biggest issues that the City is now
9 dealing with. We have not had any
10 specific cases where we found that
11 somebody was living in a City property
12 and had not been paying the taxes that we
13 were able to do anything about. I'm not
14 sure how to -- when we've learned about
15 situations like that, we tell the
16 department, but it's not a specific case
17 that we investigate usually.

18 COUNCILMAN SQUILLA: How about
19 if the City actually transferred or was
20 going to transfer the property over to a
21 private individual and then it never went
22 to settlement? Do we know how many
23 properties similar to that have never
24 gone to settlement where the City is
25 still on the hook for those properties

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2 where the people, if they're not
3 receiving a bill, they're not going to
4 pay it?

5 MS. KURLAND: Right, and we
6 only find out about that if there's a
7 specific allegation or a complaint that
8 comes in from somebody. We don't have a
9 list, if that's what you're asking. We
10 don't have a list about that. We just
11 deal in specific complaints.

12 COUNCILMAN SQUILLA: So that
13 nobody actually oversees then the
14 properties to make sure that we're
15 performing, I guess, the actual duties of
16 going to closure and closing settlement
17 of these properties? There's nobody
18 overseeing that; that's just the RDA or
19 Public Property?

20 MS. KURLAND: I'm not certain
21 whether it's Public Property or the RDA
22 or OHCD, but it would be another City
23 department that oversees that.

24 COUNCILMAN SQUILLA: And how
25 about as far as like L&I? I know we

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2 spoke earlier about permitting issues and
3 things like that. When you make your
4 recommendations to L&I to follow certain
5 guidelines and once they say all right,
6 they're going to implement them and you
7 close it, do you go back the following
8 year and just revisit that?

9 MS. KURLAND: We usually don't,
10 and I know the specific case that you're
11 referring to is when there are bounced
12 checks, and that's something that's still
13 currently under investigation. I hope
14 that at the end of that investigation
15 we'll make specific recommendations to
16 L&I and that they'll implement some
17 changes, but we haven't done that yet.

18 COUNCILMAN SQUILLA: Okay.
19 Because, I mean, right now it's a very
20 sensitive time for people who are paying
21 in taxes, and we're trying to go after
22 every aspect we can of people who don't
23 pay or try to beat the system, and if we
24 could collect the money off those who
25 either don't pay or try to shortchange

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2 the City, I think it will make it easier
3 for us to alleviate the taxpayers who
4 already are paying. And I appreciate
5 what you do. I think -- and I'm going to
6 reiterate what Councilman Henon said, is
7 we need to have some type of followup
8 maybe from Council or from your office to
9 say, All right, we implemented this, we
10 told them, they're going to change them,
11 but we never go back and check again. So
12 if we have those bounced checks of maybe
13 200, 300, 400,000 dollars that's not
14 given to the City, yet these people are
15 getting permits and being able to keep
16 doing construction, we're still -- we're
17 hurting ourselves.

18 MS. KURLAND: Right.

19 COUNCILMAN SQUILLA: And maybe
20 we could come up with some other plan to
21 maybe either reinvestigate it or maybe
22 bring it to Council's attention and we
23 could have hearings on that.

24 MS. KURLAND: I would be happy
25 to work with Council to try and

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2 accomplish that.

3 COUNCILMAN SQUILLA: All right.

4 Thank you.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you, Councilman.

7 MS. KURLAND: If I could make
8 one correction, President Clarke.

9 COUNCIL PRESIDENT CLARKE:

10 Sure.

11 MS. KURLAND: I think I said
12 earlier in my testimony that all of the
13 money that we recover goes into the
14 General Fund, but I'd like to qualify.
15 One of the things that we list is our
16 savings in pension disqualifications, and
17 that is not actual money that comes back
18 to the City. That's how we calculate the
19 savings. I can describe that more
20 specifically.

21 COUNCIL PRESIDENT CLARKE: Is
22 that counted in the larger number that
23 you gave?

24 MS. KURLAND: It's counted in
25 our financial -- what we call financial

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2 accomplishments, but it's not -- for
3 example, that number is \$7.6 million, but
4 there was no \$7.6 million that was put
5 back into the General Fund. It's just
6 what we estimate the savings over the
7 course of the pension period.

8 COUNCIL PRESIDENT CLARKE:

9 Okay. Thank you. Thank you,
10 Ms. Kurland.

11 The Chair recognizes
12 Councilmember Johnson.

13 COUNCILMAN JOHNSON: Thank you,
14 Council President. Good morning, by the
15 way.

16 COUNCIL PRESIDENT CLARKE: Good
17 morning, sir.

18 COUNCILMAN JOHNSON: I just
19 wanted to follow up on a couple of
20 things. First and foremost, I also echo
21 the sentiments of Councilman Goode
22 regarding your work to improve and
23 enforce the minority participation, the
24 EOP goals as it relates to City
25 contracts. And so I wanted to get a

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2 sense from you on, one, first and
3 foremost, do you work in conjunction with
4 the Office of Economic Opportunity,
5 Angela Dowd-Burton? Do y'all sit down
6 and maybe strategize and put together a
7 plan together?

8 MS. KURLAND: Yes, we do. Some
9 of our cases are referrals from OEO after
10 their compliance unit discovers a
11 problem. Some of our cases are just
12 proactive investigations that we do on
13 our own. When we discover a problem, we
14 bring in the Office of Economic
15 Opportunity to work with us to kind of
16 finalize a plan.

17 COUNCILMAN JOHNSON: And from
18 an enforcement standpoint, because I know
19 there have been several laws on the book,
20 we do several different hearings and so
21 forth, but from an enforcement standpoint
22 and I believe under the leadership of
23 Councilman Goode, we're definitely going
24 in the right direction, but how can we
25 put additional teeth, so to speak, as we

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2 move forward to make sure that we are
3 reaching those minority participation,
4 the EOP goals, as the City as a whole?

5 MS. KURLAND: I agree that we
6 have many good laws on the books, and the
7 problem has been the enforcement.
8 What --

9 COUNCILMAN JOHNSON: Do we ban
10 some companies forever?

11 MS. KURLAND: What we can do
12 going forward is, we recommend to the Law
13 Department that they initiate debarment
14 proceedings. We did that in one
15 situation. We also recommend to OEO that
16 they remove a sham minority from the
17 registry, and they have done that. The
18 other thing that we can do is bring a
19 lawsuit. And, in our view, if a company
20 hires a subcontractor to be the minority
21 subcontractor and that is a sham, then
22 the contract is fraudulent in its
23 inception, and the Law Department, we
24 believe, would be able to go after that
25 company for the full value of the

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2 contract. Short of that, we can enter
3 into a settlement agreement with the
4 company. We did that in one situation
5 where the company paid the City a certain
6 amount of money and then we worked out a
7 compliance plan with them where they put
8 measures in place to make sure that they
9 were monitoring the minority
10 participation appropriately, and they
11 agreed to increase their minority
12 participation by 50 percent.

13 So there's really a number of
14 things we can do going forward. I think
15 the way for this to be effective is for
16 us to have more of these cases and
17 publicize them, and then companies will
18 see that they're not going to be able to
19 get away with that.

20 COUNCILMAN JOHNSON: And just
21 another last question. What happens to,
22 let's say, the sub on a prime contract
23 that isn't getting paid and this is
24 uncovered? So there will be, so to
25 speak, prosecution or discipline toward

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2 the prime, but does the sub receive the
3 money, gets reimbursed for all the money
4 that was invested on the front end?

5 Because that's what I've been running
6 into as a State Rep. I will have
7 different sub companies call me and say,
8 Well, listen, we're not getting paid and
9 we're still spending our money from an
10 investment, the process of preparing to
11 submit the application, all the money
12 that goes into being a partner on an
13 actual project. Is there any
14 reimbursement component?

15 MS. KURLAND: If the issue
16 deals with the subcontractor not being
17 paid, that is a situation where we would
18 go back to OEO, because they really have
19 the tools to monitor the payment. If
20 there's fraud involved, then we would get
21 involved and deal with that issue.

22 COUNCILMAN JOHNSON: Okay. All
23 right. Now, the only reason I'm asking
24 this question is because I was directed
25 to you, and, Oh, great, I'll ask our

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2 Inspector General.

3 So if there's fraud involved,
4 you guys get involved. If there's
5 non-payment, Angela Dowd-Burton's office
6 would get involved?

7 MS. KURLAND: That's right.

8 COUNCILMAN JOHNSON: Because
9 I'm trying to connect the enforcement
10 component, because the fraud part is one
11 thing, but I think when you have a small
12 business that actually spent their
13 resources trying to be a part of our
14 business community, our business
15 environment, being a good steward, I
16 think that's the part where we got to
17 make that connection.

18 MS. KURLAND: Yeah, and --

19 COUNCILMAN JOHNSON: So they
20 can get their money back and the
21 person -- because if you're a prime, you
22 have enough money that you'll take the
23 loss and keep it moving. But if you're a
24 small business, you can be essentially
25 put out of business for good.

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2 MS. KURLAND: Right. We have
3 received several complaints like that
4 about subcontractors not being paid, and
5 in those situations, we go directly to
6 Angela and we work together and we try
7 and help the subcontractor know where to
8 go and who to speak to and how to go
9 about getting paid.

10 COUNCILMAN JOHNSON: All right.
11 Just for the record, probably what I
12 would want to take a look at -- and, of
13 course, I would also be inclined to work
14 with Councilman Goode, who has really
15 been an expert on the issue, but this has
16 always been an interest of mine just in
17 general because it's just the right thing
18 to do, how do you make that connection.
19 So more small businesses, regardless of
20 what background they're coming from,
21 won't get put out of business when the
22 major prime company is pretty much not
23 doing their due diligence. But I do
24 commend you at least for stepping up to
25 the plate and working with Councilman

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2 Goode to start doing the enforcement
3 component, not just so much just the laws
4 on the books. So thank you. Keep up the
5 good work.

6 MS. KURLAND: Thank you.

7 COUNCIL PRESIDENT CLARKE:

8 Thank you, Councilman.

9 Ms. Kurland, real quick, and
10 this may or may not fall within your
11 jurisdiction, but I guess it could be
12 considered to be fraudulent as it relates
13 to non-collection of taxes. I've gotten
14 several inquiries about developments, not
15 City funded, private developments,
16 relatively small where individuals are
17 hired and they're not the employers,
18 contractors, primarily
19 construction-related activity. The
20 contractors are not collecting taxes from
21 the workforce. What department would
22 have the responsibility, if any, of
23 overseeing the non-collection of taxes to
24 the City for that workforce?

25 MS. KURLAND: I'm not certain.

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2 I think it is probably the Revenue
3 Department. I would be happy to get some
4 more specifics and find out where those
5 people can go.

6 COUNCIL PRESIDENT CLARKE: All
7 right. I've been hearing a lot, a couple
8 of sections of my district where it's
9 believed -- like I said, there's
10 allegations, but there's so many that I
11 have to believe that there's some -- the
12 old where there's smoke, there's fire.

13 MS. KURLAND: Yeah.

14 COUNCIL PRESIDENT CLARKE: Let
15 me see if I can get you a little more
16 details.

17 MS. KURLAND: And if you want
18 to refer those people to us, if it's
19 something we don't do, we'll certainly
20 know where to send them.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you.

23 The Chair recognizes
24 Councilmember Oh.

25 COUNCILMAN OH: Thank you,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Mr. President.

3 Just for my information, could
4 you articulate in your viewpoint the
5 difference between what you do, your
6 office does, from the District Attorney's
7 Office, the Controller's Office or the
8 State AG's Office.

9 MS. KURLAND: Okay. First of
10 all, the District Attorney's Office only
11 handles criminal cases. They don't
12 handle any cases that deal with employee
13 misconduct or high-level misconduct
14 that's not criminal.

15 The Controller's Office, as I
16 understand it, they do very broad-based
17 audits of departments. They don't
18 investigate a specific allegation of a
19 specific person committing a fraud.

20 We've had several cases that we
21 have investigated a specific instance of
22 fraud and then we've referred the matter
23 to the Controller's Office to do a full
24 audit of that department. We had an
25 instance where there was a problem with

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2 an advisory council in the Recreation
3 Department, and we dealt with that issue,
4 and in doing our investigation, we
5 learned that while the Controller's
6 Office does audits of the Recreation
7 Department, they don't traditionally do
8 audits of the advisory councils. So we
9 did a report and we forwarded it to the
10 Controller's Office and recommended that
11 they audit the advisory councils.

12 But generally our cases deal
13 with specific instances of fraud. The
14 Controller's are more broad-based audits
15 of how a department functions.

16 I hope that answers your
17 question.

18 COUNCILMAN OH: It does. Could
19 you talk a little bit then about in terms
20 of the overlap of these areas and in
21 terms of not duplicating, unless having
22 more sources is actually better than just
23 having one or two.

24 MS. KURLAND: Well, in my view,
25 there's never too many watchdogs, and

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2 there is overlap. Sometimes we'll have a
3 case that looks like administrative
4 misconduct. It turns out that it really
5 is a crime, and in that case, we will get
6 in touch with either the District
7 Attorney or the U.S. Attorney, depending
8 on the type of case it is, and we work
9 together with them to have it prosecuted
10 criminally. So there's certainly
11 overlap, and hopefully all of these
12 agencies will work well together and
13 minimize us all doing the same thing.

14 COUNCILMAN OH: In terms of the
15 example that you cited, the advisory
16 group for the Recreation entity, how did
17 your office get involved in that? That
18 didn't involve fraud, I suppose?

19 MS. KURLAND: Most of our tips
20 come from City employees. I'm not
21 certain in that particular case how we
22 got the information, but I think there
23 was an allegation of theft and money was
24 coming in to the advisory council that
25 was supposed to be used for Recreation

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2 projects and that it wasn't being used
3 like that. I think that was the initial
4 allegation. And then we learned in the
5 course of that that the advisory council
6 was not being audited.

7 COUNCILMAN OH: Okay. Thank
8 you very much.

9 COUNCIL PRESIDENT CLARKE:
10 Thank you, Councilman.

11 The Chair recognizes
12 Councilmember Bass.

13 COUNCILWOMAN BASS: Thank you.
14 How are you?

15 MS. KURLAND: Good morning.
16 Thank you.

17 COUNCILWOMAN BASS: Good
18 morning.

19 I just have a question from
20 your testimony in reference to
21 improvements in OIG investigation and
22 procedures. And it says through 2011, we
23 have helped rid the City of 122 corrupt
24 City employees and no employee
25 successfully appealed our recommended

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2 termination and won reinstatement with
3 back pay.

4 And so my question is in
5 regards to terminated employees -- well,
6 the first thing is, who makes the
7 determination? I know you said that
8 normally your office is referred a case
9 from another City employee. And then who
10 makes the determination that your office
11 would then be involved in this, that this
12 warrants your office or the District
13 Attorney or the Controller's Office?

14 MS. KURLAND: We usually make
15 that determination. When we receive the
16 information, we first check to make sure
17 it's something that we have jurisdiction
18 over, and if it's a City employee, we do.
19 As the investigation goes on, we
20 determine whether it's an administrative
21 case or it's a criminal case.

22 COUNCILWOMAN BASS: When you
23 say "we," who is "we"?

24 MS. KURLAND: Myself, my
25 Deputy, the investigator who received the

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2 complaint and has begun the
3 investigation.

4 COUNCILWOMAN BASS: Okay. And
5 what would the process of then, after you
6 do your investigation, the process of
7 termination and then the appeal, what
8 would that process be? And I ask that
9 not obviously interested in saving
10 anybody who has done wrong by the City.
11 If you've done things that you should not
12 do, then you should be terminated and you
13 should be held to the highest extent to
14 the law. But I guess what I'm concerned
15 about is just making sure that the
16 process is fair, that there is justice,
17 and that if you are terminated -- if
18 you're a clerk working for the City of
19 Philadelphia, it can be incredibly
20 intimidating to try to fight this sort of
21 termination if you are wrongfully
22 accused. So I just wanted to see how do
23 we protect against that.

24 MS. KURLAND: And we don't make
25 our recommendations lightly, and I think

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2 that's the reason our recommendations
3 have been upheld before the Civil Service
4 Commission and before arbitration. We do
5 a full and complete investigation. At
6 the end of our investigation, we call in
7 the employee, who often comes in with the
8 union rep or an attorney, and we give the
9 employee a chance to explain the evidence
10 that we've developed. Then we write our
11 report, and we send it to the department.
12 The department -- we recommend either
13 termination or suspension or demotion or
14 some other type of administrative
15 discipline. The department and the
16 Commissioner of the department decides
17 what the penalty is going to be, whether
18 it be termination or something short of
19 that. And then in the department, they
20 have an administrative hearing. If
21 they're not -- if they don't agree, then
22 they have the opportunity to appeal
23 before the Civil Service Commission or
24 arbitration.

25 But I say that nobody has

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2 appealed our recommendation and won
3 reinstatement with back pay and I think
4 that's significant because that shows
5 that our investigations are very, very
6 comprehensive and that they do hold up on
7 appeal.

8 COUNCILWOMAN BASS: And when
9 the investigation is complete, they are
10 made aware of their right to appeal and
11 to --

12 MS. KURLAND: Yes. They're
13 told that in the department hearings.

14 COUNCILWOMAN BASS: And they
15 choose not to appeal based on the
16 evidence that's provided?

17 MS. KURLAND: Frankly, most of
18 the people that we investigate end up
19 resigning after we talk to them instead
20 of going through the hearing. The
21 evidence is usually pretty overwhelming.

22 COUNCILWOMAN BASS: Okay.
23 Thank you.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you, Councilwoman.

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2 Ms. Kurland, real quickly to
3 follow up on Councilman Oh's questions.
4 Is there any overlap with the Ethics
5 Board? I know you talked about the
6 Controller's Office and the District
7 Attorney and the District Attorney is
8 clearly criminal.

9 MS. KURLAND: We work very
10 closely with the Ethics Board to make
11 sure we're not stepping on each other's
12 toes or doing the same thing twice. They
13 focus mostly on campaign finance type
14 issues and on the specific ethics
15 violations that are in the code. They
16 don't do the kinds of investigations that
17 deal with like theft or fraud or anything
18 like that. But we're in constant
19 communication with them to make sure
20 we're working together well.

21 COUNCIL PRESIDENT CLARKE:
22 Okay. Thank you.

23 The Chair recognizes
24 Councilmember Kenney.

25 COUNCILMAN KENNEY: Thank you,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Mr. President.

3 General Kurland, thank you. I
4 want to go back for a second to the issue
5 that you had talked about -- I was
6 listening earlier -- to the Revenue
7 Department. It is extremely frustrating
8 and just really maddening when I think
9 about and know about all the underground
10 economies that exist out in the
11 community, whether it's the construction
12 industry, bakeries that are delivering
13 product from out of state and not paying
14 business privilege taxes or even having a
15 business privilege license, nail salons.
16 I mean, it just goes on and on and on,
17 and we're leaving all this money on the
18 table. And I know I had heard earlier
19 your discussion relative to per diem kind
20 of hirings of ex-FBI agents or IRS agents
21 or the folks with the forensic capability
22 of getting to the bottom of that stuff.
23 I would love to see your office expanded.
24 I mean, the Revenue Department and I will
25 say -- I've said it before. I'll say it

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2 again. I don't know why the frustration,
3 but it is. It doesn't seem to want to
4 pursue the things that we bring to them
5 that are clearly shooting ducks in a
6 barrel. And if you have the network of
7 folks that could get to the bottom of all
8 the money that we're losing in the City
9 because we just don't collect it, I would
10 love to give you that power and not have
11 the Revenue Department do it, and you
12 could hire all the IRS agents that you
13 want and we could put some money in our
14 coffers instead of laying it on the
15 table.

16 (Witness approached witness
17 table.)

18 MS. RHYNHART: Rebecca
19 Rhyhart, Budget Director.

20 COUNCILMAN KENNEY: That's
21 funny, you don't look like General
22 Kurland.

23 MS. RHYNHART: I feel like I
24 had to come up here with the conversation
25 of the Revenue Department.

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2 COUNCILMAN KENNEY: I saw you
3 leap over the railing. The only person
4 that ever came to the front that quick,
5 in my experience, was David Cohen. He
6 would start in the back row and we'd wind
7 up right where you're sitting. So it's
8 good to see you.

9 MS. RHYNHART: Good to see you
10 too.

11 I just wanted to comment on the
12 Revenue Department, and they will be up,
13 I believe, later this week to talk about
14 their enforcement efforts and what
15 they're doing to ramp up collection, and
16 if there's anything -- in terms of if you
17 know of businesses, specific businesses,
18 have been mentioned to me that
19 Councilpeople -- if you have specific
20 businesses that aren't paying their
21 taxes, that is something we definitely
22 want to know. We want to go after those
23 people. We want everyone, of course, to
24 be paying their taxes.

25 So I think Amy does a wonderful

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2 job as the Inspector General, but I think
3 in terms of Revenue's collection efforts,
4 that they should be -- they would be best
5 to speak on that.

6 COUNCILMAN KENNEY: But I also
7 know -- I mean, and these are not current
8 FBI agents or current IRS officials, but
9 they have a different mindset. There's a
10 different approach than I think we're
11 capable of doing. And I'll give you a
12 example.

13 If you want to find out what's
14 going on in the construction industry,
15 just go to a construction site at the end
16 of the week when they get paid and follow
17 them to the bar or wherever they're going
18 to hang out after work, and you can get a
19 wealth of information, from being people
20 paid with cash, 1099 forms, all this
21 other kind of stuff that just is like --
22 and it's also kind of laughing at the
23 people who actually do pay the taxes, the
24 plumber, whether they're union or
25 non-union, that go out there and pay all

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2 their fees and workmen's compensation and
3 unemployment compensation and compete in
4 that environment, when I got guys out
5 there who are just working in the cash
6 industry and it seems pretty easy to get
7 them.

8 MS. RHYNHART: I think that is
9 something that Revenue is working on, and
10 we care deeply about getting those
11 people. So we share that desire.

12 COUNCILMAN KENNEY: Could you
13 partner with them maybe and get those IRS
14 folks after you? Because once they're
15 after you, you're going to pay.

16 MS. RHYNHART: Okay.

17 COUNCILMAN KENNEY: Thank you.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you, Councilman.

20 Any other questions of this
21 witness?

22 (No response.)

23 COUNCIL PRESIDENT CLARKE:

24 There being none, thank you very much,
25 Ms. Kurland.

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2 MS. KURLAND: Thank you, sir.

3 COUNCIL PRESIDENT CLARKE: I'd
4 like to now call forward Labor Relations.

5 (Witness approached witness
6 table.)

7 COUNCIL PRESIDENT CLARKE: Good
8 morning.

9 MR. TOLAN: Good morning.

10 Good morning, President Clarke
11 and members of City Council. My name is
12 Joseph Tolan. I'm the Director of the
13 Mayor's Office of Labor Relations, and
14 I'm here to present the Office's request
15 for our Fiscal Year '13 budget.

16 The mission of the Office is to
17 coordinate relations citywide between
18 management and the labor organizations
19 representing City employees. Our
20 objectives include facilitating dispute
21 resolution and labor management
22 cooperation, educating managers and
23 supervisors about labor law and the
24 contracts, supporting collective
25 bargaining efforts, and interest

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2 arbitration proceedings.

3 The Office of Labor Relations
4 is requesting \$541,368 in the FY13
5 General Fund budget, which represents no
6 change from the FY12 estimated
7 obligations; of that, 529,931 in Class
8 100 to support eight filled positions,
9 including a lump sum separation payment
10 for one retiring employee; \$3,277 in
11 Class 200 for the purchase of services;
12 and 8,160 in Classes 300 and 400 for
13 materials, supplies and equipment.

14 As I said, the Office is
15 engaged in the negotiation of arbitration
16 of 13 contracts, memoranda of
17 understanding or interest arbitrations.

18 We are still in the process of
19 negotiating and arbitrating for successor
20 agreements with three of the four major
21 municipal unions. We do have an award
22 for the FOP. We have a re-opener for
23 that, which is going on early in June of
24 this year.

25 Our firefighter award was

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2 remanded by the courts to the arbitration
3 panel. We are conducting hearings now
4 and expect them to conclude in the
5 beginning of May and have the matter then
6 turned back to the arbitration panel.

7 Negotiations with AFSCME
8 District Council 33 and 47, which cover a
9 majority of our civilian employees, are
10 continuing.

11 We conduct training for City
12 managers and supervisors to help them
13 function effectively in the unionized
14 environment. And under the area of
15 Contract Administration, we provide
16 guidance and assistance to departments
17 with issues that range from discipline of
18 problem employees to the design and
19 implementation of new organizational
20 units in the government.

21 In regards to dispute
22 resolution, we're responsible for
23 handling District Council 33 and District
24 Council 47 grievances that departments
25 haven't resolved. Combined, AFSCME

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2 submitted to our office a total of 70
3 grievances in calendar 2011. During the
4 same period of time, we disposed of 106,
5 which include obviously some grievances
6 filed from prior years.

7 We work with labor management
8 cooperation. We facilitate labor
9 management meetings in a variety of City
10 departments.

11 In our last budget, we
12 requested additional funds to do some
13 hiring. We have in fact completed that
14 hiring. We've hired two new employees
15 who are part of our staff now and are
16 going through our in-house training
17 program.

18 The Office of Labor Relations
19 has a staff of eight employees. Six are
20 in program positions ranging from Labor
21 Relations Analyst to the Director
22 position. Our staff includes two white
23 males, two African American females, one
24 Hispanic male and one white female. Our
25 support staff includes one Asian female

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2 and one African American female.

3 The Mayor's Office of Labor
4 Relations is committed to supporting the
5 Administration's goal of 25 percent
6 minority, women and disabled-owned
7 businesses participation in City
8 contracting. However, the Office of
9 Labor Relations for FY13 will have no
10 contracting opportunity.

11 We would like to thank the
12 Council for this opportunity to present
13 our budget request and are available to
14 answer questions. Should any
15 Councilmember wish to engage in further
16 discussion on any of these matters, my
17 staff and I are happy to meet with
18 Councilmembers at their convenience.

19 COUNCIL PRESIDENT CLARKE:

20 Thank you so much.

21 Real quick. I know there are a
22 number of members who have questions.

23 Are we any closer to getting
24 labor contracts? I mean, I know you
25 can't talk very specifically and open

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2 about it, but, I mean, are we like from
3 the time after the initial bonus for the
4 one-year contract, are we like -- have we
5 made progress or are we still just wide,
6 as it appears to be in public, this wide
7 division between the Administration and
8 the --

9 MR. TOLAN: Again, without
10 commenting specifically on what's
11 happened at the bargaining table, I can
12 say that we have modified our positions
13 significantly, both sides. I don't know
14 that that gets us ultimately closer to an
15 agreement, but it is some progress and
16 some movement.

17 I would say that in particular
18 with District Council 47, they have asked
19 us to engage in a series of
20 subcommittees. We have six subcommittees
21 which are meeting on specific topics of
22 interest. We have again made a full
23 proposal to District Council 33 and are
24 awaiting a response. And that's really
25 all I could say about the progress of

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2 them.

3 COUNCIL PRESIDENT CLARKE:

4 Okay. I didn't really expect a very
5 detailed response, but I have to ask the
6 question.

7 Thank you. I'm going to turn
8 it over to Councilmember Jones.

9 COUNCILMAN JONES: Thank you,
10 Mr. President.

11 How often do you engage in
12 negotiations with the two large unions,
13 47 and 33?

14 MR. TOLAN: Well, the large
15 table negotiations -- and, again, there
16 are different types of meetings and
17 communications that take place, some of
18 them more informal, some of them more
19 formal. The informal ones take place on
20 a very regular basis when we have
21 conversations with the leadership of the
22 union at different times. The large
23 table meetings happen less often.

24 COUNCILMAN JONES: What is
25 "less often"?

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2 MR. TOLAN: Well, I'd say we
3 probably had about five or seven of them
4 in this fiscal year to date.

5 COUNCILMAN JONES: So you've
6 had five meetings this year, and they
7 revolve around subcommittee meetings over
8 particular topics?

9 MR. TOLAN: No. The
10 subcommittees are separate from those.
11 These would be the full table meetings.
12 But with the subcommittees, again, we've
13 had six subcommittees with District
14 Council 47, and I think we've probably
15 had about eight to ten meetings with
16 those subcommittees. And they were
17 really just formed since January.

18 COUNCILMAN JONES: Generally,
19 how do you respond to on several
20 occasions District Council 47 and
21 District Council 33 have filled these
22 Chambers, have given public testimony on
23 the savings that they've created,
24 synergies that they created in order to
25 save taxpayers in the City of

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2 Philadelphia. How do you respond to that
3 notion? Because when we hear it, it
4 makes our eyebrow go up, Well, if they
5 save this money, why wouldn't that be a
6 factor in the negotiations.

7 In your opinion, is that
8 accurate?

9 MR. TOLAN: Well, I think that,
10 again, some of the things that have been
11 said publicly by the unions are that
12 there are savings because they haven't
13 received pay increases or they have not
14 received increases in the amount that the
15 City contributes to their health
16 insurance, but those in fact are the
17 things that we're negotiating over. So
18 ultimately they're part and parcel of
19 this.

20 COUNCILMAN JONES: Have there
21 been savings?

22 MR. TOLAN: I don't think that
23 there are savings because we're not
24 ultimately at the end of the road.
25 Everything that's called for under the

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2 contracts we pay and we continue to pay
3 it. It was 976 --

4 COUNCILMAN JONES: Is it true
5 that they made concessions about
6 forestalling the pension payments when
7 the City was under crisis?

8 MR. TOLAN: That really isn't
9 part of the collective bargaining
10 process. That's between the
11 Administration and the union.

12 COUNCILMAN JONES: The question
13 is, is it true?

14 MR. TOLAN: I mean, again, I
15 have heard the unions say that they
16 engaged in lobbying activities that they
17 thought were productive to the City, but
18 what I'm left with at the bargaining
19 table is proposals to increase costs and
20 trying to find a way to pay for them.

21 COUNCILMAN JONES: So the
22 concessions --

23 COUNCILMAN GOODE: Point of
24 information.

25 COUNCIL PRESIDENT CLARKE: The

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Chair recognizes Councilmember Goode.

3 COUNCILMAN GOODE: Excuse me,
4 Councilman.

5 Thank you, Council President.

6 Over the course of the Five
7 Year Plan, the cost of benefits will
8 increase by the end of the Plan; is that
9 correct?

10 MR. TOLAN: I don't believe
11 that there are projections to increase
12 that, but I would defer to --

13 COUNCILMAN GOODE: There are
14 projections to increase it.

15 MS. RHYNHART: I'm sorry. I
16 wasn't clear on your question.
17 Projections to --

18 COUNCILMAN GOODE: Over the
19 course of the Five Year Plan, the cost of
20 benefits will increase over the Five Year
21 Plan; is that correct?

22 MS. RHYNHART: Well, we had put
23 in for -- health and medical benefits is
24 an increase in the Police health
25 insurance, and the reason that that's

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2 built in is because --

3 COUNCILMAN GOODE: That's not
4 the question I asked. The question I
5 asked is, over the course of the Five
6 Year Plan, the cost of employee benefits
7 will increase; is that correct?

8 MS. RHYNHART: Employee
9 benefits overall? Yes.

10 COUNCILMAN GOODE: And the
11 actual cost will increase by 188 million;
12 is that correct?

13 MS. RHYNHART: I would have to
14 check on the exact number.

15 COUNCILMAN GOODE: You can
16 check on it, but the cost is 188 million.

17 So the comment that was just
18 made in response to Councilman Jones'
19 question is not correct. You can't say
20 you're sitting in a bargaining table
21 figuring out how you're going to spend
22 more money and how to pay for it, when
23 you already submitted a Five Year Plan
24 that says the cost will increase by 188
25 million over the five years and it's

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2 already paid for. That's the testimony
3 that the Administration has already given
4 to us.

5 Thank you, Mr. President.

6 MS. RHYNHART: Councilman
7 Goode, the increases in employee benefits
8 are the required increase in our pension
9 payment and then the increase in Police's
10 health insurance cost, because we don't
11 have control over that.

12 COUNCILMAN GOODE: I get that.
13 I understand fully. The statement he
14 made was incorrect. To say that he's
15 sitting at a table trying to figure out
16 how to find money and pay for it is not a
17 correct statement, because there is money
18 within the Five Year Plan that will
19 increase that is already paid for.

20 MS. RHYNHART: I think that we
21 would have to be able to -- in order to
22 fund increases in wages or any other
23 benefit for the unions that don't have
24 signed contracts, we would need to have
25 savings in other areas of our employee

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2 benefits.

3 COUNCILMAN GOODE: I understand
4 that. That is already Mr. Dubow's
5 testimony, but the statement that there
6 is no new money and to find new money we
7 have to figure out how to pay for it is
8 not correct, because in testimony on the
9 Five Year Plan and in question and
10 answering, it was acknowledged that
11 there's a \$188 million increase by the
12 end of the Plan in terms of employee
13 benefits, and so that is money that's on
14 the table. In the Five Year Plan, it's
15 slotted just for pension and some
16 healthcare, and, yes, it could be a
17 mixture of wage and benefits, but to sit
18 here and say that there is no new money
19 and we have to find new money is not a
20 correct statement. I just wanted to
21 correct the record.

22 MS. RHYNHART: I think on the
23 pension side, we don't have an ability
24 just to lower that. I think that's --

25 COUNCILMAN GOODE: You really

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2 want to continue this conversation?

3 MS. RHYNHART: We can stop. I
4 just wanted to make sure we are clear.

5 COUNCILMAN GOODE: You have the
6 ability to deal with that through
7 settling a contract, which means that if
8 you have a \$188 million increase over
9 five years, you can spend that money on a
10 combination of wage and benefits,
11 including pension, an amount higher or an
12 amount lower, when you negotiate a
13 contract, but to make a simple statement
14 that there is no money when the Five Year
15 Plan is already supposed to be paid for
16 and there is already a \$188 million
17 increase in benefits is just -- it was
18 not his statement.

19 MS. RHYNHART: Okay.

20 COUNCILMAN GOODE: Thank you,
21 Mr. President.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you, Councilman.

24 Councilman Jones.

25 COUNCILMAN JONES: Yes. Just a

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2 few other questions. And what you're
3 hearing is frustration with the fact that
4 a lot of our constituents are indeed
5 members of these unions. And I
6 understand we're not trying to negotiate
7 a labor contract in this Chambers.
8 That's not our job, and that is your job,
9 and we're going to leave you to it, but
10 some clarification on a couple of things.

11 Is this more a money issue or a
12 management issue at this point? Is it
13 management concessions that need -- are
14 we close to the money or --

15 MR. TOLAN: I really -- I don't
16 even think that I would be comfortable
17 characterizing where we are because, for
18 example, in the case of District Council
19 33, we're waiting for a response from
20 them. In the case with the
21 subcommittees --

22 COUNCILMAN JONES: How long
23 have you been without a response?

24 MR. TOLAN: We made our
25 proposal to them early in March.

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2 COUNCILMAN JONES: March, okay.

3 Second and final question is,
4 are there law firms associated with this
5 labor negotiation?

6 MR. TOLAN: Yes, there are.

7 COUNCILMAN JONES: And how much
8 over the course of these negotiations
9 have we as taxpayers had to pay?

10 MR. TOLAN: The total number
11 would rest with the Law Department. I
12 know that in anticipation of coming in, I
13 just tried to take a look at the current
14 fiscal year to date, and I think that the
15 number that's been paid so far this
16 fiscal year is about \$240,000.

17 COUNCILMAN JONES: Wait a
18 minute. Over the four years how much is
19 it?

20 MR. TOLAN: I don't know over
21 the four years.

22 COUNCILMAN JONES: How much
23 this year?

24 MR. TOLAN: Two hundred and
25 forty thousand dollars, which includes

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the negotiations at all of the major
3 unions.

4 COUNCILMAN JONES: And we're
5 only one-quarter into the year. So
6 annually what was it --

7 MR. TOLAN: Oh, no, no. This
8 is for the fiscal year, so it's
9 three-quarters of the fiscal year.

10 COUNCILMAN JONES: So is that
11 relatively the same amount each year?

12 MR. TOLAN: It can vary
13 depending on the amount of activity.

14 COUNCILMAN JONES: Can you
15 provide to the Chair the exact amount?
16 Is it one law firm, two law firms?

17 MR. TOLAN: It is one law firm.

18 COUNCILMAN JONES: One law
19 firm. Who is it?

20 MR. TOLAN: It's Ballard Spahr.

21 COUNCILMAN JONES: Okay. Can
22 you submit to us the total amount over
23 the five-year period of the negotiations
24 since the first what we've paid in that?

25 MR. TOLAN: I'm sure we can get

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 that from the Law Department.

3 COUNCILMAN JONES: Thank you,

4 Mr. Chair.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you, Councilman.

7 The Chair recognizes Councilman

8 Henon.

9 COUNCILMAN HENON: Thank you,

10 Council President.

11 And as you can imagine, you're

12 going to hear a lot of redundant

13 questions. At least you're going to get

14 a few from me as we proceed.

15 So you had stated that there

16 have been ongoing negotiations or

17 communications with your department,

18 Office of Labor Relations, or the City

19 and the municipal unions; is that

20 correct?

21 MR. TOLAN: Yes, that's

22 correct.

23 COUNCILMAN HENON: When was the

24 last time that you came together at a

25 full table?

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2 MR. TOLAN: At a full table
3 with District Council 33, it was early
4 March. It was March 1st. And the last
5 full table meeting with District Council
6 47 was January 12th.

7 COUNCILMAN HENON: Now, who is
8 at the full table? Who comprises the
9 full table in these negotiations?

10 MR. TOLAN: Well, both unions
11 bring their negotiating team, which, for
12 example, for District Council 33
13 typically includes about three
14 representatives from each of their
15 locals. There's ten locals involved. So
16 you have 30 people from that, plus
17 District Council officers, plus typically
18 one attorney and additional support
19 people. So their group could be
20 somewhere in the neighborhood of 50 or so
21 when they're done for their side.

22 For District Council 47, it's a
23 smaller group. They have two locals that
24 come to the table, plus the District
25 Council officials. I would say there's

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2 about -- and, again, their attorneys and
3 some support people. So it's about 30
4 people there on the union side.

5 On our side, typically we bring
6 about 12 people, which includes our
7 outside lead counsel, lead negotiator
8 from Ballard Spahr, Shannon Farmer. It
9 includes the staff from my office. It
10 includes some representatives from
11 operating departments. It includes
12 representatives from the Office of Human
13 Resources, from the Finance Department
14 and from the Managing Director's Office.

15 COUNCILMAN HENON: So you have
16 a full table for sure.

17 MR. TOLAN: Yes. Yes.

18 COUNCILMAN HENON: Now, I want
19 to go back on with a point of information
20 that two colleagues had mentioned
21 previous. You stated in your testimony
22 first that the contracts have expired in
23 2009.

24 MR. TOLAN: That's correct.

25 COUNCILMAN HENON: For all the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 major unions. Now, how much savings --
3 do you have a dollar amount on how much
4 savings the City has saved because the
5 contract hadn't been renegotiated?

6 Now, before you answer this,
7 everybody else who is testifying in other
8 City departments, even the Office of
9 Inspector General, say that there's a
10 savings attached to either a vacancy in a
11 job, and I'm sure that would apply to
12 raises and healthcare costs, et cetera,
13 et cetera.

14 Do you have a dollar amount on
15 the amount of savings the City has saved
16 since 2009 not having a new contract with
17 the unions.

18 MR. TOLAN: No, I don't, but I
19 would say to you that what -- I can get
20 the number for this. I don't have it.
21 It's an estimate. But as part of status
22 quo, we froze salaries for represented
23 people. We did not give them their
24 annual step increases or longevity
25 increases. That would be money that

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 normally would have been paid out that we
3 estimate a savings from. Any other
4 savings that you're talking about I don't
5 really have, because they really are -- I
6 don't see them as savings. They're just
7 speculative.

8 COUNCILMAN HENON: You don't
9 see them as savings?

10 MR. TOLAN: Right.

11 COUNCILMAN HENON: But every
12 other department sees them as savings
13 from employment and cost of living and
14 increased costs. So staying at the 2009
15 level rates to present, there has to be a
16 savings. When you assume or have
17 assumptions throughout the Five Year
18 Plan, there needs to be an accrual rate
19 on the amount of savings that we're
20 saving for not reopening a contract or --
21 it's not even reopening; negotiating
22 contracts that have expired while people
23 are working.

24 MS. RHYNHART: If you're asking
25 about the amount of savings that the City

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2 has already made by not having settled
3 contracts, I don't think that that's
4 actually something that we can calculate,
5 because you would have to compare it
6 versus something else. So the
7 Administration's position is that we want
8 contracts if they pay for themselves. We
9 have additional savings built into the
10 Five Year Plan that we anticipate from
11 any future negotiated contracts, but in
12 terms of savings to date, there's not a
13 savings number that I believe can truly
14 be calculated.

15 COUNCILMAN HENON: Well, you
16 are calculating something in the Five
17 Year Plan.

18 MS. RHYNHART: We have --
19 right. We have the same rates built in.
20 We assume in the Five Year Plan that
21 there's no increase in wages.

22 COUNCILMAN HENON: So you're
23 assuming that you're not going to
24 negotiate a contract in the next five
25 years?

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2 MS. RHYNHART: We assume that
3 any contract we negotiate will pay for
4 itself. So that, for example, if wage
5 increases are wanted, then we need
6 concessions in other areas in order to
7 pay for those wage increases. So the
8 combination of what is agreed to needs to
9 pay for itself in the Plan.

10 COUNCILMAN HENON:
11 Conservatively speaking, the cost of
12 living, you would at least want to assume
13 that in your assumptions for the Five
14 Year Plan, not just keep it at the same
15 rate.

16 MS. RHYNHART: I know -- I hear
17 what you're saying and I agree that in a
18 perfect world if we had more money, that
19 I can understand what you're saying, but
20 we don't have the ability financially to
21 show that.

22 So, again, I mean, if wage
23 increases are wanted, we'd have to see
24 reductions in the benefit costs in order
25 to pay for the wage increases. And, in

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2 fact, even above that, we have savings
3 built into the Plan from the contracts
4 that are not yet negotiated. So even
5 above the status quo.

6 I hear what you're saying, that
7 we would like to do that.

8 COUNCILMAN HENON: I mean,
9 Councilman Goode had mentioned about \$180
10 million in increased benefits. That's on
11 the table. So there is money.

12 MS. RHYNHART: Well, the
13 only -- we have to build in to pay for
14 the pension costs. The problem with the
15 pension cost is, it's very hard to make
16 changes that would impact the near term
17 cost so much.

18 COUNCILMAN HENON: So in the
19 past -- or since 2009, has any of the
20 municipal unions made concessions or
21 rearranged any of their healthcare costs
22 and their benefit package with the City?

23 MR. TOLAN: Well, I think that
24 if you take a look, for example, at the
25 FOP award and the move towards

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2 self-insurance and the return of a
3 certain amount of their reserves to the
4 City, that was all viewed as being very
5 positive in that regard.

6 If you take a look at, for
7 example, the award that was recently
8 issued for correctional officers, it
9 doesn't address health insurance because
10 it defers that to the larger District
11 Council 33 unit, but it restructured how
12 overtime is paid, so that it will reduce
13 overtime costs significantly. At the
14 same time, it requires -- it makes
15 mandatory that new hires will go into a
16 new pension plan which is less expensive.
17 It also by 2013 requires current
18 employees who are in existing pension
19 plans to make higher levels of employee
20 contributions. So between those types of
21 things, you see a balance between
22 additional costs and between savings
23 within the contract.

24 COUNCILMAN HENON: I understand
25 items that are negotiated. So I won't

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 ask for specifics on those items, but has
3 there been any adjustments or concessions
4 that any of the four unions made to save
5 the City money, like you said with the
6 Police going to self-insured? Did either
7 DC 33 or DC 47 switch to self-insured
8 based on utilization to save money?

9 MR. TOLAN: District Council
10 33, independent of the negotiations,
11 while we were at the table, moved to
12 self-insurance.

13 COUNCILMAN HENON: So they made
14 concessions and made adjustments.

15 MR. TOLAN: Again, they changed
16 the way that they buy their benefits. We
17 continue to pay them the amount that we
18 paid them, and they've covered their
19 costs. So, I mean --

20 COUNCILMAN HENON: So indeed
21 there has been an attempt for some of the
22 unions to make concessions or make
23 adjustments to save money since 2009 to
24 present?

25 MR. TOLAN: Well, I think that

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 within the contracts, there has been
3 some. I think in other areas,
4 particularly with District Council 33 and
5 District Council 47, as we've operated
6 under status quo and continuing to pay
7 them, the amounts of money called for
8 under the expired contract, which it
9 reached again \$975 a month, they've
10 taken -- they found ways because they
11 control their health plan. They have the
12 majority of trustees on their Board.
13 They can decide whether or not they want
14 to change how the plan operates. They
15 can decide -- for example, District
16 Council 47 increased employee
17 contributions to premium. They have the
18 amount to do that, but they've done it
19 not as part of the contract. They've
20 done it because that's the amount of
21 money that they have and they found what
22 they believe are other ways to support
23 their health plan programs.

24 COUNCILMAN HENON: So they
25 voluntarily made adjustments without it

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 being at the collective bargaining table.

3 MR. TOLAN: Right.

4 COUNCILMAN HENON: And having
5 an agreement with the City.

6 MR. TOLAN: Yes.

7 COUNCILMAN HENON: So there is
8 a cost to that, I'm sure, because they're
9 not paying the premiums, like you had
10 said, and they went self --

11 MR. TOLAN: But our cost
12 continues to be what it was at status
13 quo.

14 COUNCILMAN HENON: But it's
15 based on utilization being self-employed
16 as opposed to --

17 MS. RHYNHART: I think just to
18 clarify, that our payment to the union
19 has remained the same. They switched to
20 self-insurance, which probably made it
21 more affordable for them to provide a
22 certain level of care with the funds that
23 we are giving them. If I can clarify
24 that.

25 MR. TOLAN: That's correct.

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2 COUNCILMAN JONES: Councilman
3 Henon, just to let you know, your three
4 minutes was done ten minutes ago.

5 COUNCILMAN HENON: Okay. I'll
6 defer to somebody else and I'll come
7 right back.

8 COUNCILMAN JONES: Thank you,
9 Councilman.

10 The Chair recognizes Councilman
11 Kenney.

12 COUNCILMAN KENNEY: Thank you,
13 Mr. Chairman.

14 There's been a lot of
15 discussion about 33 and 47, and the FOP
16 seems to be kind of all right. You had
17 mentioned in your testimony of a court
18 remanding some items relative to Local
19 22. Can you discuss them, or no?

20 MR. TOLAN: Yeah. What
21 happened is, we received an arbitration
22 award. There were portions of the award
23 that we objected to as having -- the
24 arbitrator having exceeded his authority.

25 COUNCILMAN KENNEY: I'm sorry.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Say that again. Excuse me. I didn't
3 hear what you said about you appealed
4 because?

5 MR. TOLAN: We appealed for two
6 basic reasons. One reason was, there
7 were separate items within the award that
8 we felt that the arbitrator exceeded his
9 authority in making a ruling. This was
10 over the decision to put in that there
11 would not be -- that we could not
12 eliminate chief's aide positions if we
13 chose to do that. Also some language on
14 testing, which we thought was an
15 interference in management rights. But
16 then we also had an overall appeal where
17 we felt that the award failed to comply
18 with the requirements of PICA.

19 We went to court on that. The
20 union also ultimately asked to have the
21 award vacated so that it could be going
22 back to the panel for what they hoped
23 would be a more expeditious resolution of
24 this dispute, and we're back with the
25 panel. We had two hearing days in the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 last week. We have additional hearing
3 days scheduled. The panel is supposed to
4 conclude the evidentiary process by May
5 3rd, and then it will go back into the
6 panel for executive session for them to
7 issue a new award.

8 COUNCILMAN KENNEY: So on the
9 City's side, it's chief's aides, testing
10 and --

11 MR. TOLAN: And the overall
12 PICA issue.

13 COUNCILMAN KENNEY: With them
14 it's --

15 MR. TOLAN: With the union I
16 think they felt that it was best -- and
17 they've said this on the record at the
18 proceeding -- that it be turned back to
19 the panel to try to resolve these open
20 issues as quickly as possible.

21 COUNCILMAN KENNEY: Okay. In
22 similarly situated cities like
23 Philadelphia, what's the current state of
24 labor relations and contracts, either
25 having them or not having them? I mean,

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 if you look at cities like Chicago and
3 New York, I guess Boston to a degree,
4 probably not Atlanta as much because it's
5 more south, but in the northern more
6 union-influenced cities in the country,
7 what's the current status of their
8 municipal labor force on contracts?

9 MR. TOLAN: I really couldn't
10 comment on specifics. I'd have to go
11 back and take a look.

12 COUNCILMAN KENNEY: I think a
13 sanitation worker in Chicago and a
14 sanitation worker in New York and one in
15 Philadelphia is kind of pretty much the
16 same job, pretty much the same work
17 rules. I mean, you do the same duties.

18 MR. TOLAN: I wouldn't --

19 COUNCILMAN KENNEY: Health
20 centers, rec centers.

21 MR. TOLAN: Again, I
22 wouldn't -- I really can't comment on it
23 because I don't know what the status of
24 it is or how, for example, they're
25 funding their benefits, who is paying

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2 what for them, what's the status of their
3 pension funds, what kind of challenges
4 they're facing. I mean, it tends to be
5 very specific and very different from one
6 group to another.

7 COUNCILMAN KENNEY: Well, I
8 mean, wouldn't it be enlightening to know
9 what the union did or gave up or what the
10 city of Chicago did or gave up or what
11 type of hybrid pension? I mean, wouldn't
12 it be easier to have some comparison as
13 opposed to -- I love seeing our District
14 Council 47 and 33 members as much as
15 possible, but I would rather them be
16 doing something out of here than every
17 Thursday. I mean, it's nice to see them,
18 but is there some matrix that we can
19 figure out how other cities get through
20 this? We seem that we can't.

21 MR. TOLAN: Again, I think that
22 we're -- as I said, with District Council
23 47, at the request of the union, we
24 formed these subcommittees. The
25 subcommittees are working on things.

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2 They have an opportunity to go and to
3 research and to get what information they
4 feel is appropriate, and it gives an
5 opportunity for a very focused discussion
6 on the issues that the union is
7 interested in and that we're interested
8 in.

9 COUNCILMAN KENNEY: Do you
10 think they're all mostly economic issues?
11 When I say "economic issues," I just
12 don't mean wages, but I'm talking about
13 wages, benefits, pension and probably
14 overtime and the work rules related to
15 overtime. So probably it's like four or
16 five areas. They're big areas, don't get
17 me wrong. They're not inconsequential,
18 but, again, if you take those four or
19 five areas of contention and go and see
20 and look at what -- how long the contract
21 exists between the similar situated
22 unions in those cities, what did they do,
23 or are they in the same -- I don't know.
24 Are they in the same situation we are,
25 that there's no contracts there either?

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2 I mean --

3 MR. TOLAN: Again, I'd have
4 to --

5 COUNCILMAN KENNEY: We look at
6 best practices all the time in various
7 other things. It would be nice for them
8 to have a contract while at the same time
9 not having the City having to pay more or
10 the taxpayer more than necessary for that
11 contract, but there's got to be -- other
12 cities have been through this. I think
13 probably we could figure out what they're
14 doing or what give and take there was and
15 try to apply it here. Does that make any
16 sense?

17 MR. TOLAN: I think that
18 there's a value to taking a look at it,
19 and we can certainly go back. We do
20 regularly review publications and reports
21 that come through our office to see if
22 there's something we can use.

23 COUNCILMAN KENNEY: Just one
24 minute, Mr. President. I apologize.

25 I'm sure in every city there's

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2 a similarly situated person like you who
3 has the responsibility and the staff to
4 do what you're doing here. So --

5 MS. RHYNHART: I would add just
6 that I think in newspapers a lot
7 recently, there's been talk about the
8 strain of employee benefits on cities and
9 counties and states throughout the
10 country, and so this is something in an
11 overall, overarching way that places
12 around the country are facing in terms of
13 how do we pay for these and how do we
14 have affordable contracts.

15 COUNCILMAN KENNEY: But there's
16 always a trade, because let's face it --

17 MS. RHYNHART: I'm sorry.
18 There's always a what?

19 COUNCILMAN KENNEY: There's
20 always a trade. The FOP got the ability
21 to live outside the City after five years
22 as part of the arrangement to take the
23 hybrid pension plan. So, I mean, again,
24 there's always -- it's a negotiation.
25 It's a contract. There's always a give

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2 and a take. Again, I mean, I may do it
3 myself as Chairman of the Labor and Civil
4 Service Committee, go research what these
5 cities have done and what similar
6 loggerheads and problems they resolved as
7 a result of doing different things. So
8 if you could do that on your end, I'd be
9 happy to do it on my end.

10 MS. RHYNHART: I think there
11 has been some work done on the pension
12 side, but, yeah. I mean, I think what
13 you're saying makes sense for us to look
14 at.

15 COUNCILMAN KENNEY: All right.
16 Thanks.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilman.

19 The Chair recognizes
20 Councilmember Squilla.

21 COUNCILMAN SQUILLA: Good
22 morning. So as we were saying, for the
23 last four years then there has really
24 been no increase in healthcare benefits
25 paid to the union?

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2 MR. TOLAN: For the two AFSCME
3 unions, yes.

4 COUNCILMAN SQUILLA: So at that
5 point, since there was no increase, is
6 there normally an increase that's
7 projected with healthcare costs as you
8 did for the five years?

9 MR. TOLAN: Under their
10 contracts, we have negotiated essentially
11 amounts that are going to be paid. So
12 it's not -- there's not a formula. It's
13 not tied to anything else. It's not that
14 we pay you the cost of the benefits.
15 It's that we agree that we will pay this
16 amount to you starting on this time
17 period and ending on this time period.

18 So we got to the point in
19 November of 2007 where we came up with
20 the amount of \$975.76, and that's been in
21 place since then.

22 COUNCILMAN SQUILLA: Previously
23 before that, has it ever -- was it
24 increasing yearly?

25 MR. TOLAN: Again, even during

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2 the last set of major collective
3 bargaining agreements, there were
4 re-openers. So there was a long period
5 of time where it was frozen while that
6 was being negotiated and resolved,
7 probably about two years without
8 increases in a four-year contract while
9 we were trying to work out what the rate
10 should be.

11 COUNCILMAN SQUILLA: I'm going
12 to shift gears a little bit. The pension
13 plan. Is it true that from what we're
14 hearing talking to some of the union
15 representatives that they worked with the
16 Administration to get the 1 percent sales
17 tax increase?

18 MR. TOLAN: That's what has
19 been said, but that's not something that
20 I was involved in and not something that
21 was done on the Labor Relations end.

22 COUNCILMAN SQUILLA: Do we know
23 if that sales tax is going to be used to
24 reduce the shortfall in the pension plan?

25 MS. RHYNHART: The increase in

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the sales tax was approved for a very
3 specific reason, which was it was part of
4 an overall five-year plan to defer about
5 230 million in pension payments that are
6 getting repaid in Fiscal Years '13 and
7 '14. And so the sales tax is to go
8 towards that, and then the sales tax
9 sunsets, it goes away, the additional
10 portion, at the end of Fiscal '14.

11 COUNCILMAN SQUILLA: So in all
12 of 2013 and all of 2014, the 1 percent
13 sales tax will be going to reduce the
14 shortage?

15 MS. RHYNHART: The additional
16 sales tax is about 120 million a year.
17 So a large portion of that is going
18 towards the pension deferral. It goes
19 into our General Fund, but the legal
20 construct of how the sales tax was
21 approved by the State Legislature was
22 that it was tied to repayment of the
23 pension deferral to the pension fund.

24 COUNCILMAN SQUILLA: And what
25 is the total amount owed at this point;

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2 do we know?

3 MS. RHYNHART: Well, in terms
4 of just the amount of the deferral was
5 150 million in Fiscal '10 and 80 million
6 in Fiscal '11, and then those amounts
7 accrued interest at 8 and a quarter, I
8 believe, which was the assumed rate of
9 return when the legislation was passed,
10 and then this is -- then those amounts
11 will be repaid in Fiscal '13 and '14.
12 And that's all built into our Five Year
13 Plan. So the sales tax money is in our
14 Five Year Plan as well as the repayment
15 of the pension deferrals.

16 COUNCILMAN SQUILLA: And what
17 would be the percentage then of the
18 pension plan after those monies would be
19 inputted after 2014?

20 MS. RHYNHART: Do you mean the
21 funded ratio?

22 COUNCILMAN SQUILLA: Yes.

23 MS. RHYNHART: It's about 50
24 percent right now, and it's not
25 anticipated to change that much. Just

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2 given how large the size of the unfunded
3 liability, the amounts that we're talking
4 about don't make that much of a dent in
5 it, unfortunately.

6 COUNCILMAN SQUILLA: So the
7 hundred million or I guess it would be
8 more like than 200 million into the
9 pension fund will still keep it at 50
10 percent funded?

11 MS. RHYNHART: It's about that.
12 It might be a little bit more. I would
13 have to double-check, but it's not a
14 dramatic shift in the funded ratio.

15 COUNCILMAN SQUILLA: And are we
16 looking at the -- I know it's not
17 so-called savings from the union not
18 being able to get any raises for the last
19 four years or a pension increase.
20 Everything has been status quo.

21 When we hear the Inspector
22 General state that when they calculate
23 their totals, they do calculate that into
24 as a savings for the City of
25 Philadelphia, but when we calculate

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 these, this contract that we haven't
3 really signed in the last four years, we
4 don't calculate that as savings just
5 because we don't know what it saved
6 because we don't know what they would
7 have received. If you generally go
8 through a contract, usually you agree
9 they're going to have no raises the first
10 year, second year, maybe a little bit of
11 an increase a year after that. With the
12 pension plan, you would usually increase
13 it at a certain percentage. And so
14 basically the City, by not having a
15 contract, has really steadfastly said
16 we're not going to have a contract, so we
17 know what our cost has been the last four
18 years, correct?

19 MS. RHYNHART: That's right.
20 You mean by not having a contract?

21 COUNCILMAN SQUILLA: By not
22 having a contract.

23 MS. RHYNHART: The costs have
24 been flat.

25 COUNCILMAN SQUILLA: Flat for

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the last four years. So by having it
3 flat the last four years, we know that in
4 the end, we actually, I would think, say
5 to the people of Philadelphia that the
6 Administration has actually saved money
7 by not having that, or no?

8 MS. RHYNHART: I would say --
9 well, first, we're just talking about the
10 contracts that haven't been settled?

11 COUNCILMAN SQUILLA: Correct.
12 Not the Police and Fire.

13 MS. RHYNHART: Right. Okay. I
14 mean, I would say that our assumption is
15 that the contracts will pay for
16 themselves, so that -- it depends on what
17 you're assuming. If you had assumed that
18 we had signed a contract, we would have
19 given a wage increase, if you make that
20 assumption, then you can say that, yes,
21 that seems like there would be savings,
22 but we can't make that assumption because
23 we haven't -- we don't know what it would
24 have been.

25 I'm not trying to be difficult.

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2 COUNCILMAN SQUILLA: I know.

3 But it just sounds like when we have some
4 departments say they include that and
5 come up with numbers to make --

6 MS. RHYNHART: Departments
7 include it when there's really concrete
8 ability to project. I mean, I think the
9 IG's Office does savings if they
10 terminate an employee and if that
11 employee is then disqualified from the
12 pension, meaning that they don't get
13 their pension, then there's a savings for
14 the rest of their life based on them not
15 getting that pension. I guess that can
16 be calculated.

17 COUNCILMAN SQUILLA: Okay.
18 I'll refer to the next question.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Councilman. Very creative
21 argument, sir.

22 The Chair now recognizes
23 Councilmember Goode.

24 COUNCILMAN GOODE: Thank you,
25 Mr. President.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Ms. Rhynhart, do you have your
3 copy of the Five Year Plan?

4 MS. RHYNHART: I will get it.

5 COUNCILMAN GOODE: Can you turn
6 to Page 6 of Appendix 2.

7 MS. RHYNHART: I'm sorry. I
8 did not hear you.

9 COUNCILMAN GOODE: Page 6 of
10 Appendix 2.

11 MS. RHYNHART: Okay.

12 COUNCILMAN GOODE: What's the
13 actual cost of wages in Fiscal Year '11?

14 MS. RHYNHART: One point three
15 six billion, it says.

16 COUNCILMAN GOODE: What is
17 projected to be the cost of wages in
18 Fiscal Year '17?

19 MS. RHYNHART: One point three
20 four. A lot of that is the DHS employees
21 getting moved out of the General Fund.
22 If you see the difference between '11 and
23 '12, 1.36 billion down to 1.33 billion in
24 Fiscal '12, the Department of Human
25 Services was moved out of the General

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2 Fund. So that results in that decline.

3 COUNCILMAN GOODE: Actually, my
4 question was about Fiscal Year '17.

5 MS. RHYNHART: Okay.

6 COUNCILMAN GOODE: The
7 difference between the actual expenditure
8 on wages in Fiscal Year '11 versus the
9 actual expenditure of wages in Fiscal
10 Year '17. What's the difference?

11 MS. RHYNHART: Well, a big
12 portion of that --

13 COUNCILMAN GOODE: I didn't ask
14 you why. I asked you what the difference
15 was.

16 MS. RHYNHART: It's a
17 difference of 1.34 billion and 1.36
18 billion, 20 million less.

19 COUNCILMAN GOODE: So it's \$20
20 million?

21 MS. RHYNHART: Right.

22 COUNCILMAN GOODE: What was the
23 actual expenditure on benefits in Fiscal
24 Year '11?

25 MS. RHYNHART: Nine hundred and

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 sixty-seven million.

3 COUNCILMAN GOODE: And what is
4 projected to be the actual expenditure on
5 benefits in Fiscal Year '17?

6 MS. RHYNHART: One point one
7 five billion.

8 COUNCILMAN GOODE: And that
9 difference is?

10 MS. RHYNHART: It's a few
11 hundred million more. It's the
12 difference between 1.2 billion and 967
13 million. So about 100-some million more.

14 COUNCILMAN GOODE: Excuse me?

15 MS. RHYNHART: It's the
16 difference between those two numbers. So
17 it's about 200 million.

18 COUNCILMAN GOODE: It's 188
19 million.

20 MS. RHYNHART: Yeah. Okay.

21 COUNCILMAN GOODE: So over the
22 course of the Five Year Plan, the cost of
23 wages is supposed to decrease by Fiscal
24 Year '17 by 20 million and the cost of
25 benefits is supposed to increase by

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 Fiscal Year '17 by 188 million. So that
3 means the net cost of wage and benefits
4 is supposed to increase by 168 million by
5 Fiscal Year '17; is that correct?

6 MS. RHYNHART: From the direct
7 comparison of those two years, yes.

8 COUNCILMAN GOODE: So can you
9 explain that to me.

10 MS. RHYNHART: Sure. The
11 decrease in wages is largely the result
12 of the positions being transferred out of
13 the DHS employees going to the Grants
14 Funds. So you can see that occurring
15 from Fiscal '11 and Fiscal '12. And then
16 there's certain wage increases built in
17 for the union contracts that have been
18 settled. And then the benefit increase
19 has to do largely with the pension
20 increases, and that's based on the
21 actuary produces the amount that we owe
22 called the MM0 and we have to build that
23 into the Five Year Plan. And then
24 there's also an increase for Police
25 health insurance. The rest of the health

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 insurance we have flat, including the
3 City's self-administered.

4 COUNCILMAN GOODE: I just
5 wanted to see if you could explain it to
6 me in a way in which it still wasn't \$168
7 million more we're spending by Fiscal
8 Year '17.

9 MS. RHYNHART: Oh, no. Maybe
10 you misunderstood me. I'm not
11 disagreeing with you that it's more
12 money. I was just saying that it's hard
13 to reduce that near term pension cost,
14 but it's there.

15 COUNCILMAN GOODE: So we will
16 be spending, according to this Five Year
17 Financial Plan, \$188 million more by
18 Fiscal Year '17?

19 MS. RHYNHART: That's true.

20 COUNCILMAN GOODE: And in terms
21 of wages and benefits, we will be
22 spending a net increase of \$168 million
23 by Fiscal Year '17?

24 MS. RHYNHART: That's right.

25 COUNCILMAN GOODE: Okay. And

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 so could that and should that be
3 considered the contract cost at this
4 point? That's what we're spending. We
5 don't have a contract. We will spend it
6 whether we have a contract or not.

7 MS. RHYNHART: The pension cost
8 is very difficult to get down, the
9 180-some million, to reduce that cost
10 based on what we would negotiate with the
11 unions now.

12 COUNCILMAN GOODE: Well, the
13 Plan is supposed to be balanced. You
14 submitted a balanced Plan, right?

15 MS. RHYNHART: That's right.

16 COUNCILMAN GOODE: So the 188
17 million is paid for.

18 MS. RHYNHART: That's right.
19 It is paid for.

20 COUNCILMAN GOODE: So there's
21 \$168 million more available for wages and
22 benefits by Fiscal Year '17 under your
23 Five Year Financial Plan; is that
24 correct?

25 MS. RHYNHART: That's right.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCILMAN GOODE: Okay. Thank
3 you.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 Councilman Henon.

7 COUNCILMAN HENON: Thank you,
8 Mr. Chair.

9 How do you determine -- do you
10 RFP the legal services for the contract?

11 MR. TOLAN: The contract is
12 managed by the Law Department, not by the
13 Office of Labor Relations.

14 COUNCILMAN HENON: Do you put
15 in a request for legal representation in
16 dealing with the negotiations?

17 MR. TOLAN: At the beginning of
18 the Administration, we met with the Mayor
19 and with top officials and went through
20 the bargaining cycle and explained that
21 typically in the last several
22 negotiations, outside counsel have been
23 appointed, have been appointed the lead
24 negotiator. The Law Department concurred
25 with that. There was a bid process, a

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 selection process, and the result was the
3 selection of Ballard Spahr.

4 COUNCILMAN HENON: Okay. Now,
5 earlier you had mentioned that to date,
6 fiscal year, 240,000 in legal expenses.
7 Is that for all of the union negotiations
8 and arbitrations?

9 MR. TOLAN: Yes. And, in fact,
10 our -- it even includes the fact that our
11 party arbitrator -- there's a
12 three-member panel for these
13 arbitrations. The arbitrator that's
14 selected by the City is also a member of
15 the Ballard Spahr firm. He's a person
16 who has had experience in doing this and
17 serves on that. So it's for his time and
18 services. It's for the representation
19 that we have in front of those
20 proceedings. It's for the negotiations
21 and everything that goes in with the
22 contract negotiations as well. As we
23 said, we have had extensive interest
24 arbitration. In this cycle of
25 negotiations, we've actually had two more

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2 than we usually have because this is the
3 first time since the '80s that the
4 correctional officers had a separate
5 interest arbitration, and it's probably
6 the first time since the late '80s that
7 the court employees, represented by
8 District Council 47, elected to use
9 interest arbitration.

10 So we've had more arbitrations.
11 They tend to be quasi legal proceedings
12 and require a lot of work and
13 representation.

14 COUNCILMAN HENON: So I believe
15 earlier the Majority Leader, Councilman
16 Jones, requested some information to the
17 Chair regarding the savings. I just want
18 to add to that. The savings that you're
19 aware of, if any, of the municipal
20 unions, including the Police and the
21 Fire, in their voluntary manner in the
22 past several years. So in addition to,
23 could you provide to the Chair the amount
24 of arbitration -- the amount of money
25 that we spent -- that you spent legally

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2 for arbitrations broken down in details,
3 arbitrations and contract negotiations.

4 MR. TOLAN: I can work with the
5 Law Department.

6 COUNCILMAN HENON: I didn't
7 even get to the firefighters because that
8 seems to be -- I mean, we appeal binding
9 arbitration, and you say in your
10 testimony that it can cost the City over
11 a hundred million dollars, but if the
12 arbitration, if it was accepted without
13 the appeal, it could have in fact saved
14 the City some money; is that true?

15 MS. RHYNHART: I'm sorry. If
16 we had accepted the Fire award?

17 COUNCILMAN HENON: The Fire
18 award specifically.

19 MS. RHYNHART: No. The Fire
20 award was very costly to the City, and
21 that's one of the reasons that we
22 appealed.

23 COUNCILMAN HENON: Costly
24 legally?

25 MS. RHYNHART: No; costly

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2 financially in terms of what was awarded.

3 What was originally awarded to the

4 firefighters we did not have the ability

5 to pay. That's one of the main reasons

6 we appealed, and we won that appeal and

7 that's why we're back in arbitration now.

8 COUNCILMAN HENON: You are back
9 in arbitration?

10 MS. RHYNHART: Yes, we are back
11 in arbitration.

12 COUNCILMAN HENON: What is the
13 extreme cost?

14 MS. RHYNHART: I would have to
15 check on what the estimate of the cost
16 was when we appealed and then -- do you
17 know that offhand?

18 MR. TOLAN: I don't know it
19 offhand.

20 MS. RHYNHART: We can get that
21 to you. We appealed on that basis and
22 then won that appeal, so we're back in
23 arbitration. We were there like last
24 week or the week before.

25 COUNCILMAN HENON: Now, we seem

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2 to be going to arbitration a lot. If you
3 could provide to the Chair a list of how
4 many arbitrations the City experiences
5 and the cost that's associated with that.
6 I'm just trying to --

7 MS. RHYNHART: I don't think --

8 COUNCILMAN HENON: In absence
9 of appealing binding arbitration and
10 non-negotiated contracts with the
11 municipal unions, I just --

12 MS. RHYNHART: We can give you
13 a list.

14 COUNCILMAN HENON: -- wanted to
15 see if there's some kind of collaborative
16 data that says we're going to more
17 arbitrations with the lack of a contract.

18 MR. TOLAN: I think -- I just
19 would say that's a distinction there I
20 wanted to make sure I understand. You're
21 not talking about grievance arbitrations.
22 You're talking about interest
23 arbitrations to produce a contract award?

24 COUNCILMAN HENON: Both.
25 Arbitrations in general.

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2 MR. TOLAN: Well, I don't
3 think, quite frankly, that grievance
4 arbitrations are on the rise. In fact,
5 they were down last year, just to let you
6 know. But they're going to go on all the
7 time, because somebody is suspended for
8 ten days in the Police Department,
9 there's going to be a grievance. The
10 likelihood is, it's going to go to
11 arbitration, and, in fact, most of our
12 arbitrations come from the FOP and most
13 of those arbitrations deal with
14 discipline issues.

15 COUNCILMAN HENON: And the
16 outside legal counsel that you mentioned
17 earlier is responsible for all those
18 arbitrations?

19 MR. TOLAN: No. Most of those
20 are handled in-house by attorneys in the
21 Law Department. Some are handled on a
22 contract basis, depending on the case.

23 COUNCILMAN HENON: How come --

24 COUNCIL PRESIDENT CLARKE:

25 Councilman --

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2 COUNCILMAN HENON: Just walk me
3 through the process. How come we don't
4 have a lawyer on your staff dealing with
5 any labor issues as opposed to
6 contracting out?

7 MS. RHYNHART: I think this is
8 a question for the Law Department that we
9 can help address. What lawyers are
10 in-house working on union issues versus
11 what we contract out, I think is your
12 question?

13 COUNCILMAN HENON: My question
14 was for specifically the Office of Labor
15 Relations. How come --

16 MR. TOLAN: Well, actually, we
17 work very closely. We're actually housed
18 in the Law Department even though we're a
19 separate agency. Additionally -- and
20 they have the Labor and Employment Unit
21 that we work very closely with on all
22 these cases. In fact, I or my staff
23 regularly serve as witnesses for them,
24 expert witnesses, in different kinds of
25 grievance arbitrations.

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2 Additionally, we work very
3 closely with the Solicitor. There's a
4 committee that meets regularly to take a
5 look at labor issues, and the Solicitor
6 has been part of that since day one.

7 COUNCILMAN HENON: Okay.

8 Thank you, Mr. President.

9 COUNCIL PRESIDENT CLARKE:

10 Thank you, Councilman.

11 Councilman Squilla.

12 COUNCILMAN SQUILLA: Yes.

13 Thank you.

14 I want to piggyback on what
15 Councilman Henon said too about
16 arbitrations. It just seems like we hire
17 a law firm to help us out in negotiations
18 and we do the negotiations, but either I
19 guess when they bring it back to the
20 Administration or maybe the negotiation
21 process, we're never able to come up
22 with, I guess, an agreement between the
23 unions and the Administration. We're
24 paying a lot of money to do this, and
25 then it goes to arbitration, and then if

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2 we don't like the results of the
3 arbitration, we then appeal.

4 MR. TOLAN: I think, though,
5 that there's two distinct things here.
6 One is the interest arbitration process,
7 which only certain labor organizations
8 have access to that. Typically Police
9 and Fire do it under Act 111. They've
10 had that right since 1968. There has
11 been only one contract since 1968 that
12 was negotiated with one of these unions,
13 and that was in 1980. It was voted down
14 by the members and ultimately had to go
15 back to arbitration. So on that side,
16 it's very typical and traditional that
17 you would go to arbitration.

18 There's also arbitration that's
19 used under Act 195 for different types of
20 units. As I said, it's been less regular
21 in that regard, partly because of
22 procedural issues and partly because of
23 culture. But in this particular
24 environment in the last couple years, two
25 of the unions that did not usually use

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2 interest arbitration had interest
3 arbitration, one of them being the
4 correctional officers, one of them being
5 the group of probation officers and
6 related titles in the courts. But they
7 have at times in the past used it.

8 COUNCILMAN SQUILLA: Now, the
9 Fire contract or the Fire arbitration, do
10 we have built in to the Five Year Plan
11 what it would cost if the lawsuit goes
12 through and we come through with another
13 arbitration hearing as far as their
14 pension -- I mean, healthcare?

15 MS. RHYNHART: In terms of
16 healthcare, we don't have any increases
17 built into the Five Year Plan for any of
18 the unsettled union contracts. In fact,
19 we have savings built into the Plan.

20 COUNCILMAN SQUILLA: What
21 happens if it comes back and that's not
22 what the arbitrator says?

23 MS. RHYNHART: If it comes
24 back, then that's something that we have
25 to deal with, and we've dealt with in the

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2 past. But that would be something we
3 have to deal with.

4 COUNCILMAN SQUILLA: Where do
5 we get that money?

6 MS. RHYNHART: Well, for
7 example, on the original Fire award, we
8 didn't have that money. We appealed on
9 the ability to pay, and we won that
10 appeal and we're back in arbitration. So
11 it depends on the level of what was
12 awarded and if we can pay it or not.

13 COUNCILMAN SQUILLA: So now we
14 have it already marked into the "we don't
15 have the money to pay it" now for this
16 arbitration coming up if it so happens to
17 go the wrong way, according to the
18 Administration. So are we going to
19 appeal again saying --

20 MS. RHYNHART: Our position is
21 that an award needs to be affordable for
22 the City. And so, for example, the
23 recent award on the correctional officers
24 we deemed to be affordable to the City
25 and so we've accepted that award.

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2 So our position is that the
3 award has to pay for itself. So if
4 there's a wage increase, there needs to
5 be savings in other areas, in pension or
6 healthcare, in order to pay for that wage
7 increase, or there needs to be furlough
8 days to make up for something else. I
9 mean, there's a whole variety of
10 different measures that cost money and
11 save money, so when put together, it
12 needs to be affordable to the City.

13 COUNCILMAN SQUILLA: So it is
14 possible then for this award to come back
15 and the Administration would appeal it
16 again?

17 MS. RHYNHART: It's always
18 possible. I mean, I don't know -- I
19 can't say what the -- hopefully not.

20 COUNCILMAN SQUILLA: Is there a
21 timeframe when we're looking to have an
22 answer on this?

23 MS. RHYNHART: On the Fire
24 award?

25 MR. TOLAN: The hearings will

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2 be completed on May 3rd, but then after
3 that, it goes to the panel, and they
4 decide when they're ready to issue an
5 award. There's not a specific time limit
6 to them, because these time limits have
7 all been waived because of part of this
8 process. So, again, it could take months
9 or it could happen quickly. It really
10 depends on the Chairman of the panel to
11 lead it in a certain direction.

12 COUNCILMAN SQUILLA: But it
13 possibly could also come after June 30th?

14 MR. TOLAN: That's a
15 possibility, but, again, once it goes
16 into the executive session, the three
17 members of the panel see when they can
18 meet. When they meet, they argue through
19 the issues. Ultimately they issue an
20 award. Sometimes it can happen more
21 quickly; sometimes it takes more time.

22 COUNCILMAN SQUILLA: But at
23 this point, our projection for the Five
24 Year Plan is nothing extra as far as the
25 fireman contract is concerned; it's going

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2 to be status quo for the next five years?

3 MS. RHYNHART: That's right,
4 with the savings expectation.

5 COUNCILMAN SQUILLA: So then it
6 looks like you're looking at this
7 arbitration as coming back favorable to
8 the City where they would actually have a
9 reduction.

10 MR. TOLAN: Well, again, that's
11 what happened with the correctional
12 officer award. It was balanced. And if
13 that pattern were to be -- or that
14 principle were to be adopted, then the
15 Administration would look at it and make
16 a decision as to whether or not it was
17 appropriate to appeal.

18 COUNCILMAN SQUILLA: It just
19 seems to me that we're putting
20 projections in that we really don't know
21 what the answers are and we're not
22 looking to put any extra money in and
23 we're actually looking to take some away.
24 It seems like a disconnect there.

25 MS. RHYNHART: Well, I think

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2 when we develop the projections for the
3 Five Year Plan, we base them on what we
4 consider to be reasonable expectations,
5 and so it's our expectation going
6 forward.

7 COUNCILMAN SQUILLA: Thank you.

8 COUNCIL PRESIDENT CLARKE:

9 Thank you, Councilman.

10 The Chair recognizes Councilman
11 Henon.

12 COUNCILMAN HENON: Thank you,
13 Mr. President.

14 Just to go back. I just want
15 to make a correction in the record. When
16 I mentioned about the hundred million
17 dollar saving, new cost for the
18 firefighters in the appeal, that wasn't
19 your testimony. That was the Five Year
20 Plan. So my question is, the Five Year
21 Plan says that the award would have cost
22 the City a hundred million dollars of new
23 costs. So I'd like to -- if you can
24 explain what that is, especially after
25 some of our discussions here today about

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2 no new negotiations with the lack of a
3 contract with other municipal unions. I
4 know I'm jumping over to the municipals
5 here for the DC 33 and 47, where you said
6 you can't accurately -- not even
7 accurately; you can't state that there's
8 savings because of some of the voluntary
9 adjustments that they made. Yet,
10 Rebecca, you just mentioned again to Mark
11 Squilla, Councilman Squilla, that you
12 built in savings in the Five Year Plan.
13 Can you explain that, please?

14 MS. RHYNHART: Sure. I can
15 explain. Sure. Let me explain that.
16 When I was referring to that it's
17 difficult to calculate savings from not
18 having a labor contract, it's because of
19 the difficulty in saying that there's
20 savings versus something that we don't
21 know.

22 COUNCILMAN HENON: The unknown
23 of negotiations.

24 MS. RHYNHART: Right.

25 COUNCILMAN HENON: I understand

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2 that. But the budget is put together a
3 lot of times on assumptions and the
4 pension costs and healthcare costs. In
5 the Five Year Plan you state or it's
6 stated there that a hundred million in
7 new costs. If they had a similar
8 contract as the Police and the Police
9 saved the City money, how come it's
10 being -- how come it was appealed and how
11 come it would cost nearly a hundred
12 million dollars of new costs over the
13 five years?

14 MS. RHYNHART: You're asking
15 about why the Fire award --

16 COUNCILMAN HENON: Well, it was
17 similar contracts.

18 MS. RHYNHART: Police and Fire
19 were not -- there were some -- maybe Joe
20 will talk about the big differences.

21 MR. TOLAN: There were some
22 significant differences between the two
23 awards, and in particular, one was the
24 ability under the FOP award to use
25 furlough days, if that was necessary. So

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2 there was kind of a safety valve where
3 you could reduce the cost, offset them by
4 putting in a program of using furlough
5 days.

6 I think additionally when we
7 project out the way in which healthcare
8 costs work, the FOP plan has one -- the
9 award had them going self-insured, but
10 they also brought down over a series of
11 years the level of the City's
12 contribution to them, which I think at
13 high was like \$1,300. Then at the end
14 before they went self-insured, I think we
15 were down to like \$900 in terms of what
16 we were giving them. I don't have a copy
17 of the award in front of me. But we
18 reduced that contribution, and that was
19 something that was set there. If we
20 didn't have a contract, we would have
21 been paying 1,303. Instead we were going
22 down each of those years, which resulted
23 in millions of dollars coming back.

24 The other thing is, when you
25 take a look at their fund and their

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 actual costs and you project it out, you
3 come to some conclusions about what
4 they're actually going to spend, which it
5 seemed like they have been dramatically
6 controlling their costs through their
7 administration of their fund.

8 So, I mean, those are two areas
9 that would be a little bit different
10 between the two awards and would result
11 in numbers.

12 COUNCILMAN HENON: In excess of
13 a hundred million dollars?

14 MS. RHYNHART: The furlough
15 days --

16 COUNCILMAN HENON: I don't see
17 it. I mean, you can counter the furlough
18 days with brown-outs.

19 MS. RHYNHART: No. The
20 furlough days -- no. I mean, given that
21 we're in arbitration right now, I don't
22 know how detailed our conversation should
23 get, but in terms of furlough days, I
24 mean, that can be a big cost saving
25 measure. So that is something that would

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2 need to get built in, and it was built
3 into Police.

4 COUNCILMAN HENON: Was Local 22
5 willing to accept or were they willing to
6 adjust their healthcare similar to as the
7 Police?

8 MR. TOLAN: I think you have to
9 keep in mind --

10 COUNCILMAN HENON: Which is, by
11 the way, which is a substantial savings.

12 MR. TOLAN: This is an
13 arbitration, though, and what happens is,
14 the parties don't agree. We present our
15 evidence in. Their arbitrator and our
16 arbitrator meet with the neutral
17 privately in executive session and they
18 do what they do and then out comes the
19 award, typically led by Chairman. So we
20 have to deal with the result of that. I
21 mean, I would expect if they had said,
22 Look, we're willing to cut these five
23 things, the Chairman would have probably
24 put them in the draft of the award and
25 then that would have changed the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 calculation, but we have to deal with
3 what we got out of that process.

4 COUNCILMAN HENON: Have you
5 reviewed the PICA report, and has the
6 City actually sat down with PICA to
7 discuss some of the recommendations with
8 PICA?

9 MS. RHYNHART: The Fire study?

10 COUNCILMAN HENON: Yes.

11 MS. RHYNHART: We are looking
12 at that, yeah.

13 COUNCILMAN HENON: So what came
14 first, the appeal or --

15 MS. RHYNHART: The appeal was
16 the --

17 MR. TOLAN: This award came out
18 in, I believe, October of '10 and we
19 filed an appeal, which was then pending
20 in court for an extended period of time.
21 All of that and I think even moving it
22 out of appeal when both parties agreed to
23 take it out of appeal and remand it back
24 to the panel happened before the
25 Berkshire report was issued.

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2 COUNCILMAN HENON: So you are
3 sitting down with PICA to discuss the
4 Berkshire report?

5 MS. RHYNHART: Yes. That is
6 something that we're looking at.

7 COUNCILMAN HENON: And that
8 will -- I'm sure you would take that into
9 consideration moving forward as far as
10 going into the arbitration.

11 MS. RHYNHART: I mean, I think
12 that the Fire study has a lot of
13 recommendations in that, and that's
14 something that we're going through right
15 now. And so I think that, yes, we will
16 take it into consideration going forward
17 overall.

18 And to your point before,
19 though, just to address about that we
20 accepted Police's award but not Fire's, I
21 mean, we would like to have contracts in
22 place with our unions, but they just need
23 to be affordable. So if Fire had -- if
24 it came back to be affordable, we would
25 of course want to accept something that

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 was affordable. Just to be clear, that
3 we're not -- I felt like the question was
4 a little bit that we accepted for Police
5 but we're sort of penalizing Fire, and
6 it's about affordability.

7 COUNCILMAN HENON: Well, I
8 think it seems -- it appears that the
9 appeal, we just didn't like certain parts
10 of the arbiter's decision as opposed
11 to -- so you appeal the entire decision
12 instead of severing certain things.

13 MR. TOLAN: No. I think that
14 when you do a PICA appeal, you look at
15 all the economic aspects. They're all
16 rolled into one. So everything that
17 spent money versus anything that saved
18 money was under that kind of cloud. But
19 there was also specific appeals not under
20 PICA but under general labor law about
21 areas where we believe that the
22 arbitrator exceeded his authority.

23 COUNCILMAN HENON: I just want
24 to make clear that it seems that the
25 firefighters were willing to accept and

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 adjust some of the major cost savings to
3 their contract, that if it would have
4 went through, they agreed to it, I
5 believe on record, and it was appealed.
6 So, in fact, I hope we can get to where
7 it's resolved, that's all. And then you
8 said earlier that you have a court date
9 coming up?

10 MR. TOLAN: We've been in
11 the -- we're back in front of the panel.
12 Our last day of hearing is May 3rd, and
13 after that, it will go into executive
14 session and the panel will issue its
15 revised award when they're ready to issue
16 it. So that could be probably by early
17 summer. But, again, it's up to the panel
18 to decide to issue it.

19 COUNCILMAN HENON: Okay. I
20 have no further questions.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, Councilman.

23 Any other questions of these
24 witnesses?

25 (No response.)

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2 COUNCIL PRESIDENT CLARKE:

3 There being none, thank you so much for
4 your testimony.

5 We will now break. We will
6 come back at around 1:35.

7 (Short recess.)

8 COUNCIL PRESIDENT CLARKE: Good
9 afternoon. We'll reconvene the FY13
10 budget hearing.

11 I'd like to ask the Mayor's
12 Office of Community Services to please
13 come forward.

14 (Witness approached witness
15 table.)

16 MR. BULLOCK: Good afternoon.

17 COUNCIL PRESIDENT CLARKE: Good
18 afternoon.

19 MR. BULLOCK: Good afternoon,
20 Council President Clarke and members of
21 City Council. I am Otis Bullock,
22 Executive Director of the Mayor's Office
23 of Community Services. The Mayor's
24 Office of Community Services requests an
25 FY 2013 appropriation of 8,407,338, all

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 deriving from grant funding.

3 MOCS is a community action
4 agency for the City of Philadelphia. The
5 mission of our office is to empower
6 low-income Philadelphians to reach
7 self-sufficiency by providing program
8 services and connections to key
9 resources. The agency is entirely funded
10 through state and federal grants from the
11 Bureau of Employment and Training
12 Programs, the Community Services Block
13 Grant and the Corporation for National
14 and Community Services.

15 In FY12, we estimate to spend
16 3,284,279 in Class 100, 3.6 million in
17 Class 200, 78,770 in Class 300/400 for a
18 total of \$7,006,114.

19 In FY13, we request 3.9 million
20 in Class 100, 4.3 in Class 200, 94,000 in
21 Class 300 and 400 for a total 8.4 mill.

22 Over the last year, MOCS have
23 instituted several key changes to our
24 contracting procedures and program
25 management to ensure that we are holding

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 our contractors and ourselves accountable
3 for delivering high-quality services,
4 that we are getting the best return on
5 our investment. MOCS have begun to
6 implement performance-based contracting
7 that pays for outcomes instead of
8 services. If a subcontractor does not
9 meet the agreed-upon outcomes in the
10 contract, the subcontractor is not paid
11 for the service. In the past year, this
12 change have resulted in more than
13 \$150,000 being reallocated from
14 low-performing contractors to
15 high-performing contractors.

16 In addition, MOCS is committed
17 to supporting the Administration's goal
18 of 25 percent minority, women and
19 disabled-owned business participation in
20 City contracting. Last year's
21 participation rate was about 47 percent.
22 MOCS' FY13 participation goal is 35
23 percent.

24 MOCS also ensures that
25 contractors are in compliance with the

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 City's living wage and benefits
3 standards. Beginning last fiscal year,
4 we include a living wage standard clause
5 in every contract that we execute.

6 And with that, I am happy to
7 answer any questions you should have for
8 our office, and thank you for the
9 opportunity to speak with you. Should
10 any Councilmembers wish to engage in
11 further discussion on any of these
12 matters, my staff and I are happy to meet
13 with Councilmembers at their convenience.

14 Thank you. And I apologize for
15 my voice. I actually caught a cold and
16 lost my voice over the weekend, just in
17 time for this testimony.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you, Mr. Bullock. Good afternoon.

20 Real quick. In the earlier
21 conversation that I had with you and a
22 member of your staff, you were talking
23 about a program relating to preparation
24 for getting individuals involved in the
25 construction trades. I think you were

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 working with the Housing Authority?

3 MR. BULLOCK: Yes.

4 COUNCIL PRESIDENT CLARKE: Can
5 you elaborate a little bit on that
6 particular proposal, particularly given
7 the fact that we have a number of
8 representatives here from the YouthBuild
9 organization who --

10 MR. BULLOCK: Sure. Starting
11 in 2010, we began to contract with the
12 Philadelphia Housing Authority with their
13 pre-apprenticeship program. Many of you
14 may know, PHA has an award-winning,
15 nationally recognized program, but at the
16 time, they only provided that program
17 service for PHA residents. What MOCS
18 wanted to do is make that program
19 available to other low-income
20 Philadelphians. So what we did, we
21 contracted with PHA. It's a 21-week
22 program where it's a partnership between
23 PHA and the Philadelphia trade unions.
24 The curriculum is developed by the trade
25 unions and taught by the trade unions.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 And you go through this program, whether
3 you choose to go into construction or be
4 a part of the electricians union or
5 plumbing, whatever it is, PHA provides
6 the training and then they sponsor you to
7 enter into their trade unions to make a
8 pretty decent wage.

9 It was a successful program for
10 us in 2010, so we decided to continue to
11 do that type of program through PHA, and
12 we've gotten a lot of guys some really
13 good jobs and getting them into the
14 unions through that program.

15 COUNCIL PRESIDENT CLARKE: All
16 right. So anyone interested in
17 participating, say, for instance, some of
18 the individuals coming out of the
19 YouthBuild program, they simply do what?

20 MR. BULLOCK: They come see
21 MOCS.

22 COUNCIL PRESIDENT CLARKE: Come
23 see MOCS?

24 MR. BULLOCK: They come see
25 MOCS, and through our partnership with

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 PHA, we can start the process of getting
3 them into that pre-apprenticeship
4 program.

5 COUNCIL PRESIDENT CLARKE:

6 Okay. Thank you.

7 Can you talk to me about the
8 number of services? I see you have
9 approximately a little over 21,000 client
10 services. Can you talk to me about how
11 the level of performance is measured by
12 the organization or whatever entity in
13 terms of how successful in the followup
14 on those services as it relates to those
15 particular clients.

16 MR. BULLOCK: Much of our
17 programming is contracting out either to
18 other City agencies or to non-profits.
19 So we have a number of programs through
20 the City where we contract with OSH to
21 provide shelter services and case
22 management services to homeless families,
23 mostly women and children. We also have
24 a contract with the Office of -- the
25 Department of Health, which is the lead

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 abatement program. They go into
3 low-income homes and remove the lead from
4 the homes.

5 We have a contract with the
6 Department of Recreation where we
7 basically fund six senior centers across
8 the City, and we have contracts with
9 organizations like PHA, as I mentioned
10 before.

11 With each of the organizations,
12 the performance measures are different
13 depending on the goals and outcomes of
14 the agency in the program, but we build
15 those measurements into the contract.

16 I spoke a little bit about our
17 performance-based contracting, and
18 basically what that is, in the past we
19 used to provide a contract to an
20 organization or an agency, and whether or
21 not they performed the benchmarks that
22 was set forth, they would get paid
23 anyway. We actually have an
24 organization, a workforce development
25 organization -- I won't say the name --

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 that we contracted with for a certain
3 amount and they did not meet the
4 benchmarks. In the past they would have
5 gotten paid the full amount of that
6 contract. Now they did not get paid the
7 full amount of that contract. And what
8 that does is allow us to reallocate that
9 money to other high-performing
10 organizations. So that's something we've
11 done within the past two years with the
12 performance-based contracts.

13 COUNCIL PRESIDENT CLARKE: So
14 there's a process throughout the terms of
15 the contract that you monitor the
16 performance so you can determine as to
17 prior to the ending of that contract --

18 MR. BULLOCK: Absolutely. For
19 example, with the workforce development,
20 there are a number of goals, benchmarks,
21 that we would like to meet. The ultimate
22 goal is to obviously get the individual
23 employed making a certain amount of
24 money, but also having them retained for
25 a certain amount of time. But certain

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 benchmarks throughout the contract, you
3 can tell if you're actually going to meet
4 that goal or not, how many people you get
5 enrolled into the program, how many are
6 attending, how many receive
7 certifications. And based upon those
8 benchmarks, if those are not met, you
9 don't get paid for those benchmarks.
10 That's actually how we were able to save
11 more than \$150,000 on these contracts and
12 reallocate them.

13 COUNCIL PRESIDENT CLARKE:

14 Okay. Thank you.

15 The Chair at this time
16 recognizes Councilmember Jones.

17 COUNCILMAN JONES: Thank you,
18 Mr. President.

19 Thank you, Mr. Bullock, for
20 coming here. This is my fifth year as a
21 Councilperson dealing with the budget,
22 and each year it has become increasingly
23 more important that your agency do well.

24 Let me say that when you first
25 came on as Director, we had a meeting,

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 talked about your vision. I thought then
3 and I think now it is a sound vision.
4 The implementation, however, we need to
5 talk a little bit about today.

6 When I talked to the Chief of
7 Staff and asked him this question this
8 morning and -- let me prefix my remarks
9 by saying that when I ask any department
10 head or the Chief of Staff about what the
11 vision is for greening in the City of
12 Philadelphia, there's a clear, concise,
13 clarion view of what not only the vision
14 is but what the action steps are.

15 When I asked about the crime
16 plan, we had up at the high school up in
17 the 28th Ward, I believe it was, your
18 alma mater, we heard a 12-point plan,
19 which included action steps and money
20 from manna from heaven on bounties on
21 people with guns.

22 When we start to talk about
23 other major topics when it comes to this
24 Administration, we get a plan. When I
25 asked him about what is the plan to deal

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 with the 26 percent people that are under
3 the poverty guideline, I heard nothing.
4 So I asked them, Well, who is in charge
5 of that. And then they said, Well, a
6 little bit of this and a little bit of
7 that, but I know a lot about MOCS.

8 So I know that you are the
9 spear in the anti-poverty efforts and
10 want to in these -- the spirit of my
11 questions are to make sure that everybody
12 knows that and how important you are.

13 So could you for the record
14 articulate what the anti-poverty plan for
15 the City of Philadelphia is in a
16 succinct, concise manner.

17 MR. BULLOCK: Well, I would say
18 that MOCS is a piece of a much bigger
19 picture. When you're talking about
20 poverty, you're talking about so many
21 different things - workforce development
22 and training, economic development,
23 education, housing, health nutrition, all
24 these different things, and MOCS plays a
25 role in that, but we have to come up with

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 something really comprehensive that
3 incorporates all this.

4 MOCS' role in 2012 is much
5 different than MOCS' role in 1965 when
6 the organization was created when maybe
7 it probably was the only game in town.
8 Right now MOCS is not the only game in
9 town when it comes to fighting poverty.
10 There's a lot of organizations out there
11 doing it. There's a lot of other City
12 agencies out there providing services to
13 low-income individuals. You got the
14 Office of Supportive Housing, you have
15 DHS, you have the Office of Housing and
16 Community Development, who is going to
17 testify later on.

18 So there's a lot of different
19 moving parts, and you also got to focus
20 on public safety. You also have a whole
21 host of non-profits out there providing
22 services. So --

23 COUNCILMAN JONES: But you have
24 to have a quarterback to run the plays.
25 You have to have a coach to design those

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 plays, and what I'm asking this
3 Administration and in particular you is,
4 what's the game plan? Because, if not,
5 if we look at the statistics -- and I
6 have them here, and I'll make it
7 available for all members of Council --
8 in 2006, there were 306,000 people that
9 were eligible for food stamps. In
10 today's Philadelphia, it's 439,245. So
11 poverty is on an upswing.

12 In 2006, I believe the poverty
13 level was 24 percent. It is now -- what
14 is the poverty level today?

15 MR. BULLOCK: About 26.1
16 percent.

17 COUNCILMAN JONES: Twenty-six
18 point one percent. So that means that
19 poverty is on the upswing.

20 (Witness approached witness
21 table.)

22 COUNCILMAN JONES: So we need
23 you more today than probably we needed
24 you in 1965.

25 When we talk about the number

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 of young people that live with food
3 insecurities, which means that at the
4 beginning of the month, there's a dollar;
5 by the end of the month, there's four or
6 five days where they don't know, do not
7 know, in the greatest country on the
8 planet earth, where they're going to get
9 a meal from.

10 So I need a quarterback. I
11 need somebody that's going to sit down
12 and come up with a game plan. And as we
13 go through this, we're going to take this
14 apart and figure out what things you need
15 to -- you won't be able to answer all of
16 them today. We can't answer everything
17 today, but we can raise some of the
18 questions today so that we can then in
19 another forum get those answers.

20 So how does Philadelphia rank
21 among the poorest cities in America?

22 MS. BIEMILLER: Can I just
23 interject real quick, Councilman. My
24 name is Suzanne Biemiller. I'm the First
25 Deputy Chief of Staff in the Office of

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 the Mayor.

3 And to really answer your first
4 question to what is the strategy for the
5 City of Philadelphia and having worked on
6 the Greenworks Philadelphia strategy, I
7 know the importance of really thinking
8 comprehensively and broadly about what it
9 means to be the greenest city in America,
10 but then also honing in on specific
11 initiatives that cut across any number of
12 City departments. And I think what Otis
13 was trying to say earlier is that MOCS is
14 a piece of that puzzle. And so the City
15 and Mayor's Office of Policy, which I
16 help direct and had been the Director of
17 Policy for the City, has been working to
18 look, first of all, at what do we do now.
19 So what spending does MOCS do on
20 anti-poverty, what spending does Office
21 of Supportive Housing, Health, Police,
22 education, our workforce development
23 dollars, et cetera, what is the landscape
24 here in the City of Philadelphia today,
25 how do those programs work together

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 effectively and how do they not work
3 together effectively, and from that
4 point, then really look at both
5 strategies to ameliorate the symptoms of
6 poverty.

7 COUNCILMAN JONES: Is there a
8 plan?

9 MS. BIEMILLER: There isn't
10 now, but a plan is in progress. That's
11 my message to you.

12 COUNCILMAN JONES: Here's the
13 thing. There's a lady at 56th and Girard
14 who used to own a house. These aren't
15 people I'm making up. These are people I
16 met. That each one of these members
17 knows somebody like them. This lady used
18 to own a house. She now has lost it to
19 Sheriff's sale. She now rents the house
20 from the new buyer. The new buyer has
21 increased the rent. I don't know the
22 exact amount, but has increased the rent,
23 and she sells her prescription medicine
24 to make that end meet.

25 So we ain't got time for

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 analysis paralysis. We have to have and
3 take the steps, and we're going to start
4 it today --

5 MS. BIEMILLER: Okay.

6 COUNCILMAN JONES: -- to start
7 to address that. Because I know we have
8 a crime plan.

9 MS. BIEMILLER: I understand.

10 COUNCILMAN JONES: And I know
11 about the green plan.

12 MS. BIEMILLER: I understand
13 your frustration. I do. And I think the
14 point that I guess what we're trying to
15 make is that the City does spend hundreds
16 of millions of dollars already a year on
17 anti-poverty, and I think the question
18 for all of us in this room is, how do we
19 spend those dollars most effectively to
20 help the women that you described.

21 COUNCILMAN JONES: So we have
22 established we do not have a plan. So my
23 next follow-up question is, what is the
24 process by which in timelines involved
25 and what is the form by which we all give

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 input to a plan? When is there going to
3 be a poverty summit in the City of
4 Philadelphia or at least a roundtable
5 discussion, interdepartmental, external
6 agencies and MOCS at the head of it to
7 coordinate some of these efforts? When
8 is that going to happen?

9 MS. BIEMILLER: We can get a
10 timeframe for you.

11 COUNCILMAN JONES: You'll get
12 back to us?

13 MS. BIEMILLER: Sure.

14 COUNCILMAN JONES: Okay.
15 Please describe --

16 COUNCIL PRESIDENT CLARKE:
17 Councilman, I'm going to go to Councilman
18 Henon and then come back.

19 COUNCILMAN JONES: I'll be
20 here.

21 COUNCIL PRESIDENT CLARKE: I
22 know you're going to be here for a while.
23 Let me get Councilman Henon in.

24 Councilman Henon.

25 COUNCILMAN HENON: Thank you,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Council President.

3 For the record, to my colleague
4 here, did I just understand that there
5 was a commitment to establish a summit to
6 address the plan of poverty?

7 COUNCILMAN JONES: Some
8 clarification.

9 MS. BIEMILLER: I'm sorry. I
10 didn't hear the question.

11 COUNCILMAN HENON: I just
12 wanted to -- it seemed like my colleague
13 wasn't finished because I was trying to
14 keep things in an orderly manner. So I
15 just wanted to get clarity on his
16 question. He asked is there -- did you
17 commit to putting together a poverty
18 summit or plan and is there a timeframe?

19 MS. BIEMILLER: We are
20 committed to putting together a strategy,
21 an anti-poverty strategy for the City,
22 and I said I would get back to the
23 Councilman on a timeframe for that.
24 Obviously, though, we would want City
25 Council input into what that looks like,

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 just as we have for other strategies that
3 the City has come up with.

4 COUNCILMAN HENON: Thank you.

5 Mr. Bullock, thank you for
6 coming in. I appreciate it. I was
7 looking at the website, and it's my first
8 budget, not my fifth, so I have a lot of
9 catching up to do, but I can learn a lot
10 from the tenured colleagues here who
11 diligently searched through every
12 document possible.

13 So I know you're involved in --
14 MOCS does a lot, does a lot for the
15 communities, does a lot for people
16 throughout the City. How do you interact
17 with other departments within the City of
18 Philadelphia, other agencies, to
19 coordinate or to, I guess, cut down on
20 the duplicity of the programs?

21 MR. BULLOCK: We interact quite
22 a bit with a few of the organizations
23 that I named, like OSH, Department of
24 Rec, the Department of Commerce, Health
25 and now also DHS, the School District of

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 Philadelphia and the Mayor's Office of
3 Faith-Based Initiatives. So we're trying
4 to do more collaborative work with City
5 agencies than we have in the past.

6 COUNCILMAN HENON: For
7 instance, block captains, do you deal
8 with Philadelphia More Beautiful on block
9 captains or you're reaching out, as you
10 do on a regular basis, deal with the
11 community and somebody shows interest in
12 the block captain? Do you have your own
13 block captain program or is it a part of
14 Philadelphia More Beautiful?

15 MR. BULLOCK: We do not have
16 our own block captain program, but we do
17 work closely with Streets in Philadelphia
18 More Beautiful on initiatives that
19 involve the block captains, which
20 includes getting block captains signed
21 up, and during the push to increase the
22 number of people recycling, getting block
23 captains recycling bins and things of
24 that sort.

25 COUNCILMAN HENON: That's

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 great. It's a great recruitment. One of
3 the finest compliments I guess you could
4 pay people is to ask either the same
5 question or to follow in their footsteps
6 and mirror, but my colleague and Majority
7 Leader last year asked for a breakdown
8 from MOCS for the gender and age and the
9 zip code of the participants in the
10 program. So if you have that broken down
11 from him from last year's budget, I'd
12 like the same -- that was for 2010.

13 MR. BULLOCK: That's from last
14 year, right.

15 COUNCILMAN HENON: Right. I
16 would be requesting the same for 2011, if
17 you could, please.

18 MR. BULLOCK: And that's in the
19 employment programs or in all of our
20 programs?

21 COUNCILMAN HENON: No. It's in
22 your programs, in your programs at MOCS,
23 broken down by gender and age and zip
24 codes from the participants.

25 It's my understanding I heard

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 that you may be working with an outside
3 consultant to help create a new model or
4 restructuring of some of the programs.
5 Can you explain a little bit.

6 MR. BULLOCK: We have done some
7 internal work, particularly with our
8 human resources, establishing new
9 performance management procedures, new
10 standard operating procedures and also a
11 training curriculum for our staff which
12 we did not previously have, so that we
13 can provide the best services that we
14 could possibly provide. That outside
15 contractor is Career Consciousness,
16 Incorporated, which is a minority vendor.

17 COUNCILMAN HENON: Thank you,
18 Mr. Bullock.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Councilman.

21 The Chair recognizes
22 Councilwoman Brown.

23 COUNCILWOMAN BROWN: Okay.
24 Affirmative, Mr. President.

25 Good afternoon.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MR. BULLOCK: Good afternoon,
3 Councilwoman.

4 COUNCILWOMAN BROWN: Let's talk
5 about the lead abatement program. The
6 role of your office, what has been the
7 activity of your office, what are the
8 anticipated future efforts?

9 MR. BULLOCK: Okay. Well, the
10 lead abatement program is administered by
11 the Health Department, the Department of
12 Health. We provide a contract with the
13 Department of Health for about \$444,000,
14 and that's to serve a total of 780
15 individuals, 172 families. And basically
16 what they do, they go in and they take
17 the lead hazards out and reduce the
18 health risk of young children.

19 COUNCILWOMAN BROWN: So the
20 Health Department does the hiring of
21 those --

22 MR. BULLOCK: They do the
23 hiring, and all of the staff are staff of
24 the Health Department.

25 COUNCILWOMAN BROWN: I see. Is

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 that in jeopardy for next year?

3 MR. BULLOCK: That is not in
4 jeopardy. It will be funded at the same
5 level as it was last year.

6 COUNCILWOMAN BROWN: And what's
7 the -- if 172 families were served, would
8 that equal 172 households? It would
9 equal 172 households, correct?

10 MR. BULLOCK: A hundred and
11 seventy-two households, that's correct.

12 COUNCILWOMAN BROWN: So what's
13 the waiting list, do you have any idea,
14 of families in households that still have
15 lead in them?

16 MR. BULLOCK: I do not know
17 what the waiting list is. I can get that
18 information for you.

19 COUNCILWOMAN BROWN: Could you,
20 please.

21 MR. BULLOCK: Follow up with
22 the Health Department, yes.

23 COUNCILWOMAN BROWN: That would
24 be important.

25 And I may have missed this, so

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 no need to repeat it if you already
3 covered it. The composition of your
4 office in terms of gender and ethnicity
5 and is your agency meeting the 25 percent
6 goal for minority participation? Who are
7 your vendors? Who do you conduct
8 business with?

9 MR. BULLOCK: Okay. I'll start
10 with our composition. We have a staff of
11 60, 34 are female, 26 are male, 45 are
12 African American, seven are white, six
13 are Latino and two are another
14 nationality. I think they're Albanian.

15 COUNCILWOMAN BROWN: Okay.

16 MR. BULLOCK: Our minority
17 participation rate is 47 percent last
18 fiscal year. Our goal was 25 percent.
19 We exceed the City's goals.

20 Most of our contracts are
21 contracted either to City agencies or
22 non-profits.

23 COUNCILWOMAN BROWN: Okay.

24 MR. BULLOCK: So we only had
25 two vendors, two for-profit vendors last

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 year, Career Consciousness being one of
3 them, which is a minority vendor.

4 COUNCILWOMAN BROWN: And who?

5 MR. BULLOCK: Career
6 Consciousness being one of them, which is
7 a minority vendor.

8 COUNCILWOMAN BROWN: Okay.

9 Does the agency still function on the
10 methodology performance-based
11 contracting?

12 MR. BULLOCK: Absolutely. In
13 fact, we worked on making it a little
14 better than it was, and we believe it to
15 be working.

16 COUNCILWOMAN BROWN: And how
17 long has the performance-based
18 contracting approach been in place?

19 MR. BULLOCK: Two years.

20 COUNCILWOMAN BROWN: And what
21 would you say -- have there been any
22 former organizations that could not meet
23 the performance-based contracting new
24 guidelines or stipulations?

25 MR. BULLOCK: Based upon our

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 contracting, no organization is
3 guaranteed a contract from year to year,
4 and they're only paid based upon the work
5 and the outcomes.

6 COUNCILWOMAN BROWN: Service
7 delivery?

8 MR. BULLOCK: Service delivery.

9 COUNCILWOMAN BROWN: So ID --

10 MR. BULLOCK: For example, we
11 had a contract last year with a workforce
12 development company to provide job
13 training to some of our guys.

14 COUNCILWOMAN BROWN: That's a
15 good example.

16 MR. BULLOCK: It was a \$180,000
17 contract, but that company only got paid
18 \$28,000 because they did not perform.

19 COUNCILWOMAN BROWN: Okay. And
20 so in a situation like that, do they get
21 a second chance or they only actually get
22 funded to -- that number is driven by
23 what, that \$28,000 number?

24 MR. BULLOCK: The services that
25 they provide within the contract, because

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 everything is set up in the contract. So
3 they will submit invoices based upon
4 meeting the benchmarks in the contract
5 versus getting the entire contract up
6 front, which is what used to happen.

7 COUNCILWOMAN BROWN: Very well.
8 Okay, then.

9 Thank you, Mr. President.
10 Thank you.

11 COUNCIL PRESIDENT CLARKE:
12 Thank you.

13 The Chair recognizes
14 Councilmember Jones.

15 COUNCILMAN JONES: Thank you.

16 Can Ms. Biemiller come back up,
17 because I think it is unfair to have you
18 as the total focus of this. It is an
19 administrative, citywide,
20 interdepartmental approach, but you're
21 the spear and I just -- I have the
22 highest regard for you and what your
23 mission is. So I want to have that on
24 the record. But I have some questions.

25 Describe for me the new poor

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 and what that has done to the uptick in
3 poverty in the City of Philadelphia as
4 you see it?

5 MS. BIEMILLER: By "new poor,"
6 you mean the difference between the 25
7 percent and now the 26.1 percent?

8 COUNCILMAN JONES: Well, that's
9 part of it, but it's recently impacted by
10 the economy. They have got habitually
11 historically in poverty, but this is new
12 to them for the first time.

13 MS. BIEMILLER: Right.

14 COUNCILMAN JONES: What plans
15 are we doing to address that population?

16 MS. BIEMILLER: Right. So
17 there are a few things that I know MOCS
18 has been working on but other components
19 of the Mayor's Office. We've seen in the
20 City not just an uptick in sort of the
21 poverty rates, but obviously the amount
22 of people enrolling, for example, in food
23 stamps and SNAP. So one of the things
24 that Mary Horstmann in the Mayor's Office
25 on Policy, who is a point person for our

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 anti-hunger efforts, has been working
3 with anti-hunger coalition organizations
4 to try to get folks who are eligible for
5 SNAP enrolled in it. The Mayor just did
6 a series of PSAs around SNAP. We've been
7 trying to actually -- I know Otis and his
8 shop at MOCS has been working with
9 Benefits Bank to also help --

10 COUNCILMAN JONES: Can you for
11 the record tell my colleagues what
12 Benefit Bank is?

13 MS. BIEMILLER: So BenePhilly
14 is a non-profit organization that
15 basically it and then -- it helps people
16 eligible for federal -- I don't want to
17 call them welfare programs, but for lack
18 of a better --

19 COUNCILMAN JONES: Subsidy.

20 MS. BIEMILLER: Federal subsidy
21 programs like SNAP, Social Security, the
22 Earned Income Tax Credit, et cetera,
23 actually apply for those.

24 COUNCILMAN JONES: So it's a
25 one-stop analyzation so that if

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Councilman Henon comes in the door, he
3 sits down and he fills out for LIHEAP, he
4 gets a list of all the other programs
5 that he is eligible for.

6 MS. BIEMILLER: Exactly.

7 COUNCILMAN JONES: That is a
8 valuable tool to my colleagues.

9 COUNCILMAN JOHNSON: Second
10 Councilmanic District.

11 COUNCILMAN JONES: And if Maria
12 were here, she would say the poorest
13 district is the 7th District.

14 But what I'm saying is, the
15 role of MOCS in that, if you have site
16 offices, there should be a person there
17 trained under that, that when they come
18 in the door, they get everything they're
19 eligible for. So my point is to you, we
20 have to --

21 MS. BIEMILLER: No. You're
22 absolutely right, Councilman. And I
23 think -- I know that MOCS -- one of the
24 contracts actually that MOCS has is with
25 the Campaign for Working Families, which

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 also does sort of similar work on the
3 EITC and other benefits.

4 COUNCILMAN JONES: So how many
5 site offices do you have, Mr. Bullock?

6 MR. BULLOCK: We have three.

7 COUNCILMAN JONES: And where
8 are they located?

9 MR. BULLOCK: We have our
10 office at 990 Spring Garden. We have
11 another office at 6th and Lehigh and
12 another one at 22nd and Somerset at the
13 mini City Hall.

14 COUNCILMAN JONES: They're all
15 in the 5th Councilmanic District?

16 MR. BULLOCK: No. One of them
17 is actually in the 7th.

18 COUNCILMAN JONES: So if
19 somebody from Germantown and Cheltenham
20 needs help, they have to come all the way
21 down. Is there any way to do strategic
22 partnerships with other entities to pay
23 for a service like that so that somebody
24 in your district, my district doesn't
25 leave money on the table that they're

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 eligible for for anti-poverty efforts?

3 MS. BIEMILLER: Right. And I
4 mean, it's my understanding, for example,
5 that the Campaign for Working Families
6 works out of libraries, out of rec
7 centers. So they do partner with a
8 number of locations around the City.

9 COUNCILMAN JONES: So do you
10 have a complete list of those locations?

11 MR. BULLOCK: I do, and I can
12 provide you with that list.

13 COUNCILMAN JONES: Can you
14 provide that to the Chair and each member
15 of Council, because I believe every
16 member of Council has at least one poor
17 person in -- you have a few poor people,
18 Councilwoman?

19 COUNCILWOMAN BLACKWELL: Yes.

20 COUNCILMAN JONES: My question
21 becomes, what are your outreach materials
22 that you have to talk about the various
23 programs? And if we did a survey in
24 here, how many are in each of the
25 Councilmembers' offices that are here

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 today? Does anybody have any idea?

3 MR. BULLOCK: Well, one of the
4 things that I hope all of you have gotten
5 is our new brochure of the services that
6 we provided, along with our locations. I
7 think every Council office received at
8 least 25 copies of those brochures with
9 the list of our services.

10 COUNCILMAN JONES:

11 Mr. Chairman, may I go on?

12 COUNCIL PRESIDENT CLARKE:

13 Absolutely.

14 COUNCILMAN JONES: So a helpful
15 suggestion is to at least have those made
16 available and an explanation, because
17 just because you're sworn in at Council
18 doesn't mean you're an anti-poverty
19 expert. So those client services
20 individuals in their respective office,
21 it would be nice if you offered a
22 workshop for them to better utilize
23 MOCS's services. That's something
24 tangible we could do today. And we need
25 a list of all where those benefits can be

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 reached.

3 You have a unit called the --
4 it's an outreach unit. I forget the
5 technical name.

6 MR. BULLOCK: Community
7 Engagement Unit.

8 COUNCILMAN JONES: Community
9 Engagement. Are they geographically
10 located around the City or what is their
11 function?

12 MR. BULLOCK: Well, there was a
13 time when they were, but we have less
14 offices around the City now. So what we
15 do now is, we identify a few Community
16 Engagement Unit members to focus on
17 certain sections of the City.

18 COUNCILMAN JONES: Let me take
19 a step back. Where is poverty in the
20 City of Philadelphia?

21 MR. BULLOCK: Well, it's
22 everywhere. I mean, we're a poor city.

23 COUNCILMAN JONES: All right.
24 So if it's everywhere, then every
25 district, I would assume, has some level

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 of poor people.

3 Councilman Henon, do you have
4 any poor people?

5 COUNCILMAN HENON: Yes, I do.

6 COUNCILMAN JONES: So one of
7 their Engagement members might be -- I'm
8 not telling you how to manage your
9 shop -- assigned to each one of the
10 offices so that they can get the
11 demographic of poverty in the respective
12 districts, and those individuals can
13 become familiar with the case managers in
14 our office. Because I can introduce you
15 to some poor people. So we want to have
16 a better working relationship with that.

17 Now, let me say what you have
18 done really well. When we had that
19 unemployment seminar up at St. Joe's,
20 that place was packed from dawn to dusk.
21 Those are the kinds of interactions I
22 think we need as members to better
23 service people in our communities.

24 MR. BULLOCK: We actually just
25 did another one of those job fairs down

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 in South Philly at Dixon House.

3 So we know where the poverty
4 is, and there's some areas the poverty is
5 much more concentrated than others.
6 There are areas in neighborhoods where
7 the poverty rate is upwards of 50
8 percent, double the City's rate, but
9 probably three or four times the state
10 and national rate. So we do know where
11 poverty is, and we do try to focus our
12 resources in those areas.

13 COUNCILMAN JONES: Can you
14 explain why last year we had upwards of
15 34,000 people utilizing your services
16 compared to this year there's a downtick
17 to about -- there's a 13,000 drop-off in
18 the number of people services. Are there
19 less poor people?

20 MR. BULLOCK: There's just less
21 money to serve them.

22 COUNCILMAN JONES: Tell us
23 about that.

24 MR. BULLOCK: We had a 5
25 percent budget cut to our CSBG grant, but

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 also beginning last year with the end of
3 the CSBG ARRA funds, the stimulus dollars
4 that we received.

5 COUNCILMAN JONES: Can you
6 elaborate what they were used for.

7 MR. BULLOCK: They were used
8 for job development and job training
9 purposes. A lot of potential lies in
10 adult literacy and education programs
11 that lead to employment. So what
12 happened, we had about \$8.3 million come
13 in through ARRA funds in 2010, and the
14 result was an ability to provide
15 increased services. So the drop-off is
16 really catered to a reduced budget to
17 provide services to more poor people.

18 COUNCILMAN JONES: So of your
19 job training programs, what were your
20 performance numbers by way of that?

21 MR. BULLOCK: Last year we've
22 gotten about 111 individuals employed.

23 COUNCILMAN JONES: And how much
24 was that per person?

25 MR. BULLOCK: I would have to

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 get back to you on the number and I will
3 get back to you on that number, but we've
4 done a really good job over the past
5 couple years in leveraging our dollars.
6 We've done a really good job over the
7 past couple of years in leveraging our
8 dollars, particularly in the non-profit
9 arena, because they're bringing money to
10 the table as well. So we've actually
11 been paying less per person because we're
12 not putting all the money up.

13 COUNCILMAN JONES: So who are
14 those collaborations on employment with?

15 MR. BULLOCK: PHA being one of
16 them, People for People, Impact Services,
17 the Federation for Neighborhood Centers'
18 Diversity Apprenticeship Program.

19 COUNCILMAN JONES: You can
20 still talk. It means for me to stop
21 talking. Go ahead.

22 MR. BULLOCK: Also Center for
23 Literacy.

24 COUNCILMAN JONES: Over the
25 last five years, has there been a

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 difference in the demographic of poverty?
3 How many women, how many men, how many
4 black, white, Latino, Asian? Has the
5 profile of poor changed at all?

6 MR. BULLOCK: What we have
7 found since about 2009, there's a number
8 of people who would normally be in the
9 working or middle-classes falling below
10 the line. Those are the people who have
11 been hit with the foreclosure crisis.
12 MOCS has been involved in that too and
13 sending workers out to knock on people's
14 doors to help them save their homes. But
15 that's the biggest thing that we're
16 seeing. We know that we --

17 COUNCILMAN JONES: But my
18 question is, what does a poor person look
19 like demographically? And I don't mean
20 it literally. I mean it statistically.
21 Has that -- if I were to see the average
22 medium poor person walk through those
23 Chambers, is it a woman, is it a man, is
24 it Asian, is it Latino, is it black, is
25 it white? Have you done a census of what

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 poverty looks like in the City of
3 Philadelphia?

4 MR. BULLOCK: Yes, and they
5 look like all of us. I wouldn't tell you
6 that they would be black or Latino.

7 COUNCILMAN JONES: So of the 26
8 percent, has there been a census to tell
9 me what percentage is African American,
10 what percentage is --

11 MR. BULLOCK: Yes.

12 COUNCILMAN JONES: So what are
13 those numbers?

14 MR. BULLOCK: We do have those
15 numbers. In fact, we just completed a
16 recent needs assessment in 2011, and we
17 do have those percentages and I will --

18 COUNCILMAN JONES: What are
19 they? Do you have them now?

20 MR. BULLOCK: I don't have them
21 now, no.

22 COUNCILMAN JONES: So you will
23 get that to the Chair and they'll
24 distribute it to members of Council.

25 What percentage of the poor

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 population is immigrant?

3 MR. BULLOCK: I do not have
4 that information on me now.

5 COUNCILMAN JONES: Would that
6 be found in your --

7 MR. BULLOCK: That would be
8 found in the needs assessment, yes.

9 COUNCILMAN JONES: What
10 percentage of the poor is senior?

11 MR. BULLOCK: Actually, not a
12 very large percentage. The largest
13 percentage is represented by single women
14 with children.

15 COUNCILMAN JONES: What
16 percentage of the poor in Philadelphia is
17 youth?

18 MR. BULLOCK: I think it's
19 upwards of 30 percent.

20 COUNCILMAN JONES: Now, these
21 are numbers that are being written down
22 and we're going to look at them.

23 MR. BULLOCK: I'm going to get
24 you the needs assessment.

25 COUNCILMAN JONES: So it's

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 better to tell me "I don't know" than
3 tell me something that is a little bit
4 off, because that's important as we start
5 to -- and here's why it's important. As
6 we start to deal with tough budget times
7 and we got to make some decisions that
8 nobody is going to like, we need to know
9 where to spend and invest our dollars,
10 like more in YouthBuild or in senior
11 relief centers such as adult daycare.
12 But we have to make those decisions based
13 on a statistical analysis of the anatomy
14 of poor people.

15 MR. BULLOCK: Absolutely.

16 COUNCILMAN JONES: So those
17 demographics are important to us.

18 Can you provide us a list of
19 where, by district, the poor people in
20 Philadelphia are?

21 MR. BULLOCK: We can show you
22 by zip code.

23 COUNCILMAN JONES: Can you work
24 with your IT people to make it palatable
25 to us by district? Because although you

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 may do it by census tract, and I
3 understand that --

4 MR. BULLOCK: That's correct.

5 COUNCILMAN JONES: -- although
6 you may do it by zip code, we cross zip
7 codes, we cross census tracts and it
8 helps us to better plan allocation of
9 resources as well. So if you could
10 massage that data to make it useful
11 information for the members, that would
12 be helpful.

13 And the reason why you're up
14 here is because it's not just Otis; we
15 want this as a strategic plan --

16 MS. BIEMILLER: I appreciate
17 that. Thank you.

18 COUNCILMAN JONES: -- to do
19 that.

20 How many families last year did
21 you move from poverty to
22 self-sufficiency?

23 MR. BULLOCK: As I mentioned
24 previously, we are responsible for 111
25 individuals receiving employment. And

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 just so you know, this employment were
3 good jobs, because there's a difference
4 between having just a job and still being
5 poor and having a job or a career where
6 you're making a living wage, and these
7 jobs have been pretty decent jobs.

8 COUNCILMAN JONES: That's an
9 important step, but how did that impact
10 the family household? Because a part of
11 your deliverables are to move families
12 from poverty to self-sufficiency, and it
13 would help me to understand and my
14 colleagues to understand how many
15 families moved to self-sufficiency
16 through your assistance.

17 MR. BULLOCK: Right. That's
18 just one aspect of it, because jobs is
19 one aspect of it, but you also have
20 housing components, and we serviced over
21 3,000 families through the Office of
22 Supportive Housing with housing services
23 and helping them.

24 COUNCILMAN JONES: What type of
25 services?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MR. BULLOCK: Case management
3 and moving them into permanent housing
4 situations.

5 COUNCILMAN JONES: So if you
6 were to use a matrix of your own
7 choosing, you can call it employment, you
8 can call it a little bit of housing, you
9 can call it food subsidies, whatever, the
10 question is, how many families in the
11 city the size of Philadelphia through
12 your efforts were moved from poverty to
13 self-sufficiency? You don't have to
14 answer that now, but that's one of those
15 questions that we will require an answer
16 and there's going to be a callback on it.
17 Last year I let it go. This year I want
18 to know, not because of a "gotcha"
19 moment, but I need us as a body and us as
20 a city to "get it" moment, because it's
21 that critical out there.

22 MR. BULLOCK: But I just would
23 like to add, Councilman, that we also
24 need to understand that the
25 self-sufficiency standard is much more

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 complex, and part of the conversation in
3 talking about poverty is that we have to
4 come up with a common language or a
5 common definition for self-sufficiency
6 when we talk about it.

7 COUNCILMAN JONES: All right.
8 I mean, whatever standard you -- if you
9 tell me middle class is X, I'm going to
10 go with it. I would like it somewhat
11 consistent with federal and state
12 standards. That's fine with me. But if
13 you tell me that a house plus a job
14 equals self-sufficiency, I'll -- but I
15 want to know -- I want to quantify how
16 and in what ways are we moving people to
17 that.

18 Non-custodial fathers, there's
19 a program to provide them with career
20 advancement. How did you do with that
21 last year?

22 MR. BULLOCK: Actually, most of
23 the 111 jobs, particularly 78 of them,
24 were with that group, yes.

25 COUNCILMAN JONES: Okay. So

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 how many of them then paid child support?

3 MR. BULLOCK: We still have
4 been unable to track that number.

5 COUNCILMAN JONES: Is it my
6 understanding that the non-custodial
7 fathers are referred by the courts?

8 MR. BULLOCK: They are referred
9 by the courts.

10 COUNCILMAN JONES: And the
11 reason they're referred by the courts is
12 so that they cannot claim hardship and
13 not pay the child support that the court
14 allocates?

15 MR. BULLOCK: Right.

16 COUNCILMAN JONES: And so an
17 important measurement is that now we got
18 them trained, now we got them a job, are
19 they paying, mom or dad, their child
20 support? And I think that's an important
21 statistic for us to have.

22 MR. BULLOCK: I agree, yes.

23 COUNCILMAN JONES: The reason
24 you're there is, this isn't all his
25 responsibility.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 How many of your requests -- I
3 think it was 24,000 folk that came in
4 your office last year -- 21,000. How
5 many of them came for food relief?

6 MR. BULLOCK: Just one second.

7 MS. BIEMILLER: Just a point of
8 clarification while Otis looks -- I mean,
9 are you talking about people who came to
10 MOCS in search of -- because they were
11 hungry?

12 COUNCILMAN JONES: People come
13 to my office and tell me point blank,
14 Councilman, I can't feed my family.

15 MS. BIEMILLER: Right. I'm
16 not -- I mean, Otis can jump in if I'm
17 incorrect in this, but I think that the
18 initial points of contact for most people
19 who are in hunger are organizations like
20 Philabundance, but I'm not sure if
21 MOCS --

22 COUNCILMAN JONES: I don't
23 doubt that.

24 MS. BIEMILLER: -- gets too
25 many referrals.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MR. BULLOCK: We actually
3 partner with Philabundance, and through
4 Philabundance at our 6th Street office,
5 Philabundance serves about 1,500 people
6 down there. But most people who have any
7 type of food insecurities will come
8 through the Community Engagement Unit,
9 and we track it as an emergency service
10 and not necessarily as a food service.
11 So I can more likely tell you how many --

12 COUNCILMAN JONES: That's
13 important again for me to understand,
14 because you have to make a choice between
15 heating and eating, and that's an unfair
16 choice. It is a false choice. But if
17 we're going to put money in things, we
18 need to know where the need is.

19 We could afford ten years ago
20 to use a shotgun by way of budget and
21 just cover everything. Today we have to
22 use a laser beam, because we're making
23 tough choices.

24 So that kind of data to us
25 helps us sharpen our pencils by way of

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 budget, and that's why I asked. And
3 Philabundance is a worthwhile program.
4 The Council President took us out there
5 into the great 1st and 2nd Council
6 Districts, respectively, and we did a
7 tour, but there's other programs that
8 have been brought to my attention by the
9 queen of anti-poverty, which is
10 Councilwoman Blackwell, like Food for
11 Life, Salvation Army, Hospitality
12 Coalition of the University of Penn, the
13 United Way, just to name a few, so that
14 if we can create better coalitions with
15 these kinds of service delivery
16 organizations, I agree that you are
17 better as a planner and facilitator than
18 direct -- I wouldn't want you and your
19 staff out there on the Parkway giving out
20 food, but I do want you to facilitate
21 funding for people who do. You know what
22 I mean?

23 MR. BULLOCK: And we do.

24 COUNCILMAN JONES: All right.

25 So these are other -- how many

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 requests --

3 COUNCIL PRESIDENT CLARKE:

4 Councilman, we have another member.

5 COUNCILMAN JONES: I'm sorry.

6 I'll yield, but I'm coming back.

7 COUNCIL PRESIDENT CLARKE: I

8 know. Thank you.

9 Councilman Squilla.

10 COUNCILMAN SQUILLA: Yes. Hi.

11 How are you? I have a question on

12 actually the formation of the Board and I

13 guess you have elections for Mayor's

14 Office of Community Service?

15 MR. BULLOCK: That is correct.

16 COUNCILMAN SQUILLA: How many

17 people are elected?

18 MR. BULLOCK: In the past, 12;

19 now eight. And I'll tell you why. What

20 MOCS has as a requirement of our grant is

21 what's called a tripartite Board. That's

22 a third of the Board is appointed by the

23 Mayor, who are public officials; another

24 third is from the private non-profit

25 sector, which is also appointed by the

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Mayor; and another third has to be
3 elected from low-income communities. We
4 had a 36-member Board, which would make
5 it 12, 12 and 12, and now we just
6 recently changed our bylaws to reduce the
7 Board size to 24, which would make it 8,
8 8 and 8.

9 COUNCILMAN SQUILLA: Out of
10 that Board, when you meet, is that how
11 things are decided what direction you're
12 going to go?

13 MR. BULLOCK: At the Board
14 meeting? The Board is an advisory Board.
15 It's not a controlling Board. All of my
16 authority and direction comes from the
17 Mayor's Office.

18 COUNCILMAN SQUILLA: That
19 election process that you have, is that
20 done by a district or do you grab a
21 certain geographic area and try to get
22 somebody from each part of the City?

23 MR. BULLOCK: It's done based
24 upon poverty areas that are determined by
25 census tract. We actually have to redo

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the lines with the new 2010 census and
3 also the reduction in a number of poverty
4 areas, but they're based upon census
5 tracts, and we'll be working with the
6 Planning Commission to determine those
7 areas.

8 COUNCILMAN SQUILLA: So each
9 Board is elected for one year, is it?

10 MR. BULLOCK: For two years.

11 COUNCILMAN SQUILLA: Two-year
12 term?

13 MR. BULLOCK: Two-year term,
14 yes.

15 COUNCILMAN SQUILLA: So the
16 Mayor appoints the first eight and the
17 second eight are appointed by, you said,
18 community groups?

19 MR. BULLOCK: The Mayor
20 actually appoints the 16.

21 COUNCILMAN SQUILLA: He
22 appoints 16 and then eight are elected?

23 MR. BULLOCK: And eight are
24 elected.

25 COUNCILMAN SQUILLA: According

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 to the census tracts and what areas --

3 MR. BULLOCK: By folks in their
4 neighborhood, yes.

5 COUNCILMAN SQUILLA: Now, is
6 there a cost to that election from MOCS?
7 Do you have to pay to have a certified
8 election?

9 MR. BULLOCK: No. We have our
10 Community Engagement Unit conduct the
11 elections.

12 COUNCILMAN SQUILLA: All right.
13 And they conduct the elections. They're
14 part of MOCS, they're paid for by MOCS?

15 MR. BULLOCK: They are paid for
16 by MOCS, yes.

17 COUNCILMAN SQUILLA: I guess
18 there would be eight separate sites?

19 MR. BULLOCK: Absolutely. Yes.

20 COUNCILMAN SQUILLA: And then
21 they conduct the election on that day?

22 MR. BULLOCK: Yes.

23 COUNCILMAN SQUILLA: And then
24 you, I guess, tally the ballots and then
25 those eight people would have a two-year

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 term along the Board with the other 16?

3 MR. BULLOCK: That's correct.

4 COUNCILMAN SQUILLA: And it's
5 just an advisory Board, though. They
6 just advise the Council what they believe
7 should be done?

8 MR. BULLOCK: Right.

9 Absolutely. And in the past, we've used
10 the advisory Board to help us conduct and
11 develop our needs assessments, our
12 community needs assessments.

13 COUNCILMAN SQUILLA: Okay.
14 Thank you.

15 COUNCIL PRESIDENT CLARKE: The
16 Chair recognizes Councilman Jones.

17 COUNCILMAN JONES: Thank you,
18 Mr. President.

19 Can you tell us who is on your
20 Board of Directors?

21 MR. BULLOCK: I can forward you
22 a list, Councilman, as I did last year.

23 COUNCILMAN JONES: Has it
24 changed any?

25 MR. BULLOCK: Not much, no.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCILMAN JONES: Could you
3 provide the Chair with a list of your
4 Board members. And what is the
5 responsibility of your Board?

6 MR. BULLOCK: They are an
7 advisory Board. So unlike boards of many
8 non-profits that have fiscal
9 responsibility and controlling
10 responsibilities, it's not that type of
11 Board, but what they do was provide
12 volunteer support, advice, expertise in
13 their areas, particularly with the
14 community Board members.

15 COUNCILMAN JONES: How many are
16 on your Board?

17 MR. BULLOCK: There are just
18 eight of them. There are eight of them.
19 They provide us with insight from within
20 the neighborhoods, but they also take
21 resources and --

22 COUNCILMAN JONES: Aren't they
23 supposed to raise you some money,
24 according to their responsibilities?

25 MR. BULLOCK: That has not

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 traditionally been their role.

3 COUNCILMAN JONES: When I say
4 "raise money," I don't mean for them to
5 write you a personal check, but to serve
6 as an advisory group that can identify
7 resources that can be attributed to the
8 anti-poverty effort.

9 MR. BULLOCK: Oh, yeah.
10 Absolutely.

11 COUNCILMAN JONES: Have they
12 raised you any money?

13 MR. BULLOCK: No.

14 COUNCILMAN JONES: MOCS,
15 according to your CSBG regulations, has a
16 responsibility to provide or raise
17 matching money; is that right?

18 MR. BULLOCK: They want us to
19 leverage the dollars to --

20 COUNCILMAN JONES: It's a
21 requirement.

22 MR. BULLOCK: Right. So the
23 Community Services Block Grant is not
24 supposed to be our sole primary grant.

25 COUNCILMAN JONES: Correct.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 What percentage does the Community
3 Service Block Grant represent, and not
4 government money but non-governmental
5 money?

6 MR. BULLOCK: If you look at
7 the allocation request, it's about a \$6
8 million request for Community Services
9 Block Grant. Our total revenue is about
10 8 million.

11 COUNCILMAN JONES: What does
12 the other 2 million represent?

13 MR. BULLOCK: The other 2
14 million represents 1.5 million from the
15 Department of Welfare --

16 COUNCILMAN JONES: Still
17 government money.

18 MR. BULLOCK: -- of Employment
19 and Training Programs and \$578,000 from
20 the Corporation of National and Community
21 Services.

22 COUNCILMAN JONES: So my
23 suggestion is, by way of leverage as a
24 goal, as we start to -- because this is
25 not going away. You need to increase

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 your non-governmental fundraising, and
3 you have -- I'm not going to tell you
4 what the percentage should be, but there
5 should be a goal of increasing it
6 annually. And the reason I say that is
7 because in today's grantsmanship, you
8 have to have matching dollars that are
9 non-governmental. So we need to start
10 exercising as a city that particular
11 aspect of it.

12 Why did you leave? We weren't
13 done. Come on. We having fun.

14 So that should be --

15 MR. BULLOCK: To that point,
16 Councilman, I would say that as a
17 community action agency -- and we're one
18 of 1,100 in the entire nation -- the best
19 community action agencies, for every CSBG
20 dollar that they bring in, that they
21 leverage it about 15 to one with private
22 dollars. But the best community action
23 agencies are 501(c)(3) non-profits, which
24 we are not, which actually creates some
25 challenges in raising funds for some of

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 that.

3 COUNCILMAN JONES: Because I
4 actually see here I asked you that
5 question about non-governmental dollars
6 last year, and your quote was, "That's a
7 good question, and now that we're not
8 restricted in any way from going after
9 additional pools of money, as in the
10 past, we have not done it, but it is my
11 intention to start doing that." And I
12 quote.

13 MR. BULLOCK: Right. That is
14 correct, and I remember. And we are not
15 restricted, but what we have done over
16 the past year instead of in a traditional
17 way of bringing revenue in, we partner
18 with more non-profits to leverage those
19 dollars.

20 COUNCILMAN JONES: Okay.
21 That's in the spirit of what I'm talking
22 about. I want to know for every
23 government dollar, what does that
24 leverage. And so that is a legitimate
25 measurement, and beyond that, is there an

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 RFP group or group within your shop that
3 goes after that type of money from
4 foundations, other entities?

5 MR. BULLOCK: No. There is not
6 a group that goes after that type money.

7 COUNCILMAN JONES: That's a
8 goal. We're going to give you a copy of
9 the transcript. So what I'd like you to
10 do as a goal is to create, whether it's
11 through your Board or through your staff,
12 a group that goes out. There's a lot of
13 anti-poverty money. Somebody suggested
14 that you go after the stimulus money.
15 You did, and that was -- how much was
16 that?

17 MR. BULLOCK: Eight point
18 three.

19 COUNCILMAN JONES: Eight point
20 three million came in to help poor people
21 in the City of Philadelphia based on
22 that, and 13,000 more people were
23 assisted. So that effort is something we
24 want to see going forward, because,
25 again, there's a lot of poor people

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2 knocking on the door looking for help and
3 you're our last and greatest hope.

4 MR. BULLOCK: One of the things
5 I would like to add is that although we
6 are a community action agency, we're a
7 government agency too, and what we don't
8 want to do, we want to be careful about,
9 is putting ourselves to be competition
10 with other groups or non-profits that are
11 providing services.

12 COUNCILMAN JONES: So we need
13 to have a matrix that shows where we have
14 a no-compete clause where there's a void.
15 If there's a void, then that's where you
16 should be the first in, and even if it
17 means going after businesses leaving.
18 There's another group called Resources
19 for Human Development. Do you do any
20 partnership with them?

21 MR. BULLOCK: No.

22 COUNCILMAN JONES: Okay.
23 They're probably a \$25 million
24 non-profit. They do everything from soup
25 to nuts, build things, work with people

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 in recovery. They do a wide variety of
3 things in a non-governmental sense,
4 similar to you, but if you work with them
5 on planning, if you work with them on
6 synergies, if you look at that more
7 people get help by different coffers by
8 you guys working together, and those
9 coalitions need to happen, in my opinion,
10 a little more.

11 MR. BULLOCK: Absolutely. And
12 to your point, one of the grants that we
13 are working on is with PHA and OHCD
14 applying for a Choice Neighborhood grant.

15 COUNCILMAN JONES: Who on your
16 staff is responsible for those kinds of
17 decisions to reach out to groups that
18 maybe that there's a synergy that you can
19 have?

20 MR. BULLOCK: Well, I have my
21 Assistant Director of Policy and
22 Research, but I also have my --

23 COUNCILMAN JONES: Who is that?

24 MR. BULLOCK: Ben Stango. But
25 I also have my Director of Programs, Mark

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Spearman.

3 COUNCILMAN JONES: We need a
4 lot more out of you.

5 MR. BULLOCK: And my Director
6 of Contracts and Grants, Dionne Lewis.
7 We work as a team on these type of
8 projects.

9 COUNCILMAN JONES: Because
10 currently we don't have a lot of
11 non-profit outside dollars. We're going
12 to look to see how you grow from this
13 year to next in that regard. Fair?

14 ELogic, you mention that --
15 many of the questions that I asked today
16 I thought would be able to be answered
17 through this eLogic model. Is that what
18 it's for?

19 MR. BULLOCK: ELogic is an
20 electronic intake and case management
21 tool that we just started to implement
22 last year. Beginning last year, we
23 implemented it with the programs that
24 MOCS directly administer, but we have not
25 yet implemented it with the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 subcontractors who provide services for
3 us. So that's the next step in eLogic.

4 So what eLogic can tell you
5 right now is how many people MOCS service
6 directly, but it won't tell you right now
7 how many people MOCS serviced through the
8 subcontracts and through other type of
9 funding streams and other entities.

10 COUNCILMAN JONES: And is it a
11 goal of your organization to have it
12 include your subcontractors next year?

13 MR. BULLOCK: That's a goal.
14 We're starting that process this year.

15 COUNCILMAN JONES: And would
16 eLogic also tell me the ratio of
17 public-private dollars?

18 MR. BULLOCK: It will not tell
19 you that. It's a case management tool.

20 COUNCILMAN JONES: All right.
21 That's not a finance tool, okay.

22 So we look forward to you being
23 able to do that successfully and deal
24 with some of your subcontractors'
25 outcomes.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Who monitors MOCS?

3 MR. BULLOCK: Well, we get
4 three major grants, so we get monitored
5 pretty often. The Department of
6 Community and Economic Development from
7 the state monitors our CSBG grant. The
8 Bureau of Employment and Training
9 Programs monitors that grant with
10 WorkWise and --

11 COUNCILMAN JONES: What are the
12 outcomes the state looks for by way of
13 your performance?

14 MR. BULLOCK: With CSBG, our
15 main national grant, there are six
16 national goals. They're broken down into
17 family goals, community goals and agency
18 goals, and there's just hundreds of
19 indicators that the Department of
20 Community and Economic Development use to
21 measure our performance.

22 COUNCILMAN JONES: Would you
23 agree that the main dozen are employment,
24 education, income management, housing,
25 emergency services, nutrition, linkages,

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 self-sufficiency, health and others?

3 MR. BULLOCK: Those are the
4 areas of concentration, yes.

5 COUNCILMAN JONES: So based on
6 your last submission to your monitors,
7 you should have those measurements,
8 correct?

9 MR. BULLOCK: Yes, and we do.

10 COUNCILMAN JONES: So can you
11 submit that to the Chair and members of
12 Council?

13 MR. BULLOCK: Sure.

14 COUNCILMAN JONES: Because that
15 gives us a snapshot as to how well we're
16 doing.

17 What's the difference between
18 the Fatherhood Initiative Program and
19 WorkWise?

20 MR. BULLOCK: The Fatherhood
21 Initiative Program is geared towards
22 reconnecting non-custodial fathers with
23 their children.

24 COUNCILMAN JONES: That's the
25 one we talked about. So what's the other

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 one?

3 MR. BULLOCK: WorkWise is our
4 supported work program out of the
5 Department of Welfare, which is geared
6 towards removing barriers and providing
7 job training and placement services to
8 women on welfare.

9 COUNCILMAN JONES: Women on
10 welfare?

11 MR. BULLOCK: Yes.

12 COUNCILMAN JONES: That's out
13 of curiosity. Why wouldn't men be
14 targeted? How come it's just women?

15 MS. BIEMILLER: I think the
16 rules of WorkWise -- and we can get
17 clarification on this, if I'm
18 incorrect -- I think it's tied to TANF
19 recipients, who tend mostly to be women.

20 COUNCILMAN JONES: So it's not
21 exclusive --

22 MS. BIEMILLER: No, no.

23 MR. BULLOCK: It's not
24 exclusive, but that's who are mostly on
25 the rolls.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MS. BIEMILLER: Right.

3 COUNCILMAN JONES: Okay. To
4 what degree do you work with LIHEAP?

5 MR. BULLOCK: Our Community
6 Engagement Unit work with LIHEAP pretty
7 intensively. We provide a lot of
8 services to people who need emergency
9 energy assistance during the winter
10 months.

11 COUNCILMAN JONES: How many
12 people did your agency assist to obtain
13 LIHEAP last year?

14 MR. BULLOCK: LIHEAP itself, I
15 couldn't tell you right now. What I
16 could tell you, that CEU has serviced
17 about 4,887 individuals last year.

18 COUNCILMAN JONES: Okay.

19 Mr. President, what I'd like to
20 do is, I want to stop at this point. I
21 want to submit the rest of my questions
22 in writing, because I had, as Bill Green
23 would have, I have four more pages, but I
24 won't burden my colleagues with it.

25 But what my colleagues have

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 done is submitted a resolution that we
3 will submit next Thursday calling for the
4 joint Committees on Public Health and
5 Human Services and Housing, Neighborhood
6 Development and Homelessness to examine
7 progress in anti-poverty organizations
8 such as the Mayor's Office of Community
9 Service, but not limited to, in the
10 direction of alleviating poverty in the
11 City of Philadelphia in furtherance of
12 such investigations; authorizing -- I
13 won't even read the rest. It's a lot
14 of -- so what we are going to do is,
15 we've done the foundation of laying the
16 questions. We will give you some time to
17 pull together, along with the
18 Administration, that vision, some of
19 those answers, and then you will come
20 back before this body before we pass a
21 budget and answer those questions with a
22 little more kind of substance on the
23 quantification of the answers. Fair?

24 Mr. President, is that all
25 right with you?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCIL PRESIDENT CLARKE:

3 Certainly, Councilman. We actually have
4 callbacks next Tuesday. So in addition
5 to submitting that information now, if
6 you want to call back the MOCS for
7 Tuesday, you can do that to follow up on
8 those questions.

9 COUNCILMAN JONES: Thank you,
10 Mr. President. And thank my colleagues
11 for their indulgence.

12 COUNCIL PRESIDENT CLARKE: I'm
13 going to actually need you to relieve me
14 because I have a meeting in the office at
15 3:00 in a minute. I have a couple of
16 questions of OHCD and then I'm going to
17 have to ask you to relieve me, please.

18 COUNCILMAN JONES: Yes, sir.

19 COUNCIL PRESIDENT CLARKE:

20 Thank you.

21 COUNCILMAN KENNEY:

22 Mr. President, just one quick.

23 I think I know the answer to
24 this question, but how many General Fund
25 dollars are in MOCS?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MR. BULLOCK: None.

3 COUNCILMAN KENNEY: None. So
4 the 8.4, it's all restricted?

5 MR. BULLOCK: It's all grants
6 funds.

7 COUNCILMAN KENNEY: Strictly
8 grant funds?

9 MR. BULLOCK: Yes.

10 COUNCILMAN KENNEY: Not a dime
11 of City money?

12 MR. BULLOCK: Not a dime of
13 City money.

14 COUNCILMAN KENNEY: Thank you.

15 COUNCIL PRESIDENT CLARKE:

16 Thank you, Councilman.

17 Any other questions?

18 (No response.)

19 COUNCIL PRESIDENT CLARKE:

20 Thank you very much for your testimony.

21 MR. BULLOCK: Thank you.

22 COUNCIL PRESIDENT CLARKE: And
23 look forward to possibly being called
24 back next Tuesday.

25 MR. BULLOCK: All right. Thank

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 you.

3 COUNCIL PRESIDENT CLARKE: The
4 Chair now would like to call Ms. Deborah
5 McColloch from OHCD.

6 (Witness approached witness
7 table.)

8 COUNCIL PRESIDENT CLARKE: Good
9 afternoon.

10 MS. MCCOLLOCH: Good afternoon.

11 COUNCIL PRESIDENT CLARKE:
12 Please proceed.

13 MS. MCCOLLOCH: Good afternoon.
14 My name is Deborah McColloch. I'm the
15 Director of Housing. And you have my
16 complete testimony, so I'm just going to
17 summarize a couple of points from it.

18 The General Fund is only a very
19 small part of the budget of the Office of
20 Housing and Community Development. Our
21 proposed total budget authority from
22 what's been presented to you is a
23 request -- from all sources is a request
24 for 188.4 million. Our General Fund
25 request is only 2.52 million, which we

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 propose to be allocated to three
3 programs - the Vacant Land Management
4 Program called Philadelphia Land Care,
5 the Settlement Grant Program and the
6 Tangled Title Program. Our Fiscal Year
7 2013 General Fund budget request is the
8 same amount as we requested in Fiscal
9 Year '12.

10 In Fiscal Year 2013, our
11 Community Development Block Grant
12 funding, which comes from the federal
13 government, has been reduced by 17
14 percent, a reduction of \$7.843 million.
15 And our HOME funding, also a federal
16 grant, has been reduced by 42 percent, a
17 reduction of 6.051 million. Coupled with
18 a reduction in prior years' program
19 income, the total reduction that you'll
20 see in our budget when we present it in
21 the Consolidated Plan is 20.582 million.
22 A funding cut of this magnitude, of
23 course, will have an impact on both our
24 programs and our operations, all of which
25 is currently under review. The budget

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 that you have before you includes
3 reductions in departmental
4 appropriations, which may be adjusted
5 when that review is complete.

6 Council will have the
7 opportunity to review all of our proposed
8 reductions, both programmatic and
9 operational, when our Year 38 Proposed
10 Consolidated Plan is transmitted to City
11 Council. I anticipate that that will be
12 transmitted to Council the first or
13 second week of May. We intend to issue
14 what we call the preliminary plan this
15 week. We then hold a hearing on the
16 preliminary plan, take testimony, make
17 whatever modifications, and then transmit
18 the Proposed Consolidated Plan to City
19 Council. So we'll have another
20 opportunity to discuss our Plan in
21 detail, is why I'm going through that.

22 OHCD is a contracting and
23 monitoring agency and generally our OEO
24 goals are included in our contracts with
25 other agencies. The two largest agencies

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 with which we contract are the
3 Philadelphia Redevelopment Authority and
4 the Philadelphia Housing Development
5 Corporation. Both exceeded their goals
6 in Fiscal Year 2012. PRA achieved 28.7
7 percent and PHDC achieved 39.4 percent of
8 minority, women, disabled business
9 combined participation.

10 OHCD has only 11 contracts with
11 for-profit contractors, most of which are
12 appraisers and other technical assistance
13 providers, and OHCD for our small amount
14 achieved 46 percent minority
15 participation.

16 So I'm here to answer any
17 questions that you may have today,
18 recognizing that we'll be presenting our
19 full Consolidated Plan to you at a later
20 date.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, Ms. McColloch.

23 On your first page of your
24 testimony, you talk about, "Ideally, the
25 Consolidated Plan should occur prior to

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 the consideration of the Operating Budget
3 by City Council. However, as in the past
4 eighteen years, the hearings are
5 reversed."

6 Do you see a way that that
7 could actually happen?

8 MS. MCCOLLOCH: Well, the
9 difficulty with that is that most years
10 we do not receive our funding allocation
11 from the federal government in time to
12 prepare the Consolidated Plan to be
13 presented before the budget has to be
14 presented to City Council, the operating
15 budget has to be presented to City
16 Council. Our funding that gets presented
17 to you all is from the federal year that
18 started last October 1st. So the federal
19 budget of last October 1st will be our
20 budget that starts July 1st. And we do
21 not usually get our allocation from the
22 feds until December or January. Last
23 year, you may recall, we didn't get it
24 until April. This year we did get it at
25 the end of December, but that doesn't

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 give us enough time to prepare the
3 Consolidated Plan in accordance with the
4 requirements for citizen participation
5 and so forth that we need to in order to
6 present that before the operating budget
7 gets presented to you.

8 COUNCIL PRESIDENT CLARKE:
9 Okay. I mean, I agree with you that it
10 would be better if we had the
11 opportunity, but I thought maybe you
12 figured out a way to do it differently,
13 and I was going to ask for your
14 recommendation.

15 MS. MCCOLLOCH: If we could get
16 our numbers from the feds earlier, we
17 could do it earlier. If the federal
18 government actually passed a budget on
19 October 1st and we got our allocations in
20 October, then we would be synchronized.

21 COUNCIL PRESIDENT CLARKE: But
22 there's nothing within our control that
23 allows us --

24 MS. MCCOLLOCH: But it's
25 nothing within our control.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCIL PRESIDENT CLARKE: I
3 was just wondering if you had a new
4 strategy. I was more than willing to
5 attempt to adopt it.

6 Six million dollars in HOME
7 funding reduction, which represents 42
8 percent reduction, can you talk briefly
9 about the expected impact?

10 MS. MCCOLLOCH: Well, our HOME
11 funds are used primarily for housing
12 production programs, and we want to make
13 sure that we have enough money in our
14 affordable rental production category
15 that we meet all the Low-Income Housing
16 Tax Credit applications that are before
17 the Pennsylvania Housing Finance Agency
18 now. PHFA will make its tax credit
19 awards next week, and we want to ensure
20 that we have our share of what we need to
21 commit to those developments in our
22 affordable rental production.

23 So recognizing that that needs
24 to be there, I would anticipate that the
25 places that would be reduced are

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 homeownership housing production, mostly
3 because we currently have unsold
4 homeownership units and they also take a
5 much deeper subsidy than the affordable
6 rental units. And we also want to make
7 sure that whatever is in our pipeline,
8 both homeownership and rental, we meet
9 all of the commitments for developments
10 that we've already committed to that
11 haven't yet gone to closing.

12 COUNCIL PRESIDENT CLARKE:
13 Well, does the funding that will ensure
14 that we have enough to support any tax
15 credit awards assume that all of the
16 projects in the pipeline currently, the
17 projects that will be selected, will
18 receive tax credit funding, which is
19 unlikely? I mean, suppose everybody
20 got -- all of the projects currently
21 being reviewed by PHFA receive tax
22 credits. Will we be able to cover that
23 amount?

24 MS. MCCOLLOCH: We are going to
25 propose to you that we would be able to

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 cover that.

3 COUNCIL PRESIDENT CLARKE:
4 Okay. So if that does not happen, which
5 is likely, wouldn't that free up some
6 additional dollars for other earlier
7 referenced programs that would have to be
8 cut?

9 MS. MCCOLLOCH: Yes, it could,
10 depending on what the results of -- we
11 have to ensure that everything in our
12 pipeline is achieved, plus whatever --
13 that everything that we've committed to
14 from prior years, because it's always
15 sort of on a rolling basis, that we meet
16 all of those requirements and then we
17 meet whatever the pipeline -- whatever --
18 excuse me. Let me rephrase it.

19 We need to ensure that
20 everything in the pipeline is funded,
21 plus whatever PHFA awards in the next
22 couple of weeks.

23 COUNCIL PRESIDENT CLARKE:
24 Right. And my question is, if all of
25 that happens, PHFA says, We love all your

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Philly projects, in addition to which
3 we've made a commitment to fund
4 everything in the pipeline, we can cover
5 that?

6 MS. MCCOLLOCH: Correct.

7 COUNCIL PRESIDENT CLARKE: But
8 if, which is likely, PHFA will not fund
9 all of the projects that are currently
10 being reviewed -- I mean, you would
11 acknowledge that, right, it's unlikely?

12 MS. MCCOLLOCH: Right.

13 COUNCIL PRESIDENT CLARKE: Then
14 there should be some --

15 MS. MCCOLLOCH: Flexibility to
16 adjust.

17 COUNCIL PRESIDENT CLARKE: --
18 flexibility to do other things. So your
19 proposed block grant budget could change
20 in terms of some of the other categories
21 that we may decide to fund.

22 MS. MCCOLLOCH: And we would
23 make those adjustments because we'll know
24 from PHFA before we submit a Proposed
25 Consolidated Plan to you the beginning of

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 May.

3 COUNCIL PRESIDENT CLARKE: So
4 we will have a sense of what it is you're
5 proposing assuming that the likelihood is
6 that we will not get all of the tax
7 credits that we're requesting?

8 MS. MCCOLLOCH: Yes.

9 COUNCIL PRESIDENT CLARKE:
10 Okay. Your staff levels reduced from 74
11 to 64?

12 MS. MCCOLLOCH: That happened
13 last -- because we had layoffs at OHCD
14 last year after July 1st. So those were
15 layoffs based on the \$16 and a half
16 million reduction we had last year, but
17 the layoffs did not occur until after
18 July 1st and so they appear in this
19 budget, in the budget going forward to
20 FY13.

21 COUNCIL PRESIDENT CLARKE:
22 Okay. And do you have any outstanding
23 contract issues with employees? Because
24 every time I'm in a supermarket or
25 somewhere where somebody recognizes me,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 they say, Councilman, we never got our
3 raises.

4 MS. MCCOLLOCH: Well, we have
5 not had a new contract, a new collective
6 bargaining agreement, for seven years.
7 So collective -- staff members governed
8 by the collective bargaining agreement
9 have not received raises, because we are
10 still operating under a contract that is
11 seven years old.

12 COUNCIL PRESIDENT CLARKE: Is
13 the entity that's participating in that
14 particular bargaining issue Mr. Tolan,
15 the Labor Relations, or do you have a
16 separate --

17 MS. MCCOLLOCH: No. It's all
18 part of the --

19 COUNCIL PRESIDENT CLARKE: All
20 part of the -- and those employees are
21 all under?

22 MS. MCCOLLOCH: It's Local
23 1971.

24 COUNCIL PRESIDENT CLARKE:
25 Which is a part of 33?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MS. MCCOLLOCH: Yes, although
3 they have a separate contract, which is
4 why -- Local 1971 within our
5 constellation of agencies, we actually
6 have three collective bargaining
7 agreements, one with the Office of --
8 with the City for the Office of Housing
9 and Community Development, one with the
10 Philadelphia Housing Development
11 Corporation and a third one with the
12 Philadelphia Redevelopment Authority.

13 COUNCIL PRESIDENT CLARKE:
14 Okay. I'm going to cut it short there.
15 As you say, we have another bite at the
16 apple in a couple of weeks.

17 Thank you.

18 I would like to recognize
19 Councilman Bill Greenlee.

20 COUNCILMAN GREENLEE: Thank
21 you, Mr. President.

22 Good afternoon, Ms. McColloch.

23 MS. MCCOLLOCH: Good afternoon.

24 COUNCILMAN GREENLEE: The
25 Council President touched on one question

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 I had about the ten positions. So you
3 said they were really the ones we talked
4 about last year?

5 MS. MCCOLLOCH: Yes.

6 COUNCILMAN GREENLEE: And
7 that's all layoffs; that's not attrition?

8 MS. MCCOLLOCH: It was a
9 combination of vacancies and layoffs.

10 COUNCILMAN GREENLEE: Okay.
11 Had you ever given us the exact
12 positions, or could you do it again? Can
13 you forward that to the President,
14 please? Thank you.

15 And I know you said you'll
16 probably have more detail once the
17 Comprehensive Plan is done. But just one
18 thing. When you talk about your
19 accomplishments, you mentioned that over
20 7,300 properties that were helped through
21 basic systems, weatherization, whatever.
22 How do you see the next year in that? Do
23 you have a target on that, more, less?

24 MS. MCCOLLOCH: Well, one of
25 the priorities of the Office of Housing

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 and Community Development is to prevent
3 homelessness by keeping people in their
4 homes. So we want to try to fully fund
5 those programs again going forward. So I
6 would anticipate the numbers would not
7 drop off going forward, because the
8 budget that we'll be bringing back to you
9 proposes to fully fund those programs.

10 COUNCILMAN GREENLEE: Because
11 obviously they're really important
12 programs.

13 MS. McCOLLOCH: Yes.

14 COUNCILMAN GREENLEE: Just
15 lastly, if you can just talk a little
16 bit -- is there any particular focus you
17 have on the Tangled Title Program?
18 Because I know that's something I know
19 I've been interested in, Councilwoman
20 Sanchez and a lot of others. I know you
21 talk about the funding, but is there a
22 focus that you have?

23 MS. McCOLLOCH: The Tangled
24 Title Program is a program that provides
25 counseling and assistance to people who

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 can't get clear title to their
3 properties. And so the funding that is
4 provided in the General Fund is the money
5 that's used to actually pay off certain
6 payments that have to be made that can't
7 be achieved just through volunteers or
8 having -- the program uses volunteer
9 attorneys to assist people, but at some
10 point, there's some things that just have
11 to be paid off, and that's what the
12 General Fund money that is in this budget
13 goes to, because it can't -- the whole
14 program can't be done just through
15 counseling and pro bono.

16 COUNCILMAN GREENLEE: So
17 130,000 goes to that?

18 MS. MCCOLLOCH: Thirty thousand
19 goes to Tangled Title -- what's proposed
20 is 30,000 for Tangled Title, 100,000 in
21 General Fund for the Settlement
22 Assistance Program, and that's a program
23 that provides grants of \$500 to
24 first-time home buyers who go through our
25 housing counseling program, and then the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 remainder, which is 2.350 million, if I
3 did my math right, is proposed to go to
4 the Philadelphia Land Care Program,
5 Vacant Land Management Program that's
6 carried out through the Pennsylvania
7 Horticultural Society.

8 COUNCILMAN GREENLEE: Okay.
9 Great. Thank you.

10 Thank you, Mr. Chairman.

11 COUNCILMAN JONES: Thank you,
12 Councilman.

13 The Chair recognizes Councilman
14 Henon.

15 COUNCILMAN HENON: Thank you,
16 Chairman.

17 Good afternoon.

18 MS. MCCOLLOCH: Good afternoon.

19 COUNCILMAN HENON: A couple
20 things you started to speak about, and I
21 understand OHCD does a tremendous amount
22 of services for the people and the
23 neighborhood and the efforts to clean up
24 blight and make Philadelphia more
25 beautiful. So I understand that.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Could you provide me with a
3 breakdown of all the work that's been
4 taking place, either by zip or by Council
5 districts? Can you provide that to the
6 Chair for the City?

7 MS. MCCOLLOCH: All the work of
8 all of --

9 COUNCILMAN HENON: The work
10 that OHCD is providing in either services
11 or -- in services for people, for the
12 vacant lots, the Horticultural. What did
13 you say, what is that broken down on the
14 Horticultural program?

15 MS. MCCOLLOCH: It's called the
16 Philadelphia Land Care Program. It's a
17 program of vacant land management in
18 which properties are cleaned and greened.
19 There are three different components to
20 it - stabilization, community land care
21 and then the greening of it, and we could
22 provide that information about --

23 COUNCILMAN HENON: That's your
24 green and clean program?

25 MS. MCCOLLOCH: Right. And

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 through a contract with PHS, Pennsylvania
3 Horticultural Society, about 8,000 lots
4 are treated each year. So we could
5 provide the information about what
6 services are being provided through that.

7 COUNCILMAN HENON: Right. If
8 you could via either zip code or --
9 preferably councilmanic districts, if
10 that's available, to the Chair.

11 MS. McCOLLOCH: Okay.

12 COUNCILMAN HENON: Now, you had
13 mentioned all the programs, the new
14 affordable housing unit, 1,600 homes from
15 foreclosing and so on. Do you have a
16 list of those properties broken down by
17 councilmanic district as well, please?

18 MS. McCOLLOCH: Yes.

19 COUNCILMAN HENON: Does OHCD
20 own any property?

21 MS. McCOLLOCH: No. The City
22 of Philadelphia owns property through
23 Public Property, but OHCD does not own
24 property. I mean, OHCD is the City, but
25 the entity of the City that owns property

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 is Public Property, not OHCD.

3 COUNCILMAN HENON: Just a
4 question and for clarification.

5 Through your green and clean
6 program, how is that maintained? Who
7 maintains that, which department? Is it
8 OHCD or is it the Managing Director's
9 Office or Public Property?

10 MS. MCCOLLOCH: OHCD holds the
11 contract with the Pennsylvania
12 Horticultural Society to carry out the
13 program. So the work is actually done
14 through contracts that PHS then holds
15 with others, either non-profits or in
16 some cases for-profit landscapers that
17 take care of the lots.

18 COUNCILMAN HENON: So that
19 would be either a CDC --

20 MS. MCCOLLOCH: Correct. In
21 some cases --

22 COUNCILMAN HENON: -- or land
23 title group?

24 MS. MCCOLLOCH: Right.

25 COUNCILMAN HENON: So we don't

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 contract out for professional services to
3 maintain it, fence it off?

4 MS. MCCOLLOCH: No. We, the
5 City, OHCD, contracts with PHS,
6 Pennsylvania Horticultural Society, and
7 then PHS holds contracts with non-profits
8 and others to actually do the work.

9 COUNCILMAN HENON: Okay. That
10 was just a point of clarification.

11 And my last question is, I
12 read -- and it's a wonderful thing -- you
13 have a home buyer grant program. Can you
14 explain that?

15 MS. MCCOLLOCH: That's the
16 Settlement Assistance Program that I was
17 just describing. For first-time home
18 buyers who are income eligible that
19 receive housing counseling through a
20 housing counseling agency that holds a
21 contract with OHCD, they can be eligible
22 for a grant of up to \$500 to assist them
23 with settlement costs when they go to
24 settlement on their properties.

25 COUNCILMAN HENON: Okay.

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2 MS. McCOLLOCH: So the hundred
3 thousand dollars of the Settlement Grant
4 Program that we're requesting for General
5 Fund money, that's the actual grant, and
6 then the housing counseling portion of it
7 is provided through housing counseling
8 agencies that are funded with Community
9 Development Block Grant funds. So you
10 can't get the settlement grant unless you
11 go through the counseling.

12 COUNCILMAN HENON: Right.
13 Okay. Great. Thank you. I have no
14 further questions.

15 COUNCILMAN JONES: Thank you,
16 Councilman Henon.

17 I am next, but I'm going to
18 yield the majority of my time to
19 Councilwoman Brown, but three quick
20 questions.

21 One, what is the vacancy ratio
22 on commercial corridors in the City of
23 Philadelphia? Because I see in your
24 testimony you want to eliminate mixed-use
25 development funds. What is the vacancy

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 ratio on commercial corridors in
3 Philadelphia?

4 MS. MCCOLLOCH: I don't know
5 that sitting here, but I'll find that
6 out.

7 COUNCILMAN JONES: So we'll do
8 that in the next go-around.

9 Number two, NACs that are
10 funded through OHCD, are they scheduled
11 to be cut in any way?

12 MS. MCCOLLOCH: We anticipate
13 that there'll have to be reduction of NAC
14 funding because we have a \$20 million
15 overall reduction, but we are continuing
16 to support neighborhood advisory
17 committees.

18 COUNCILMAN JONES: So is that
19 going to be across-the-board cuts or is
20 that going to be more selective by --

21 MS. MCCOLLOCH: It will be
22 selective. It's not going to be across
23 the board. It will be, in part, looking
24 at those -- first looking at those
25 neighborhood advisory committees that may

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2 or may not have met their contract
3 compliance requirements for the existing
4 year, and then we'll have to look and
5 see -- that's our first cut, and then
6 look and see where else can we make
7 reductions.

8 COUNCILMAN JONES: Well, very
9 similar to the Mayor's Office of
10 Community Service line of question, OHCD
11 is an anti-poverty program. It is
12 designed to deal with low- and
13 moderate-income based people based on the
14 CDBG allocation, which is a sister akin
15 to what MOCS deals with.

16 So those contracts with those
17 NACs are very important underpinnings in
18 every district in the City of
19 Philadelphia. So if you could break down
20 by district what those NACs -- where
21 they're located, what their funding
22 levels are and then any proposed cuts
23 based on those councilmanic districts and
24 sit down with at least the District
25 Council and even the at-large

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2 Councilpeople to talk about those
3 impacts.

4 MS. MCCOLLOCH: Yes.

5 COUNCILMAN JONES: I'm going to
6 yield my question about YouthBuild to
7 Councilwoman Brown.

8 The Chair recognizes
9 Councilwoman Brown.

10 COUNCILWOMAN BROWN: Thank you.
11 Thank you, Mr. Chairman.

12 Two things. I would like an
13 update on YouthBuild, where the agency is
14 with that given the somewhat
15 unconventional but overdue involvement of
16 young people in building, rebuilding,
17 renovating homes in the City, number one.

18 And, number two, a detailed
19 update on the Philadelphia -- the Child
20 Care Facilities Activities Fund, where it
21 is, where we are and where we're going.

22 MS. MCCOLLOCH: Okay. The
23 Preliminary Consolidated Plan will be
24 issued later this week, and that will
25 outline all of our proposed activities

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2 and detail our priorities, which I just
3 said one of them is to prevent
4 homelessness by keeping people in their
5 houses.

6 COUNCILWOMAN BROWN: Sure.

7 MS. McCOLLOCH: A second is to
8 promote affordable housing production. A
9 third is to eliminate blight and promote
10 citizen participation. That would be our
11 NACs and our vacant land program that we
12 just talked about. And a fourth is to
13 create and attract jobs through
14 businesses and commercial corridors.

15 So given those four sets of
16 priorities, those four priorities, we
17 have to look at each program and review
18 the strategy for each program to see how
19 it meets those priorities.

20 So each of our programs,
21 including YouthBuild and Child Care
22 Facilities Fund, are looked at in that
23 rubric with those priorities. So when
24 the Preliminary Plan comes out later on,
25 it will be detailed in that, and we can

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2 give you any more information.

3 COUNCILWOMAN BROWN: So we can
4 wait for then. All right, then. Very
5 well.

6 That's it for me, Mr. Chairman,
7 at this hour.

8 COUNCILMAN JONES: The Chair
9 thanks the lady.

10 The Chair recognizes Councilman
11 Johnson.

12 COUNCILMAN JOHNSON: Thank you,
13 Mr. Leader.

14 How you doing, Deborah?

15 MS. MCCOLLOCH: Good. Thank
16 you.

17 COUNCILMAN JOHNSON: I just had
18 a couple questions. One, I don't want to
19 be redundant, but back in 1996, fresh out
20 of college, I think Bill Clinton was the
21 President at the time and started a
22 program called AmeriCorps, and during
23 that first year out of college, I did a
24 program called the National School and
25 Community Corps, and we did our first

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2 major presentation where Senator Harris
3 Wofford and Bill Clinton for the
4 YouthBuild program.

5 And so as we go through this
6 process, I'm going to be advocating in
7 any way possible to at least -- and a lot
8 of what the cuts are taking place aren't
9 of your fault, because they're coming
10 from the federal level and the state
11 level, but to try to sustain as much
12 funding as possible for the YouthBuild
13 program, primarily because it's dealing
14 with young people.

15 And so I've always been
16 passionate. I've always took the
17 AmeriCorps program personal, particularly
18 because a lot of times right now young
19 people don't have anything else to do.
20 It's one of those alternative programs
21 that gets young people involved in
22 something positive.

23 So I wanted to state that for
24 the record, and so we'll wait for the
25 Consolidated Plan.

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2 The other component is -- and I
3 don't know if I should have said this
4 while MOCS was here, because it was
5 touched on briefly, but I didn't know if
6 YouthBuild was here for MOCS or funding
7 for OHCD, but the level of young people
8 that come through YouthBuild and actually
9 really get a job in the trades. Now,
10 we're not just talking about the DAP
11 program. We're talking about go through
12 DAP, and then after DAP, they actually
13 get a high-paying union job.

14 Now, I don't know if that would
15 be under your jurisdiction, but I would
16 think because the City funds YouthBuild
17 we would have some type of idea what
18 those actual numbers look like. And so
19 that's something I will want to follow up
20 on, if you can answer it now, but I don't
21 want to catch you off the blind side if
22 you don't have those numbers. But
23 actually I want to see how are the young
24 people really being placed after they
25 finish the YouthBuild program.

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2 MS. MCCOLLOCH: I don't have
3 those figures with me today, but I can
4 provide that.

5 COUNCILMAN JOHNSON: All right.

6 And the other component -- and
7 I've always been supportive of OHCD from
8 the context of me being a community
9 organizer working with neighborhood
10 advisory councils to focus on development
11 of our neighborhood corridors and just
12 development in our communities just in
13 general.

14 Can you just give an overview
15 on the three programs and how they will
16 be impacted that a lot of constituents in
17 my office utilize very heavily. And
18 that's the Basic Systems Repair Program,
19 that's the Heater Hotline program, and
20 there was one more you mentioned in your
21 testimony as well, the modification.

22 MS. MCCOLLOCH: Adaptive
23 Modification.

24 COUNCILMAN JOHNSON: Adaptive
25 Modification Program. Because those are

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2 programs that we always are getting calls
3 from seniors, people are disabled, to get
4 a roof. I know people personally that
5 just got their bathroom done, you know.
6 And so that's a critical basic level of
7 service that you provide that's
8 important.

9 MS. MCCOLLOCH: I agree, and we
10 consider Basic Systems -- the Basic
11 Systems Repair Program to meet one of
12 those core priorities that I just talked
13 about, preventing homelessness by keeping
14 people in their houses, and we would
15 propose to try to fully fund that program
16 as we did last year. Last year it was
17 funded with approximately \$10 million,
18 and we will try to maintain that funding
19 through a combination of Community
20 Development Block Grant funding, funding
21 from the state and from funding from the
22 Housing Trust Fund.

23 The Adaptive Modifications
24 Program is funded primarily with funding
25 from the Housing Trust Fund, and we'll

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2 propose that, to maintain that level of
3 funding also.

4 And the Heater Hotline in the
5 past was funded through the state, and
6 when the state withdrew its funding a
7 year ago, we shifted that to the Housing
8 Trust Fund, recognizing that it's a
9 critical program and it was not eligible
10 to be funded through the Community
11 Development Block Grant funds. So we
12 would again propose that the Heater
13 Hotline continue to be funded using
14 Housing Trust Fund dollars.

15 COUNCILMAN JOHNSON: Thank you,
16 Deborah. And also in any way that -- and
17 I always put this out there for the
18 record from a supporter standpoint and an
19 advocacy standpoint -- that I can play a
20 role in terms of making sure as much
21 support go into those particular
22 initiatives as possible, don't hesitate
23 to give me a call.

24 Just the last component. I
25 know we did receive cuts on the state

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2 level and the federal level, and I know
3 the Administration have lobbyists that
4 actually go -- we just discussed this
5 earlier. They go to Harrisburg, they go
6 to DC. And so can you kind of give me an
7 idea on the lobbying efforts on the state
8 and federal level. We're getting cut,
9 but at the same time, we're actually
10 paying for lobbyists. How does that play
11 into us getting our fair share of the
12 pie? Because I'm one to believe we have
13 federal legislators, we have state
14 legislators, and I think we all need to
15 play our part. It's not pointing the
16 finger, but at the same time, you have to
17 go and advocate for these types of
18 programs in order to bring the resources
19 back to Philadelphia. I mean, like where
20 is Casey? I mean, where is Brady? And
21 these are all guys I know, and I'll put
22 it out there, but at the end of the day,
23 are we utilizing our federal and state
24 legislators to kind of help us out in
25 this context?

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2 MS. MCCOLLOCH: Well, I would
3 say we're certainly working with the
4 lobbyists to explain the needs that we
5 have, particularly in the Community
6 Development Block Grant world, and also
7 in Harrisburg as well, and I know
8 certainly the U.S. Conference of Mayors
9 has taken this on as one of its major
10 priorities. So Mayor Nutter has been
11 very involved with that to try to keep
12 Community Development Block Grant and
13 even raise it higher, because it was cut.
14 So certainly we're interacting with our
15 lobbyists to try to see what we can do.

16 COUNCILMAN JOHNSON: Thank you,
17 Deborah. For the record, that's all
18 congressional delegates on a federal
19 level as well as the state level,
20 including Mr. Toomey as well, because he
21 still represents the State of
22 Pennsylvania. So I put that out there
23 for the record.

24 But thank you for the work that
25 you're doing.

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2 MS. MCCOLLOCH: Thank you.

3 COUNCILMAN JONES: The Chair
4 thanks the Councilman.

5 The Chair recognizes now
6 Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank
8 you, Mr. Chairman.

9 Ms. McColloch, do you -- I
10 assume you don't, but are you in any way
11 involved in feeding or these new
12 initiatives around them and what happens?
13 Is your department involved?

14 MS. MCCOLLOCH: I'm sorry. I
15 just didn't hear what you said.

16 COUNCILWOMAN BLACKWELL:
17 Feeding in the park or feeding in Love
18 Park.

19 MS. MCCOLLOCH: No.

20 COUNCILWOMAN BLACKWELL: I
21 assume there's no involvement --

22 MS. MCCOLLOCH: No. The Office
23 of Housing and Community Development is
24 not.

25 COUNCILWOMAN BLACKWELL: All

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2 right.

3 We will, Mr. Chairman, just
4 look forward to viewing all your
5 successes and how they meet your core
6 objectives when you come back for the
7 Consolidated Plan. Thank you.

8 Thank you, Mr. Chairman.

9 COUNCILMAN JONES: The Chair
10 thanks Councilwoman Blackwell, now
11 recognizing Councilwoman Bass.

12 COUNCILWOMAN BASS: Thank you,
13 Mr. Chair.

14 Hi, Deborah.

15 MS. MCCOLLOCH: Hi.

16 COUNCILWOMAN BASS: How are
17 you?

18 MS. MCCOLLOCH: Good. Thank
19 you.

20 COUNCILWOMAN BASS: Just a
21 couple of quick questions for you. Many
22 moons ago, I worked as a housing
23 counselor for Mt. Airy USA. Back then it
24 was Mt. Airy Village Development. And so
25 even to this day -- that was more than

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2 10, 15 years ago, and to this day, people
3 come up to me still and say how valuable
4 the housing counseling was that they
5 received and they wouldn't have been able
6 to purchase their home if it wasn't for
7 the settlement grant that they received
8 from the counseling. And so I guess I'm
9 really concerned when I see that those
10 funds are being cut. At the time many
11 moons ago, when I was doing counseling,
12 it was a thousand dollars per grant, I
13 think, or maybe -- I don't think it was
14 more than that. I think it was about a
15 thousand dollars.

16 MS. MCCOLLOCH: It was a
17 thousand.

18 COUNCILWOMAN BASS: Okay. And
19 so now it's 500. And how long has it
20 been 500, how many years?

21 MS. MCCOLLOCH: Several years.
22 It was reduced to 800 at one point and
23 then we've reduced it again, in part so
24 that we can serve more clients. At one
25 time the Settlement Grant Program was

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2 funded with Community Development Block
3 Grant funds.

4 COUNCILWOMAN BASS: Right.

5 MS. MCCOLLOCH: But with the
6 change in the federal requirements around
7 lead-based paint abatement, if the house
8 was to get -- if the client was to
9 receive a settlement grant, we had to
10 ensure that the property met the
11 lead-based paint requirements, and while
12 we certainly support those, it was not
13 possible to coordinate a settlement grant
14 with the lead paint testing and
15 abatement, and the cost of the lead paint
16 abatement and testing would have exceeded
17 the amount of the settlement grant. So
18 we came back to City Council and asked
19 that the settlement grant portion of the
20 program be funded with General Fund money
21 and then the housing counseling part of
22 the program continues to be funded with
23 Community Development Block Grant funds.

24 COUNCILWOMAN BASS: Okay. All
25 right. So what would you say has been

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2 the effect of that? What do you see as
3 the effect in terms of even if you look
4 at last year versus what you anticipate
5 this year in terms of the amount of the
6 number of settlement grants that have
7 been provided?

8 MS. MCCOLLOCH: Well, we are on
9 target now. We've provided over 62,000
10 settlement grants through the end of
11 March and we expect to --

12 COUNCILWOMAN BASS: Sixty-two
13 thousand?

14 MS. MCCOLLOCH: Yes, which --
15 excuse me.

16 COUNCILWOMAN BASS: In
17 settlement grants?

18 MS. MCCOLLOCH: Right, provided
19 that in settlement grants. We've spent
20 that much money. So we expect to fully
21 expend the hundred thousand dollars of
22 the current fiscal year and then be able
23 to use a hundred thousand dollars next
24 year.

25 COUNCILWOMAN BASS: Okay.

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2 MS. McCOLLOCH: Which is what
3 our request is.

4 COUNCILWOMAN BASS: Do you
5 think you'll run out of funds before the
6 end of the year?

7 MS. McCOLLOCH: Hold on. Let
8 me ask my staff.

9 No.

10 COUNCILWOMAN BASS: So you
11 basically have budgeted out pretty much
12 what you need?

13 MS. McCOLLOCH: Right, because
14 the client must go through the housing
15 counseling program in order to get the
16 settlement grant.

17 COUNCILWOMAN BASS: Okay. And
18 you said, as per Councilman Henon, that
19 you would provide a breakdown of the work
20 that OHCD does in terms of greening City
21 lots, the default and delinquency at
22 counseling, foreclosure prevention and so
23 forth. You'll give a breakdown per
24 Council district in terms of what those
25 numbers look like?

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2 MS. MCCOLLOCH: Yes.

3 COUNCILWOMAN BASS: And also a
4 question about the Tangled Title Program.
5 You put 30,000 into that, and I would
6 suspect that it might be a problem that
7 is very large and growing, unfortunately,
8 and so is 30,000 adequate to address that
9 need?

10 MS. MCCOLLOCH: At the current
11 time under the current fiscal year, we've
12 spent a little over \$11,000 in the
13 Tangled Title Program. So it's not at
14 the edge of it. You know, we've only
15 spent about a third of it. But there are
16 about another 20 cases in the pipeline.
17 The funding comes in sort of at the end,
18 because the family is counseled and works
19 with the attorneys to sort out whatever
20 needs to be sorted out, and usually the
21 actual payment of the grant, the Tangled
22 Title grant, to solve the problem doesn't
23 come until the very end.

24 So we anticipate that we'll
25 have cases to draw down the money, but it

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2 hasn't all been drawn down yet at this
3 time. But all that is to say we think
4 30,000 is an appropriate amount for the
5 program.

6 COUNCILWOMAN BASS: Okay.

7 Time for one more?

8 COUNCILMAN JONES: Yes.

9 COUNCILWOMAN BASS: And just
10 one other question. The purchase of
11 services, I see a decrease of 21,874,000.
12 Can you give us some idea in terms of
13 what that means, what that is?

14 MS. McCOLLOCH: Purchase of
15 services? Hold on.

16 COUNCILWOMAN BASS: Class 200.

17 MS. McCOLLOCH: We'll have our
18 numbers guy answer the question.

19 (Witness approached witness
20 table.)

21 MR. CESARIO: Good afternoon.
22 My name is Paul Cesario, Fiscal Officer.

23 The \$21 million reduction is
24 basically in line with the grant
25 reduction.

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2 COUNCILWOMAN BASS: Okay. So
3 what will that equate to? What will that
4 equal, what kind of programs or services?

5 MS. MCCOLLOCH: Well, when we
6 present the Proposed Consolidated Plan to
7 Council, we'll outline where we're
8 proposing each of those reductions to be.

9 COUNCILWOMAN BASS: Okay.
10 Thank you.

11 COUNCILMAN JONES: The Chair
12 thanks the Councilwoman, and now
13 recognizes Councilman Squilla.

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

16 I just have one quick question,
17 and it pertains to the NACs. I know I
18 heard you mention earlier about the cuts
19 and some of the things that will be
20 happening, but the NACs you sort of said
21 may be cut across the board or maybe pick
22 and choose what NACs you would look to
23 lower funding?

24 MS. MCCOLLOCH: What we want to
25 look to first are, there's some NACs that

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2 are not performing under the current
3 year. So we would eliminate those.
4 There's one in particular that we awarded
5 funding to that we've never been able to
6 execute a contract for a variety of
7 compliance reasons. So we wouldn't offer
8 that one going forward. That would save
9 us a little bit of money. And then we'll
10 have to look at each of the NACs in terms
11 of how they're performing under their
12 contracts and what services they're
13 providing and see how we can make any
14 further reductions.

15 So the point was, we wouldn't
16 just say across the board everybody gets
17 a certain percent reduction. We would
18 analyze it for the services that are
19 being provided in each NAC.

20 COUNCILMAN SQUILLA: But also I
21 guess in the statement is if you do not
22 fund one, you would have some money to
23 throw into the other NACs and maybe
24 reduce the amount of money they may be
25 cut?

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2 MS. McCOLLOCH: Correct.

3 COUNCILMAN SQUILLA: Okay.

4 Thank you.

5 COUNCILMAN JONES: Thank you.

6 The Chair thanks the gentleman,
7 recognizing now Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you,
9 Mr. Chairman.

10 In the course of a given year,
11 how many housing, either rental housing
12 units or affordable housing units, do you
13 help facilitate, either through CDC, or
14 whatever processes are at your disposal?
15 Is there on average a number of units
16 that are brought online?

17 MS. McCOLLOCH: Well, it would
18 be a combination of rental and
19 homeownership, and it would be in a given
20 year in the range of 250, 300, depending
21 on how much is rental, how much is
22 homeownership in terms of new units.

23 COUNCILMAN KENNEY: Right. And
24 that includes multiple unit developments
25 and in-fill?

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2 MS. MCCOLLOCH: Yeah. I would
3 be counting if there's one that has 35
4 units, that's 35 units, but it could be
5 one building.

6 COUNCILMAN KENNEY: Have you
7 done any -- I've been working with a
8 company and with the building trades
9 union to look at sustainable housing
10 development using shipping containers.
11 We have a couple prototypes that the
12 Carpenters Union built up at their
13 training facility, and it's an amazing --
14 because apparently these shipping
15 containers have like a useful life of
16 like nine years, and after that, they're
17 not eligible to be used for shipping, and
18 they are piling up all over the world.
19 China has got literally billions of them,
20 stockyards everywhere, and there are many
21 of them here. The entire Olympic Village
22 in Vancouver was constructed using that
23 method, and it's really interesting from
24 an in-fill perspective, because what you
25 do is, you take two containers, you take

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2 the middle wall out, you bolt them
3 together, you can stack them as high as
4 six high, but generally it's two or
5 three. And when you see the finished
6 product, it's a house. It's not like,
7 God, this is like a shipping container.

8 So we've been looking to try to
9 get contracts initially with FEMA, the
10 military for mass production like Haiti
11 and Katrina, but I'm wondering whether or
12 not there's not enough critical mass of a
13 pilot project that might make sense
14 in-fill or multiple development and it
15 will -- they'd be made in the City, they
16 would be made union, we would have
17 opportunities to access some of the stuff
18 we were talking about with these young
19 people with union opportunities. They
20 would be built in Philadelphia and either
21 used here for in-fill or development or
22 they would be shipped by train or boat
23 out to -- but the problem has been trying
24 to get a critical mass of units that make
25 sense to get it financed, and we're,

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2 again, working on a number of different
3 levels.

4 I'd be wondering if you would
5 be willing to do a little field trip with
6 me and a couple other folks up to the
7 carpenters training facility to actually
8 take a look at what they look like.

9 MS. MCCOLLOCH: Yeah.

10 COUNCILMAN KENNEY: And what's
11 interesting is, when you have an in-fill
12 opportunity, you construct the entire
13 house indoors. You don't have weather
14 issues like you had with stick build
15 outside stuff. So it's really built very
16 solidly. And you just basically slide
17 the house, the two-story house, which
18 would be a total contiguation of the rest
19 of the street, into the in-fill. Now, it
20 wouldn't have a basement, but it would be
21 a very sturdy structure. It's easily
22 heated and cooled. So if you want to
23 take a look at it.

24 MS. MCCOLLOCH: Sure.

25 COUNCILMAN KENNEY: I don't

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 know whether or not it makes sense, but I
3 remember years ago trying to talk about
4 prefab housing with the unions and they
5 like want to run you out the door.

6 Nowadays things are what they are, are
7 willing to have that discussion as long
8 as there's a signatory contract. And why
9 I think that's important is because we
10 could also make those other side
11 arrangements to make sure people
12 matriculate through their apprentice and
13 other programs.

14 So at your convenience, I'd
15 like to take you up to the Far Northeast
16 and take a look at what they're doing up
17 there, and it may be something that's
18 economically feasible.

19 MS. MCCOLLOCH: Okay.

20 COUNCILMAN KENNEY: Thanks.

21 COUNCILMAN JONES: Thank you,
22 Councilman Kenney. I think that's a
23 fascinating idea. I would love to be
24 included and other members of Council.
25 Councilwoman Sanchez actually had an

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 idea, Councilman, about doing a
3 commercial rendition of that.

4 COUNCILMAN KENNEY: They
5 actually, the company that did this --
6 it's not the only company that does it,
7 but this is the company in the region
8 that does it, and they have a lot of
9 containers in New Jersey that they have
10 stockpiled. They also have a prototype,
11 which would be basically you take an
12 empty lot in North Philly somewhere where
13 there's very little access to food and
14 fresh vegetables and other things and you
15 can build a little shopping mall, a
16 little bodega shopping mall that's secure
17 and attractive and would give you
18 opportunities for people to go to every
19 day and get their fresh fruit and
20 vegetables. And we've also made some
21 contacts with some of the farming folks.
22 As I said earlier, they were getting cut,
23 their subsidies were getting cut by the
24 state, to try to marry urban interest
25 with agriculture interest to have a

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 little bit of a republican-democratic
3 voting block that may get us both what we
4 need. But from the housing perspective,
5 I'd like to get you up there and take a
6 look.

7 COUNCILMAN JONES: That's an
8 intriguing idea. In one rendition they
9 were just going to put roll-down bars on
10 it, so that in a flea market or outdoor
11 mall, they were going to be able to rent
12 it out, outfit them with little shelves
13 so that you could sell jeans, whatever it
14 is, out of there, and at night, roll down
15 the gates, lock it up and have a security
16 guard guard the whole area. So
17 Councilman Kenney is --

18 COUNCILMAN KENNEY:
19 Mr. Chairman, when you look -- and that's
20 from a retail perspective or commercial
21 perspective, because it's job creation
22 and employment creation, but when you --
23 if I were to take you to the houses
24 that's finished, you would never have
25 known what it was made out of. I mean,

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 it's that attractive, and can be -- the
3 facades can be used in any way. You can
4 make it look exactly like the rest of the
5 street.

6 COUNCILMAN JONES: And talk
7 about recycling. We take --

8 COUNCILMAN KENNEY: It's
9 totally sustainable.

10 COUNCILMAN JONES: That's
11 intriguing. I would love to take a ride
12 up there with you, Councilman.

13 Thank you, Councilman.

14 Councilwoman Bass, your light
15 is on.

16 COUNCILWOMAN BASS: Yes.

17 COUNCILMAN JONES: The Chair
18 recognizes Councilwoman Bass.

19 COUNCILWOMAN BASS: I just had
20 one other question, and that was, have
21 you drawn any sort of relationship in
22 terms of transfer taxes and real estate
23 taxes and the correlation between what
24 comes into the City's coffers from the
25 money that we give in terms of settlement

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 grants or settlement assistance and
3 counseling?

4 MS. MCCOLLOCH: I'm sorry.
5 Have I -- I just didn't understand the
6 question. Have we --

7 COUNCILWOMAN BASS: Have we
8 drawn relationships to say, We've spent
9 \$62,000 in settlement assistance grants
10 and that would equate to this amount
11 coming in for the next five, ten years?

12 MS. MCCOLLOCH: No. I don't
13 have those figures, but we could probably
14 try to make an estimate of that.

15 COUNCILWOMAN BASS: That would
16 be great, if we could get that to the
17 Chair.

18 That's it. Thank you.

19 COUNCILMAN JONES: Are there
20 any other questions for the witness?

21 (No response.)

22 COUNCILMAN JONES: Seeing none,
23 thank you. Thank you for your testimony.

24 MS. MCCOLLOCH: See you in May.

25 COUNCILMAN JONES: All right.

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2 Mural Arts Program is next.

3 (Witness approached witness
4 table.)

5 COUNCILMAN JONES: Thank you
6 and welcome. State your name.

7 MS. GOLDEN: Good afternoon,
8 Chairman Jones and members of City
9 Council. My name is Jane Golden and I am
10 the Executive Director of the City of
11 Philadelphia's Mural Arts Program, and
12 I'm here to present the Office's request
13 for our Fiscal Year 2013 operating
14 budget, \$940,800.

15 Before I begin, we would like
16 to pass out some things, because we are a
17 visual program. So we thought something
18 pretty would be nice. Do I have your
19 permission to do that?

20 COUNCILMAN GREENLEE: Yes.

21 MS. GOLDEN: Thank you. Some
22 beauty is always good. Thank you very
23 much. I appreciate that.

24 So throughout 2011 and 2012, we
25 have worked really hard to claim our role

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 on behalf of the City as a national and
3 international resource for mural-making
4 and community-based public art. Working
5 with the Office of Arts, Culture and the
6 Creative Economy, we have been able to
7 build on 27 years of experience to
8 broaden and deepen our own practice and
9 create a replicable project model that
10 serves as examples of artistic
11 innovation, cultural collaboration and
12 the promotion of social justice.

13 In FY13, we will continue to
14 partner with the Mayor's Office and many
15 City departments, as well as City
16 Council, to try to make Philadelphia the
17 best city it can be.

18 And so I want to talk about the
19 strides we have made in different areas.
20 So I want to start with jobs and economic
21 development.

22 Every year, we're employing
23 more than 250 artists. Yes. Ninety-nine
24 percent of the artists are local, 46
25 percent are artists of color. We're

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 providing opportunities for temporary
3 jobs of up to 80 formerly incarcerated
4 adults each year as they reenter the
5 community. And I'm really excited about
6 this. Last year, we hosted more than
7 22,000 tourists and residents to take
8 tours of the murals in the City of
9 Philadelphia, which is fantastic, so
10 people are coming into Philadelphia,
11 staying overnight to see the beautiful
12 work throughout the City.

13 In 2010, we were one of 14
14 national arts organizations recognized
15 for neighborhood transformation at the
16 Mayors' Institute on City Design and
17 Creative Placemaking. And with our
18 educational programs, in FY11, our free
19 Art Education programs provided services
20 to 1,815 young people, who range in age
21 between 10 and 20 to 22, and we're
22 located at 38 sites across the City.

23 In 2011, we had a 100 percent
24 graduation rate for our high school
25 seniors enrolled in our programs, and 71

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 percent of those students are attending a
3 college, university or trade school.
4 Fourteen of our students were admitted to
5 pre-college programs. Six of our
6 students received awards from schools. A
7 hundred and eight students exhibited
8 artwork throughout the City.

9 (Bell rung.)

10 COUNCILMAN JONES: That does
11 not apply to you.

12 MS. GOLDEN: Okay. Good. Oh,
13 no, I'm not done yet. Thank you.

14 And then during FY11, our
15 students worked on a total of 53 mural
16 projects, and this year, just so you
17 know, we have some very exciting
18 projects. One is with The Roots, one is
19 with Sonia Sanchez and a big partnership
20 with a developer, Tony Goldman, to bring
21 well-known contemporary artists to
22 Philadelphia and meet and work with our
23 young people.

24 Our Art Education program will
25 also continue its Restored Spaces

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 program, which some of you know about
3 where we pair architects, designers,
4 muralists and sculptors to rethink civic
5 spaces, especially schools and recreation
6 centers around the City. Now we're
7 embarking on a new partnership with the
8 Office of Park and Recreation, and this
9 new initiative is part of their Green
10 2015 initiative, which recognizes the
11 importance of accessible parks and green
12 spaces to the health of Philadelphia's
13 communities.

14 In this new phase of Restored
15 Spaces, it is our dream, our goal to work
16 with ten schools and recreation centers
17 and five under-resourced communities.

18 Public safety: In FY11, we
19 continued our Guild Program, which is our
20 reentry program, and each year we provide
21 really important job skills and
22 opportunities to 50 individuals who are
23 involved in the Youth Violence Reduction
24 Partnership. And this has been a really
25 exciting program where we teach building

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2 skills, landscaping, mural-making design,
3 and technology. And I have to say, what
4 I'm the most proud of is our recidivism
5 rate is less than 10 percent. The
6 national average is probably 66 percent.
7 So something is working. People feel
8 good and inspired about the work.

9 Healthy and sustainable
10 communities: We work closely with CDCs,
11 Philly Rising, City departments,
12 community organizations to advance
13 healthy and sustainable communities. In
14 FY11, we created 92 murals. That's big
15 murals, little, ceramic, mosaic, stained
16 glass, hosting hundreds of community
17 meetings, paint days and lot clean-ups.

18 We're currently in the middle
19 of a three-year partnership with the
20 Office of Behavioral Health. We have a
21 major grant from the Robert Wood Johnson
22 Foundation to use art as a way to better
23 access mental health resources in
24 neighborhoods of the City that are
25 struggling. We're also partnering with

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 the team of evaluators from the Yale
3 Medical School. So we'll have really
4 strong data about our work.

5 Innovation: We've been
6 building an intentional culture of
7 innovation as we look at muralism in the
8 21st century. How Philly Moves, a huge
9 project we did with the Department of
10 Transportation, is an 85,000 square foot
11 gateway mural at the airport. We're
12 really proud of that. And now we're
13 working on a project with world-famous
14 artists Jeroen Koolhaas and Dre Urhahn,
15 and that's part of our Knight Foundation
16 grant and also a grant that we have from
17 the Commerce Department. And we're
18 working to revitalize and reenergize
19 Philadelphia's commercial corridor along
20 the 2500 to 2800 block of Germantown
21 Avenue. We'll also be working in
22 Manayunk and in Center City with these
23 very famous artists. And the Project
24 Alliance, with a larger economic
25 development strategy, spearheaded by

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Council President Clarke, and has also
3 been engaging the Department of Commerce
4 in a wonderful way.

5 The Mural Arts Program operates
6 as a public-private partnership. This
7 year we have an anticipated operating
8 budget of \$6 million, \$940,800 of which
9 comes from the allocation for which I am
10 testifying today. This allocation funds
11 the salaries of 11 City employees,
12 including my own Mural Operations crew
13 members and Executive Assistant,
14 Reception Management and two staff
15 muralists. Of these City employees, 36
16 percent are female, 45 percent are
17 minorities.

18 The allocation also funds the
19 partial salaries of six to eight staff
20 members from the Philadelphia Mural Arts
21 Advocates. The Advocates staff, which is
22 supported in part by City contracts, is
23 comprised of 61 percent female employees
24 and 35 percent minority employees. These
25 funds also support 25 to 30 community

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2 mural projects and restorations. We
3 leverage the City dollars to raise an
4 additional 5 million in private funds
5 from foundations, corporations,
6 individuals and earned income, which
7 comes from our tour program.

8 The Mural Arts Program is
9 deeply committed to supporting the
10 Administration's goal of 25 percent
11 minority, women and disabled-owned
12 businesses participation with City
13 contracting. However, the Mural Arts
14 Program will have no contracting
15 opportunity in FY13.

16 And, finally, I just want to
17 say after 27 years of doing this work, I
18 am more certain than ever that art has a
19 profound impact on people's lives and it
20 has the power to ignite change. We see
21 that every day. And the work that we do
22 gives strength and voice to citizens and
23 builds connections across our city. And
24 it's so true that support of the arts is
25 critical to Philadelphia's continued

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2 growth and success.

3 I would like to thank City
4 Council so much, not just for the
5 opportunity to testify today but for your
6 longstanding support of our program. And
7 please know that I am proud, proud,
8 proud, proud to be a public servant.
9 It's how everyone at Mural Arts thinks of
10 themselves. If they're hired by the
11 Advocates or the City, we are public
12 servants responsible to the citizens of
13 the City of Philadelphia.

14 We believe deeply that art
15 saves lives, and I feel proud and
16 privileged to do this work, and it's our
17 responsibility to do it well and mind the
18 social power of art every day we come to
19 work.

20 Thank you from the bottom of my
21 heart. I'm happy to answer questions.

22 COUNCILMAN JONES: Ms. Golden,
23 we thank you. And for the record, you
24 served in this capacity for 27 years, so
25 that meant that you were in elementary

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 school when you started.

3 MS. GOLDEN: Thank you.

4 COUNCILMAN JONES: And we note
5 that for the record.

6 A couple of quick questions and
7 then we'll go to my colleagues.

8 Some of the art that we see
9 around this city is arguably world class
10 in respect to -- are there any artists
11 that have gone on to become renowned
12 based on the program?

13 MS. GOLDEN: That's a great
14 question. Thank you for asking that.
15 Yes. And I'm really happy to tell you
16 that we have a number of artists who have
17 gone on to become internationally known,
18 and that is really exciting. I think
19 that it's wonderful that Philadelphia is
20 like an incubator, that artists are
21 getting their start here. And when --
22 I'm so happy with Gary Steuer there and
23 thinking about the Office of Art, Culture
24 and the Creative Economy. This is part
25 of the creative economy. It's hiring

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2 artists, giving them their start, putting
3 them out in the world. And then what a
4 great reflection on Philadelphia that
5 these artists came from here and are now
6 working in so many places. And some of
7 our young people, I want to say, who are
8 going through the program are now
9 teaching artists, assistant teaching
10 artists and are starting to do murals
11 themselves. So there's a real pathway at
12 Mural Arts. You can start out in middle
13 school, stay with us through high school.
14 We'll help you through your next step in
15 life and you can stay connected with us.

16 COUNCILMAN JONES: By way of
17 cities, other comparable cities, how many
18 have taken our lead and gotten into the
19 mural arts business because of this
20 program?

21 MS. GOLDEN: Well, another
22 great question. There are about 100
23 cities across this country who are in the
24 process of replicating either in smaller
25 ways or bigger ways, and there are

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2 probably a dozen cities around the
3 world - Paris, Rome, Hanoi, Dublin,
4 London, Bosnia, Auckland, New Zealand,
5 just to name a few. It's very hard
6 actually for us to keep up with the
7 demand of the cities who call.

8 COUNCILMAN JONES: My final
9 question, and I'll open it up to my
10 colleagues, is, when someone wants to
11 commission a site, they said this is a
12 beautiful piece of canvas that we think
13 could adorn a mural, what is the process
14 by which members plug -- I know you did
15 the turtle on Ridge Avenue, which is now
16 a landmark on the Ridge. People say,
17 Meet me at the turtle. But how do you
18 site select and how would one input on
19 those selections?

20 MS. GOLDEN: Well, Councilman
21 Jones, here is -- we have a waiting list.
22 The demand exceeds our ability to do it.
23 But I'm excited by it, because I think
24 we're in a city where people really want
25 and love art. So the murals happen

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2 several ways. One, you're selected from
3 the waiting list. You submit an
4 application. And then if you get
5 selected, we go out and we meet with the
6 community. We work with the community to
7 try to figure out who is the best artist
8 for the project, then we figure out what
9 is the vision of the project, and we
10 start to work. Sometimes it's funded
11 with City funds, but more and more,
12 increasingly so, because of the way we
13 leverage money, and I think we're good
14 leveragers, it's a mix of funding, both
15 private and public. Sometimes people who
16 have businesses make a donation to help
17 the project come to fruition. Then
18 sometimes we have funding for a major
19 project. For example, we're doing a big
20 project with Citizens Bank on the issue
21 of labor and what does work mean to you,
22 and we're doing convenings all over the
23 City. And then sometimes artists come up
24 with ideas. We have an innovation fund
25 where we give out tiny grants to artists

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2 to test new materials and ideas. And
3 then we're also dreaming big, because we
4 want to be pragmatic, but also
5 aspirational. We think about who are the
6 artists we'd love to have come to
7 Philadelphia to do something, and then we
8 apply for grants very intentionally.

9 So there are different ways it
10 happens, but we'd like to think once the
11 site is selected, it's anywhere from
12 three to four months for an average-sized
13 mural, and then, of course, it could go
14 to six months to a year for projects that
15 are larger and really complicated.

16 COUNCILMAN JONES: I just wish
17 you could testify every day. I get warm
18 and fuzzy when you start talking about
19 your program. The level of enthusiasm
20 that you have for it is just contagious.

21 The Chair now recognizes
22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you,
24 Mr. Chairman. Let me get warm and fuzzy
25 with you, if you don't mind.

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2 The problem with this
3 organization, it's a victim of its own
4 success. It's the victim of its own
5 success, because it does so many things
6 so well, that we kind of take it for
7 granted. And when it comes to putting
8 the dollars in it necessary, we just
9 don't do it.

10 I mean, we've had this
11 frustrating conversation about the School
12 District, and for three years in a row,
13 some of us in here, most of us in here,
14 raised taxes and then get told by the SRC
15 that they were fiscally irresponsible in
16 the way in which they utilized the money.
17 There's nothing fiscally irresponsible
18 about this group, and they hit every
19 single aspect of both the good and bad in
20 what we're dealing with in this city,
21 whether it's reentry, crime and
22 neighborhood organization and mental
23 health issues and community organizing
24 and beauty and keeps vacant lots that
25 have been strewn with trash clean after

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2 the mural has been done and they've left.

3 We don't show them enough love, and I'm

4 telling you, it's really a disgrace.

5 I serve on the Mural Arts

6 Advisory Board. I knew how good they

7 were before I got on it, but when I got

8 on it, I'm telling you, it's sinful that

9 we don't fund this organization more than

10 we do, because for every dime we spend,

11 we get \$10 at least or more back. And I

12 would -- if we have to make one change in

13 the budget upward this year, I think that

14 we need to give them the money that they

15 need.

16 I mean, how many organizations

17 or efforts in the City of Philadelphia do

18 European cities seek out us for advice?

19 Paris is seeking us out for street art.

20 Paris is -- cities around the world are

21 seeking us out for this, and we

22 continually nickel and dime them and

23 nickel and dime them every year, and

24 raise your own money and get the

25 commercial strip to pay for it. And

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2 they'll continue to do all that, but I
3 think if we have to spend a little more
4 money this year on something, it really
5 should be this.

6 If you're going to ask me for
7 more money for a dysfunctional, fiscally
8 irresponsible School District, let's give
9 them some of that money. I'd feel it was
10 well spent and not wasted.

11 It's just amazing the impact,
12 the multiple impacts that they have.
13 It's not just feel-good stuff, because I
14 think sometimes because of what they do,
15 because it's art and because it's artsy
16 and it's like it's not that important,
17 it's probably one of the most important
18 things we do in the City and it's at
19 least in the top five or six that I'm
20 aware of that we do right.

21 So I would just make that
22 recommendation when leadership is
23 considering what to do in the final
24 budget. If we could throw a little more
25 money their way, I think it's well spent.

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2 COUNCILMAN JONES: Councilman,
3 your point is well taken, and they are
4 transformational. Thank you, Councilman.
5 Councilwoman Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank
7 you, Mr. Chairman.

8 I certainly agree with all the
9 statements made by my colleague. What's
10 our number now, Jane? How many do we
11 have?

12 MS. GOLDEN: It's 3,665 indoor
13 and outdoor, big and little projects.

14 COUNCILWOMAN BLACKWELL: That's
15 amazing. And the greatest number in the
16 country, as we know.

17 But I also want to thank Jane
18 for doing all the wonderful work she
19 does. I think that Dr. J is standing
20 there, don't you? I think he's standing
21 there.

22 And I want to also thank her
23 for managing to work out -- we didn't get
24 the dollars we wanted, but we're still
25 working with Tiberino that I fought for

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 all last year to get something done and
3 to try to work that out in MSB, in the
4 President's area, even though it's my
5 area, the museum is in my area.

6 But what can we say? I told
7 Jane when I first met her, I'd be her
8 number one supporter. I loved her right
9 away. And we thank her for the prisons,
10 those in prisons, the ex-offenders, for
11 kids, for kids in trouble. You name it,
12 it's a population she works with. And of
13 course when Prince Charles came, they
14 came to Mantua, my area. And so it
15 doesn't matter what it is, she's there.
16 She does it well with everyone, and all
17 we can say is, we agree, Mural Arts does
18 deserve more. It is shameful that they
19 have to raise so much to keep going when
20 they do so much for nothing.

21 But we're with you, and we
22 appreciate you. Thank you very much.

23 MS. GOLDEN: Thank you so much.
24 I'm very grateful. Thank you.

25 COUNCILMAN JONES: The Chair

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 thanks the lady, and now recognizing
3 Councilwoman Bass.

4 COUNCILWOMAN BASS: Thank you,
5 Mr. Chair.

6 Hi, Jane. How are you?

7 MS. GOLDEN: I'm fine. Thank
8 you, Councilwoman.

9 COUNCILWOMAN BASS: I want to
10 join my colleagues in just saying what a
11 wonderful job Mural Arts does and how
12 proud I am to have worked with you on so
13 many occasions, and just to let folks
14 know that back in December, Jane Golden
15 and I and a few others actually traveled
16 to Graterford to see the Restorative
17 Justice Grant monies at use. That was
18 federal funds that my former employer,
19 Congressman Fattah, had chipped in some
20 money on that. And so we went up to
21 Graterford to see some of the work by the
22 lifers up there, and it was just amazing.
23 And we were able to sit down and have
24 conversation with the gentlemen and
25 really hear some of their feelings and

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 thoughts about the artwork that they
3 produced and how they were -- most of
4 them were lifers and unable to regain
5 entry back into society, but this was
6 their way of still making a contribution
7 to their old neighborhoods and also
8 trying to figure out what could they do
9 to stop the flow of young, primarily
10 African American and Latino men, from
11 joining their ranks and becoming lifers
12 at Graterford as well.

13 So I just really want to
14 applaud you. That was just a really
15 memorable visit. It's something I'll
16 never forget. And actually Council
17 President Clarke has agreed to go as well
18 in the future and our Majority Leader,
19 Councilman Jones, had agreed as well.

20 MS. GOLDEN: Wonderful.

21 COUNCILWOMAN BASS: And so I
22 want to extend an invitation to all of
23 our colleagues to come and take part in
24 such just a moving experience. It's just
25 something that, like I said, I will never

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 ever forget. It was rough. For the
3 first week, I think, afterwards I cried
4 pretty much every day, because when you
5 see the talent that's locked up and the
6 keys thrown away forever, it's really
7 just hard to comprehend what we're doing
8 as a society.

9 MS. GOLDEN: Thank you.

10 COUNCILWOMAN BASS: So I just
11 want to applaud you for your work.

12 MS. GOLDEN: Thank you very
13 much. It's a very meaningful program,
14 and when you hear the men say that the
15 conversations they have with their kids
16 are now, This might be my life, it does
17 not have to be yours, and how liberating
18 that is for the kids to hear that, that
19 they feel that they could have success
20 and how proud they are to see their dads
21 do work that graces the sides of
22 buildings of the City. It's a wonderful
23 program. Thank you so much,
24 Councilwoman.

25 COUNCILWOMAN BASS: You're very

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 welcome. And can I just ask you a couple
3 of questions.

4 MS. GOLDEN: Oh, please.

5 COUNCILWOMAN BASS: So I wanted
6 to ask you -- you said you provide
7 temporary jobs for up to 80 formerly
8 incarcerated adults each year as they
9 reenter the communities and the
10 workforce. How long does that temporary
11 job last on average would you say?

12 MS. GOLDEN: It's a nine-month
13 job, and then we have a part-time jobs
14 developer on staff, and what she does is,
15 she works with people to do
16 resume-writing and to find jobs for
17 people. And we've actually -- it's
18 working really well. So we find that
19 people have been in and out of the City
20 or have just come out, they're just not
21 prepared for a job. So we provide them
22 with training. We partner with --
23 working with YVRP has been terrific, and
24 we have other great partners that we work
25 with. And so they get skills that go far

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 beyond art skills. And then because
3 they're also working in a civic space, I
4 can't say enough about how important that
5 is. Working in a public space where
6 people are acknowledging your efforts in
7 a positive way psychologically just means
8 so much, and then people are better
9 prepared for their next job.

10 So as much as I would love to
11 keep everyone at Mural Arts and everybody
12 wants to stay at Mural Arts, it's really
13 about preparing people for their next
14 step.

15 COUNCILWOMAN BASS: Right. And
16 who funds that position, that one job
17 developer position? Is that a full time?

18 MS. GOLDEN: It's a part-time
19 job, and it's funded in part by the grant
20 we get from the prisons and private
21 funding. And the other -- well, the YVRP
22 program has been funded by -- it's a
23 Byrne stimulus grant, and we're in Year 3
24 of that. So we are actually in the
25 process of trying to figure out what we

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 do, because the program has really become
3 a model program. Other cities are
4 calling us about it. And so we've been
5 working with the Chief of Staff, Deputy
6 Mayor for Public Safety, Everett
7 Gillison, and we're also working with
8 YVRP. We're looking at federal grants.
9 We're looking at private grants. We're
10 just looking everywhere we can, because
11 there's just no way -- we've just worked
12 so hard to build up this model, we just
13 have to protect it. So we're sort of on
14 a mission.

15 COUNCILWOMAN BASS: Okay.

16 (Bell rung.)

17 COUNCILMAN JONES: That doesn't
18 apply to you.

19 COUNCILWOMAN BASS: And one
20 other question for you. Can you talk
21 about -- I know you said that you will
22 not have any contracting opportunity for
23 Fiscal Year '13 to support the Mayor's or
24 the Administration's goal of 25 percent
25 minority, women and disabled-owned

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 businesses. Can you talk about
3 internally what Mural Arts looks like in
4 terms of diversity.

5 MS. GOLDEN: Sure. We are
6 about -- I think as a total organization,
7 it's 61 percent women and 35 percent
8 minority. And then we have our part-time
9 employees. Really a lot of the part-time
10 employees, that's the 250 artists, and
11 out of that group, 46 percent are artists
12 of color.

13 COUNCILWOMAN BASS: Thank you.

14 MS. GOLDEN: You're welcome.

15 COUNCILMAN JONES: The Chair
16 thanks Ms. Bass, now recognizing
17 Councilman Squilla.

18 COUNCILMAN SQUILLA: Wow, Jane.
19 I just think this is great. This is
20 probably the best testimony we've had
21 since I've been here, and I applaud you
22 for that. And it's really a pleasure to
23 come in here and see that the positive
24 things that you have done and not to
25 really ask for anything, but going out

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2 and saying, I want to look for it and
3 we're going to look for that and we're
4 going to try to do this and we're going
5 to try to do that. It's not something
6 I'm used to hearing in the short time
7 I've been here. It seems like everybody
8 always asks us for things, and it's
9 really a breath of fresh air. And I was
10 always taught as a young child, you know,
11 when you do good things, you get
12 rewarded. And I think us as a city and
13 this City Council should look to start
14 rewarding people who do the right things
15 and looking to give them a little more,
16 and then take away from those who are not
17 doing the right things and maybe give
18 them a little less. And I just think
19 that this is a great opportunity for us
20 at Council to send a message out there
21 that says, You know, People, we're here,
22 and the people who do the right thing,
23 they get a little more money in the
24 budget.

25 So I want to just go through

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 with the rest of my colleagues here in
3 applauding you for what you have done and
4 I think reiterate to Council leadership
5 if we can find some more money, that we
6 should really try to give that to the
7 Mural Arts Program.

8 MS. GOLDEN: Thank you very
9 much.

10 COUNCILMAN SQUILLA: Thank you.
11 I have no questions.

12 COUNCILMAN JONES: There goes
13 them Serious Six, flexing already.
14 The Chair recognizes Councilman
15 Johnson.

16 COUNCILMAN JOHNSON: Thank you,
17 Mr. Leader.

18 Jane Golden has been one of
19 my -- I'm now echoing what my colleagues
20 have already mentioned -- favorite
21 people. Mural Arts Program have been one
22 of my favorite programs since, again,
23 serving the AmeriCorps' City Year
24 program, and the Mural Arts Program has a
25 partnership at that particular time with

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 City Year. And I remember folks laughing
3 at me during a City Year roundtable
4 discussion when I talked about how a
5 mural in the neighborhood can determine
6 how a young person follows their dream.
7 Because when you live in areas of high
8 levels of poverty, when you live in areas
9 where you see violence on a regular
10 basis, sometimes it's an image, something
11 positive that will inspire you to go on
12 and be something great.

13 And so I do commend you for the
14 work that you have done, that you will do
15 and continue to do with my support as
16 well as you move forward.

17 Two things I wanted to touch
18 base on, and I think really Councilman
19 Squilla really summed it all up. You're
20 already doing what you're supposed to be
21 doing. You're going out beyond the
22 funding that you receive from the City,
23 but you're establishing public-private
24 partnerships to help your program grow.

25 One, in terms of economic

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 development for our city, your murals
3 have made Philadelphia a destination
4 city. So I applaud that effort. This is
5 something that should continuously be
6 supported from a growth standpoint as an
7 economic engine for the City. So I
8 definitely want to note that.

9 And the other component which
10 I'm really passionate about, and I
11 remember you came out to Julian Abele
12 Park. For all of you who do not know who
13 Julian Abele is, he was an African
14 American architect from the University of
15 Pennsylvania who I think was the first
16 African American that graduated from Penn
17 School of Design. And I remember during
18 that presentation, I spoke to one of your
19 staffers, who particularly deals with
20 getting juveniles involved in the
21 painting of the murals. So I definitely
22 want to support those particular efforts
23 from a public safety standpoint, because
24 reentry is something that -- it started
25 off big as a part of this Administration,

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 and in order for it to go to the next
3 level, we need to look at out-of-the-box
4 models, such as the Mural Arts Program,
5 in terms of getting people involved who
6 have been incarcerated, who are coming
7 home looking to do the right things for
8 the right reasons.

9 And so you really don't even
10 have to answer any questions. I just
11 wanted to state my support for the record
12 and encourage you to keep doing the great
13 things that you are doing.

14 Thank you very much.

15 MS. GOLDEN: Thank you. Thank
16 you very much. And it's exciting because
17 I see Gary Steuer is here, our Chief
18 Cultural Officer, who is always giving us
19 ideas and introducing us to new artists,
20 and then we get really inspired and we
21 can work with these artists and provide
22 young people, just like the young people
23 you're talking about, St. Gabriel's Hall
24 kids, Youth Study Center, NET, all the
25 kids who deserve great opportunities

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 because they have talent. So they're
3 doing these fantastic projects that they
4 wouldn't have had the opportunity to
5 participate in. So it's very inspiring,
6 and thank you so much for your comments.

7 COUNCILMAN GREENLEE: Jane, if
8 you only have a little more enthusiasm.
9 Thank you.

10 Any other questions?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, thank you, Ms. Golden. Thank you
14 for everything you do.

15 MS. GOLDEN: Thank you very
16 much.

17 COUNCILMAN GREENLEE: Our next
18 department is the Youth Commission.

19 (Witness approached witness
20 table.)

21 COUNCILMAN GREENLEE: Good
22 afternoon. I know we're a little behind
23 here.

24 MR. JONES: Good afternoon. No
25 problem.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 COUNCILMAN GREENLEE: If you
3 could identify yourself for the record
4 and proceed.

5 MR. JONES: My name is Fernando
6 Jones and I am the Chair of the Youth
7 Commission.

8 Good afternoon, Council. My
9 name is Fernando Jones, like I said, and
10 I'm the Chair of the Philadelphia Youth
11 Commission. I have served on the Youth
12 Commission since August of 2009 and was
13 voted to be Chair by my peers on May 8th,
14 2010. It is my pleasure to present the
15 operating budget for Fiscal Year 2013 for
16 the Philadelphia Youth Commission.

17 As you may know, our most
18 recent Executive Director, Jordan Harris,
19 stepped down from his position in
20 November 2011. We are currently working
21 with the Mayor's Office to conduct a
22 search for a new Executive Director and
23 hope to have someone on board within the
24 next few months.

25 The Commission represents

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Philadelphia's youth in public hearings
3 and gives testimonies that reflects the
4 youth perspective. We work with the
5 City, non-profits, community
6 organizations and private entities to
7 develop strategies to improve the lives
8 of Philadelphia's youth. The Commission
9 also advises the Mayor, City Council,
10 Philadelphia schools and other key
11 decision-makers inside and outside of
12 City government.

13 Over the course of the past
14 year, the Youth Commission has made an
15 effort to continue to play an active role
16 in being a part of the decisions that
17 affect the youth of Philadelphia, as well
18 as creating a solid foundation and image
19 for the Youth Commission.

20 Reflecting on our
21 accomplishments throughout the year, a
22 few key highlights emerge.

23 When flash mobs became a major
24 focus in our city this past summer, the
25 Youth Commission not only wanted to find

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 solutions for the problem, but also
3 understand why it was happening in the
4 first place. We organized several
5 community events around the City in which
6 Commissioners spoke to teens of those
7 neighborhoods to get a feel for the
8 problems they were facing in their
9 communities, as well as identify possible
10 solutions. This eventually led to the
11 creation of Teen Safe Zones, in which the
12 Commission worked with the Mayor's
13 Administration to create social events,
14 such as bowling and skating parties, to
15 provide youth with fun and safe
16 opportunities during the evening.

17 The Commission also took an
18 active role in representing the youth's
19 voice when we testified in front of City
20 Council in regards to implementing curfew
21 laws. The Commission spoke with dozens
22 of youth across the City, making sure to
23 include as many parts of the City as
24 possible, to get their opinions on the
25 matter. This was important to us because

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 while we supported the decision
3 ultimately made by Council, it was
4 crucial that the Commissioners portrayed
5 all sides of the argument expressed by
6 the youth.

7 In August of 2011, the
8 Commission completed the creation of a
9 three-year strategic plan and began
10 implementing that plan in September.
11 This plan is a comprehensive outline of
12 the goals and objectives the Commission
13 originally set in place and includes new
14 strategies to help maintain the
15 functionality and further advance the
16 organization.

17 This can be seen by our efforts
18 in successfully filling five open
19 Commissioner seats in just two months, as
20 well as an extensive plan to not only
21 recreate and update the Youth
22 Commission's website but our
23 organization's image as well.

24 Having the public address
25 issues about the youth directly to the

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Commission has always been a priority for
3 us. To allow this to happen, the Youth
4 Commission has continued and will
5 continue to have monthly public meetings
6 every second Thursday of the month at
7 5:30 p.m. We are fortunate enough to be
8 able to conduct our meetings within City
9 Council Chambers. Not only does it
10 provide the professionalism we wish to
11 portray to the public, but also provides
12 Commissioners with a sense of
13 professionalism as well.

14 I can say with confidence that
15 over the past year, we have taken steps
16 to effectively solidify the foundation of
17 the Youth Commission, maintain a presence
18 in the community and strengthen our
19 relationship with City Council and the
20 Mayor's Administration.

21 Below is a summary of the Youth
22 Commission's requested Fiscal Year 2013
23 operating budget.

24 You can see it there. I guess
25 you all have a copy of it.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 We're asking for the same
3 amount of money, just shifting funds a
4 little bit, but it's still \$94,080.

5 Looking to the future, the
6 Commission's main focus will be
7 rekindling our relationships with the
8 communities of Philadelphia. We hope to
9 have a full or near full Commission by
10 the time we choose a new Executive
11 Director so that we can begin to
12 effectively accomplish this goal.

13 Some of our future objectives
14 include setting up and running a job
15 opportunities fair. This would be our
16 third consecutive event of its kind;

17 Having each Commissioner host a
18 community forum within their district
19 twice a year to hear and assess the
20 issues, concerns or ideas youth have in
21 that community;

22 Speak to students at schools in
23 the Philadelphia School District, giving
24 them information on the Youth Commission,
25 the resources provided to them by the

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 City and the potential they hold as youth
3 in the City;

4 And create a database of
5 youth-based organizations throughout the
6 City and provide access to those
7 organizations and their resources through
8 our website.

9 In conclusion, thank you very
10 much for the opportunity to present the
11 recent activities and the proposed budget
12 for the Youth Commission. And thank you
13 as always for your continued support of
14 our work. I am available to answer any
15 questions you might have.

16 COUNCILMAN GREENLEE: Thank
17 you, Mr. Jones. If I could just ask a
18 couple of real quick questions.

19 First, you talk about the Teen
20 Safe Zones and the bowling parties,
21 skating parties, whatever. Is the Youth
22 Commission responsible for all the costs
23 or are they shared with other
24 organizations or groups?

25 MR. JONES: I'm not exactly

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 sure. I believe that the Youth
3 Commission worked with the Mayor's
4 Administration and Deputy Gillison to
5 cover the costs, but it might have been
6 out of our budget, but I'm not exactly
7 sure.

8 COUNCILMAN GREENLEE: Okay.
9 All right. Maybe if you could check that
10 and just get --

11 MR. JONES: Sure. Definitely.

12 COUNCILMAN GREENLEE: --
13 through the President and let us know.

14 And the \$40,000 that's
15 requested for Class 200, do you have the
16 proposed uses for that?

17 MR. JONES: Not on me. I can
18 give that to you guys.

19 COUNCILMAN GREENLEE: If you
20 can get that to us too, I'd appreciate
21 it.

22 The Chair recognizes Councilman
23 Johnson.

24 COUNCILMAN JOHNSON: Mr. Jones,
25 how are you?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 MR. JONES: Great.

3 COUNCILMAN JOHNSON: One, I
4 want to thank you for your testimony.

5 Two, I want to keep encouraging
6 you to keep on doing what you are doing
7 in the capacity of the Philadelphia Youth
8 Commission. And I want to also commend
9 you and the Philadelphia Youth Commission
10 with your work you have done regarding
11 flash mobs in the City of Philadelphia.

12 Can you elaborate on the
13 position the Philadelphia Youth
14 Commission took as it relates to the
15 actual flash mobs that took place?

16 MR. JONES: Sure. I mean, like
17 I said, we were trying to decide -- we
18 knew what the problem was. We also
19 wanted to make sure why it was happening,
20 as well as find solutions to it.

21 Obviously flash mobs aren't in
22 the best interest of the City or the
23 youth, and so we made sure to go out to
24 the communities, find out what was going
25 on in those communities that may, you

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 know, have people go out to those flash
3 mobs in the first place.

4 We went to several communities
5 in Philadelphia, had about a two-hour
6 meeting with those communities, and a lot
7 of the problems that arose from the youth
8 were that they had nothing to do after
9 hours. Rec centers were being shut down
10 early, which was addressed by the Mayor.
11 And basically people just said that since
12 they had nothing to do at night, they
13 were just congregating in different areas
14 around the City.

15 And so we proposed these Teen
16 Flash Mobs (sic), which allow kids to do
17 something or youth to do something during
18 the evening as opposed to just kind of
19 going out and --

20 COUNCILMAN JOHNSON: Say that
21 again. Y'all proposed? What did y'all
22 actually propose?

23 MR. JONES: To develop these
24 Teen Safe Zones.

25 COUNCILMAN JOHNSON: Teen Safe

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 Zones.

3 MR. JONES: Right, which were
4 events around the City that provided
5 youth activities to do during the
6 evening.

7 COUNCILMAN JOHNSON: Okay. In
8 terms of what could we do better as a
9 city as it relates to supporting young
10 people? Of course, we know the number
11 one issue particularly dealing with
12 African American young males 15 to 25 was
13 black on black youth violence, homicide
14 by a gun. But separate from the public
15 safety component, how can we be more
16 proactive in supporting Philadelphia's
17 youth?

18 MR. JONES: I think the Youth
19 Commission's main goal is to get the
20 perspective and voice of the youth in the
21 City, and I'm not sure if that's being
22 accomplished directly to those youth. I
23 mean, besides our organization, I'm not
24 sure what efforts are being made to
25 really reach out to those black males

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 around the City and find out why they do
3 the things that they do or what solution
4 do they want to see.

5 So I think that City Council
6 should continue to allow us to have that
7 opportunity to reach out to these youth
8 and really get a sense of what's going on
9 in these communities and then present
10 them to City Council themselves.

11 COUNCILMAN JOHNSON: Let me ask
12 you this, because there was a black male
13 engagement initiative that just took
14 place, supported by Pew Charitable
15 Trusts, and I think that particularly
16 engaged a significant amount of African
17 American young men from their perspective
18 on what some of the issues are.

19 But back to the Philadelphia
20 Youth Commission and working with young
21 people on the ground, is there an overall
22 plan, like maybe a ten-point plan and
23 position of recommendations that you
24 think that as a city if we continue to
25 focus on and pay attention to would be

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 helpful in helping Philadelphia's young
3 people?

4 MR. JONES: Right. I think
5 that we can definitely make a plan.
6 Right now over this past year we were
7 focusing on restructuring the Youth
8 Commission to make sure it was a solid
9 foundation. In the past, we have had
10 committees, whether it was public safety,
11 education, public health. And once we
12 have our new Executive Director, we can
13 probably re-implement those committees
14 and then focus on those problems that you
15 state.

16 COUNCILMAN JOHNSON: Cool.

17 All right. Just last, I just
18 want to again thank you for stepping up
19 to the plate representing your
20 organization.

21 I do encourage all my
22 colleagues to be supportive as much as
23 possible to the Philadelphia Youth
24 Commission, primarily because no matter
25 how you see it, y'all will set the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 foundation for this city's future, and
3 the Commission was established to reflect
4 the voice of Philadelphia's youth. And
5 so I just wanted to make sure that all of
6 you receive as much support as possible
7 as you move forward, and don't
8 hesitate -- you can always have your
9 folks stop past my office. I'm very
10 familiar with the former ED from the
11 Youth Commission, Jordan Harris, who I
12 believe did an outstanding and excellent
13 job, and so we want to make sure that
14 type of success continues, but, more
15 importantly, that the voice of young
16 people in Philadelphia are heard in this
17 Council Chambers, and I just wanted to be
18 clear with you on that, because I
19 understand what you're up against trying
20 to make sure that young people have a
21 voice in this city.

22 So thank you very much for
23 being here today.

24 MR. JONES: Thank you.

25 COUNCILMAN GREENLEE: Thank

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 you, Councilman.

3 Councilman Squilla.

4 COUNCILMAN SQUILLA: Yes.

5 Thank you, Mr. Jones. How many people
6 are employed in the Youth Commission?

7 MR. JONES: Employed? Our
8 Executive Director is the only one who is
9 paid, and it's by the City. All the
10 other members who are the actual
11 Commissioners are volunteers, and they're
12 appointed by City Councilmembers.

13 COUNCILMAN SQUILLA: So there's
14 only one person who gets paid for the
15 whole Youth Commission?

16 COUNCILMAN JONES: Right. We
17 have -- this past year, Jordan Harris was
18 the Executive Director, was paid by the
19 City, and then we had two part-time
20 workers in the office and they were both
21 funded by the Health Department. So it
22 was outside of the City.

23 COUNCILMAN SQUILLA: Because I
24 know we want to try to reach as many
25 youth as possible and find out their

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 voice and what they have to say. I want
3 to reiterate what Councilman Johnson
4 said. It seems like the limited
5 resources that we have is hard to go out
6 there and actually reach the youth
7 throughout the City and have them feel
8 comfortable or even adequate resources to
9 get information out there to them so that
10 we can hear what their thoughts and
11 concerns are.

12 Do you have any idea for how we
13 can as a city improve that?

14 MR. JONES: It's not included
15 in the budget, but we can always use
16 additional funds to hire positions for
17 the office. As an Executive Director,
18 you're not just sitting in the office all
19 day. You're going out to communities,
20 whether it's day events, morning events,
21 evening events. That might leave the
22 office empty sometimes. So I think it's
23 important that we should have someone in
24 the office at all times, whether it's
25 answering phones or meeting with people

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 or setting up appointments. And recently
3 that's been filled out by our part-time
4 employees through the Health Department,
5 but I think something a little bit more
6 stable possibly through the City would be
7 effective for the Commission.

8 COUNCILMAN SQUILLA: And you
9 said the Health Department. So you
10 partner with the Health Department for
11 this initiative?

12 MR. JONES: Right. So they
13 provided two employees. One was just an
14 office administrator. The other one --
15 her name was Renata Peralta. She was
16 working on an anti-tobacco project with
17 the Youth Commission. So while doing
18 that, she also helped the office with
19 office duties.

20 COUNCILMAN SQUILLA: Okay.
21 Thank you.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilman.

24 Any other questions for
25 Mr. Jones?

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, thank you very much. Thank you for
5 your patience.

6 MR. JONES: Thank you.

7 COUNCILMAN GREENLEE: I
8 appreciate it.

9 And our last department of the
10 day is Office of Arts and Culture,
11 Mr. Steuer.

12 (Witness approached witness
13 table.)

14 COUNCIL PRESIDENT CLARKE: Good
15 afternoon. How are you? Please proceed.

16 MR. STEUER: Good afternoon,
17 President Clarke and members of City
18 Council. I'm Gary Steuer. I'm the Chief
19 Cultural Officer and Director of the
20 Office of Arts, Culture and the Creative
21 Economy.

22 (Bell rung.)

23 MR. STEUER: And my time is up
24 already. That's one way to speed things
25 along.

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 So I'm here today to present
3 testimony on our office's proposed
4 operating budget for Fiscal Year 2013.
5 I'm also joined by Deputy Cultural
6 Officer Moira Baylson. I'm honored to
7 have this opportunity to report on our
8 accomplishments over the past year and
9 explain how we plan to use and leverage
10 City funds in FY13. Our FY13 request is
11 the same as FY12.

12 I think we're accomplishing a
13 lot with very little City resources.
14 Over the course of FY12, I think we've
15 really gained tremendous momentum within
16 the programs and services that we offer
17 to Philadelphia and accomplishing our
18 larger mission of supporting and
19 promoting arts, culture and creative
20 industries and developing partnerships
21 and coordinating efforts that weave arts,
22 culture and creativity into the economic
23 and social fabric of the City.

24 By the end of FY12, we will
25 have held over a dozen art exhibitions in

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 City Hall, ten performing art events, six
3 industry-related panels, completed four
4 conservation projects and one new Percent
5 for Art project. Additionally, we
6 released a vision plan, a research update
7 and held a town hall meeting. And I'm
8 also honored to oversee, as you heard
9 from Jane Golden, for example, and
10 coordinate the City's investments in such
11 programs as Mural Arts, the Philadelphia
12 Cultural Fund, the African American
13 Museum, the Philadelphia Museum of Art
14 and the Philadelphia History Museum.

15 You have our full written
16 testimony, so I'm just going to use a
17 little bit of time to highlight a couple
18 of programs that I think illustrate the
19 work that we've been doing. One is El
20 Gran Teatro de la Luna, which is an
21 extraordinary work of public art by the
22 famed Puerto Rican artist Rafael Ferrer
23 that was commissioned to adorn the roof
24 of a utility building in Fairhill Square
25 Park at 5th and Lehigh in 1982, but was

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 removed and put in storage in 1999. So
3 thanks to some private funding that we
4 were able to obtain from the National
5 Endowment for the Arts and support from
6 the Fairmount Park Art Association, this
7 great internationally renowned artist is
8 now personally restoring that work of art
9 that's going to be reinstalled in that
10 park, which is a really great
11 accomplishment for that neighborhood and
12 for the citizens of Philadelphia.

13 And another program I want to
14 highlight since it's happening throughout
15 this building and right outside, so
16 Council may be particularly interested in
17 it, is City hall Presents, which is a new
18 program, two-year program, that brings
19 the performing arts to City Hall. So
20 we've had the Art in City Hall program
21 here for many years. We're now going to
22 have spoken word, dance, theatre, all
23 kinds of music from all over the City,
24 and that's thanks to support from the
25 Knight Foundation's Knight Arts Challenge

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 and the William Penn Foundation. Those
3 performances will take place in sites
4 like the Reception Room, Conversation
5 Hall. We had one in the Law Library last
6 week. And once the weather gets a little
7 bit warmer, outside in the Courtyard.

8 So we're really very excited
9 about that. The First Spoken Word was by
10 the Philadelphia Youth Poetry Movement
11 last Wednesday, which was attended by
12 about 100 people, including high school
13 and college-age youth.

14 We're also going to feature
15 dance performances by Rennie Harris, a
16 female tap ensemble, the Lady Hoofers, a
17 jazz ensemble, and modern pop music from
18 singer/songwriter Nikki Jean.

19 So all of these efforts have, I
20 think, really paid off, attracting local,
21 national and international attention to
22 the cultural riches of Philadelphia and
23 serving all of our citizens. And a great
24 example of that is in late 2011,
25 Philadelphia was rated the number one

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 city for culture in America by Travel and
3 Leisure Magazine, which is, I think, an
4 extraordinary accomplishment for the
5 cultural life of the City.

6 There are certainly our
7 challenges that remain in our economy,
8 but I think that our cultural sector is
9 going to remain strong. A great
10 indication of that is the Greater
11 Philadelphia Cultural Alliance found that
12 attendance during the recession has
13 actually gone up. So people are really
14 finding the need for arts and culture
15 even more in these difficult times and
16 they're patronizing the great cultural
17 organizations that we have in the City,
18 in their neighborhoods and throughout the
19 City.

20 So I thank you for this
21 opportunity to testify before you, and
22 now I'll be glad to answer any questions
23 you may have.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you so much for your testimony.

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2 The Chair recognizes
3 Councilmember Jones.

4 COUNCILMAN JONES: Thank you
5 very much, Mr. President. We missed you.
6 We're glad you're back.

7 One of the questions I would
8 have is the creative economy, how you
9 impact that and how Philadelphia ranks.
10 Have we made progress in moving the
11 needle towards cultivating that economy?

12 MR. STEUER: Yes. I would say
13 we have a very strong creative economy
14 here. The way we define it is basically
15 not just the non-profit arts sector, but
16 also including individual artists,
17 entrepreneurs and for-profit creative
18 businesses, which would include music
19 clubs, commercial art galleries, dance
20 schools, many of which are for-profit
21 entities, and all the related businesses
22 that surround that, also architecture,
23 landscape architecture, design. We have
24 a tremendous base of art schools within
25 the City that are turning out thousands

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2 of graduates every year with training in
3 these fields, and I think one of the
4 great things that's happened over the
5 last few years is that Philadelphia used
6 to be unfortunately known for losing so
7 many of those graduates, and now what we
8 found is that the percentage of graduates
9 who are staying in the City, particularly
10 in the creative economy degrees, are
11 actually staying here, because there's a
12 real sort of growing number. These are
13 not big businesses, but I think they're a
14 growing number of small entrepreneurial
15 businesses, graphic design firms, web
16 design firms, small boutique advertising
17 agencies, and Philadelphia is really
18 becoming known as a great city for those
19 kinds of businesses.

20 The other thing that I think
21 we're becoming nationally and even
22 internationally recognized for is this
23 real intersection between art and
24 technology and science, sort of bringing
25 together our strengths in culture with

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2 our strengths in technology and science,
3 as represented by the Science Center. So
4 there are a lot of programs,
5 partnerships, new businesses now that are
6 being generated that sort of draw on
7 those multiple strengths that are places
8 like NextFab out at the Science Center
9 that's part of their arts program called
10 Breadboard that provides an opportunity
11 for artists, scientists, technology
12 people, students to work in very
13 sophisticated 3D printing, prototyping,
14 technology and to bring those skills
15 together. And I think -- and the Science
16 Festival is a great example of that as
17 well that really celebrates science, but
18 a lot of what happens at the Science
19 Festival is actually art.

20 COUNCILMAN JONES: There was an
21 interesting model put together as to the
22 economic impact of job creation and
23 synergies that were created by arts and
24 culture and being refined, and I had no
25 idea how much it played into the economy.

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2 I guess two quick questions.

3 One, do we still have the fine arts
4 requirement and do we capitalize on the
5 development side? There's a two percent,
6 as I recall, fine arts requirement for
7 art in public places, and do we take
8 advantage of that fully?

9 MR. STEUER: Yes. We have a
10 Percent for Art requirement. It's
11 actually one percent, not two. I wish it
12 were two. In some other cities it's two.

13 One of the things that we've
14 been working on this year actually are
15 new guidelines for that program, because
16 the guidelines date back about 15 years.
17 So they're really obsolete. So we've
18 been working to look at best practices
19 around the country, and we're actually
20 just about to put forward some new
21 guidelines that will help bring that
22 program up to best practices from around
23 the nation.

24 But, yes, we're still operating
25 that program, and it applies to

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 City-funded construction. So if there's
3 any City money in a project, one percent
4 of that City money at this point in time
5 must go into public art. And there's a
6 separate program at the RDA that governs
7 the projects that they're making happen,
8 and then there's a program at SEPTA as
9 well.

10 COUNCILMAN JONES: So pieces
11 like the Love, Clothes Pin and the Love
12 Park, were they a result of that fine
13 arts requirement?

14 MR. STEUER: Some of them are
15 the result of the City program, some of
16 them are the result of the Redevelopment
17 Authority's program, and some of them are
18 the result of gifts to the City. In the
19 case of the Love sculpture, I believe it
20 was a gift to the City. So in some
21 instances, what our public art staff does
22 is sort of manage situations where
23 someone says they want to donate a work
24 of art to the City, and so they go
25 through the process of helping to

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 determine if this is something that
3 really would be a benefit to the
4 citizens, where it would be sited, how it
5 would be maintained.

6 COUNCILMAN JONES: One of the
7 factors in selecting a movie location is
8 the fine arts requirement that serves as
9 a landmark in cities, like the Clothes
10 Pin and others. So that's an important
11 part of branding Philadelphia in a way.
12 So I thank you.

13 MR. STEUER: Yes. And we
14 talked earlier about the number of
15 murals, but to also note that
16 Philadelphia has the first Percent for
17 Art program in the nation, and also we --
18 in addition to having the largest number
19 of murals of any city in the country, we
20 also have the largest amount of public
21 sculpture of public art out in public
22 space, which is available for free to all
23 our citizens.

24 COUNCILMAN JONES: And we want
25 to particularly thank the President of

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 Council for all the development he does
3 and making it look so good while he does
4 it.

5 Thank you.

6 MR. STEUER: Thank you.

7 COUNCIL PRESIDENT CLARKE:

8 Thank you, Councilman.

9 The Chair recognizes
10 Councilwoman Bass.

11 COUNCILWOMAN BASS: Thank you.

12 Councilwoman Blondell Reynolds
13 Brown had to leave a little bit early,
14 but she asked me to ask some questions to
15 be on the record. Is that okay?

16 COUNCIL PRESIDENT CLARKE: Does
17 that mean that you're requesting her time
18 and your time?

19 COUNCILWOMAN BASS: Yes.

20 COUNCIL PRESIDENT CLARKE:
21 That's a creative way of extending your
22 time. Please do so.

23 COUNCILWOMAN BASS: Thank you.

24 So just a couple of questions,
25 and I'll start actually with Councilwoman

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2 Brown's questions first.

3 On Page 2 of your statement,
4 first paragraph, the statement in terms
5 of the Fiscal Year '12, nine of the
6 minority, women and disabled businesses
7 and 70 percent of the contract award
8 funds would be received by those
9 entities. Do you have a breakdown of
10 that?

11 MR. STEUER: We can provide you
12 with that full breakdown.

13 COUNCILWOMAN BASS: So you'll
14 provide that to the Chair?

15 MR. STEUER: Sure.

16 COUNCILWOMAN BASS: And you'll
17 provide a breakdown in terms of what
18 percent is minority, what percent is
19 female?

20 MR. STEUER: Sure. We've got a
21 full spreadsheet for that that identifies
22 all that.

23 COUNCILWOMAN BASS: And also
24 the Councilwoman requested -- what does
25 it mean in, same page, Paragraph 2? She

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2 asked for an explanation in terms of your
3 office acting as a liaison for capital
4 funding of City-owned cultural
5 institutions, which includes the above
6 institutions, plus the Mann Music Center,
7 the Please Touch Museum and Philadelphia
8 Zoo. She asked for a further detailed
9 explanation of exactly what do you mean
10 by acting as a liaison for the City-owned
11 cultural institutions.

12 MR. STEUER: Sure. I can
13 provide that verbally now or in writing
14 to the President, whichever you prefer.

15 COUNCIL PRESIDENT CLARKE: It's
16 up to you.

17 MR. STEUER: I can explain it
18 right now.

19 Basically we've tried to take
20 on the role of being the liaison or
21 coordinator of the capital investments
22 that we make in these different
23 facilities. In the past, different
24 cultural facilities fell into different
25 areas of the City's budget. So there was

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2 no one taking a look at all the cultural
3 facilities and nobody with a specific
4 knowledge of cultural facilities. So
5 some of them were in Parks, some of them
6 were in Commerce, some of them were in
7 Rec. So they fell into different areas
8 within the City budget. In some cases
9 those investments may still technically
10 be in that area of the budget, but we're
11 now trying to get involved in evaluating
12 them, working with the staff of that
13 cultural institution to kind of help
14 shepherd them through the process.

15 COUNCILWOMAN BASS: So when you
16 say you all have tried to take on that
17 role, is that what your office is
18 mandated to do or is it something that
19 you just thought over and above would be
20 a good thing to do or service to provide?

21 MR. STEUER: There's nothing
22 that specifically mandates that, but it's
23 something that we felt would be a good
24 thing to do that would serve the citizens
25 of the City and serve our mission as an

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 office.

3 COUNCILWOMAN BASS: Okay. And
4 can you also talk about your office and
5 staff in terms of what your office looks
6 like, as we mention or as I asked Jane
7 Golden from the Mural Arts Program. If
8 you could talk about your staff and what
9 the breakdown looks like in terms of
10 women and people of color and any detail
11 that you have.

12 MR. STEUER: Sure. At this
13 point, we have a staff of eight, and it's
14 four male, four female. And in terms of
15 ethnicity, seven white, one Asian, and we
16 also have one African American intern,
17 who doesn't count in the staff since
18 she's not a paid staff person at this
19 point.

20 MS. BAYLSON: She's paid.

21 MR. STEUER: She is paid. We
22 have a paid part-time intern on the staff
23 as well, who I didn't include in those
24 totals, who is African American.

25 COUNCILWOMAN BASS: So you have

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2 seven white, one Asian and one part-time
3 African American?

4 MR. STEUER: Correct. Correct.

5 COUNCILWOMAN BASS: Okay. And
6 just to move over to my questions now,
7 how long has this office been in
8 existence would you say, how many years?

9 MR. STEUER: Sure. This office
10 in its current configuration was launched
11 in October of 2008.

12 COUNCILWOMAN BASS: 2008.

13 MR. STEUER: So the City
14 established an Office of Arts and Culture
15 originally in 1985 and then it was closed
16 in the early 2000's and then was reopened
17 in 2008 with the addition of creative
18 economy to the charge of the office and
19 with my position as Chief Cultural
20 Officer added as well.

21 COUNCILWOMAN BASS: Okay. How
22 much would you say of the work you do is
23 in underserved communities versus
24 downtown? I heard a lot of your
25 commentary was really regarding exhibits

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2 and things that you planned on doing here
3 at City Hall and they sort of speak to
4 more of a Center City crowd. And I think
5 that like when you look at someone like
6 Jane Golden, whose work is primarily in
7 the neighborhoods, it really does
8 resonate.

9 So how much of the work would
10 you say that you do is actually in
11 neighborhoods, or is most of it -- is it
12 designed to be an office that is
13 primarily in Center City and --

14 MR. STEUER: No, no. I mean,
15 we think we serve all the citizens of the
16 City and all the neighborhoods. So there
17 are a lot of things that we work on. For
18 example, coordinating the City's
19 investments in the Philadelphia Cultural
20 Fund and working with the Philadelphia
21 Cultural Fund, those investments are
22 distributed throughout the City.
23 Working -- and through that actually
24 encouraging the special Youth Arts
25 Enrichment grants that they made that

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 were specifically targeted to youth and
3 something that we specifically encouraged
4 the Cultural Fund to invest in.

5 Our Percent for Art program
6 involves basically investments in City
7 facilities, and that's one of the great
8 things about Percent for Art, is that it
9 is so democratic, because City facilities
10 are fire stations, rec stations, police
11 stations. They're spread out in every
12 neighborhood of the City, and that's the
13 wonderful thing about Percent for Art, is
14 that it doesn't just value art for
15 tourists or people who are in Center
16 City. It says there's a value of having
17 beauty and art in your life no matter
18 what neighborhood the art is in, what
19 neighborhood that facility is in. So
20 that's an important part of that as well.
21 And I would say even programs like the
22 Art in City Hall program. To say that
23 because it's taking place in Center City,
24 that's only serving the citizens of
25 Center City would, in certain ways, be

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 doing a disservice to many of the kids
3 and artists and people who are involved
4 in those exhibitions, because they're
5 taking place here, but they're actually
6 exhibiting the work and their
7 partnerships with arts organizations from
8 every corner of the City.

9 So there are a lot of programs
10 that we do that involve lots of
11 partnerships and lots of work with arts
12 organizations throughout the City.
13 Sometimes those programs might be
14 specifically taking place in City Hall,
15 but sometimes they're taking place all
16 over the City.

17 COUNCILWOMAN BASS: Okay.
18 Because the other part of that is that --
19 well, I know in my district I have kids
20 who don't come into Center City, and for
21 you or even myself, it may be hard to
22 imagine that some kids don't get out of
23 the neighborhood, but some kids don't get
24 out of the neighborhood. They never see
25 Center City. They don't come downtown.

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2 And so I just think that we have to be
3 cognizant of that.

4 MR. STEUER: Absolutely.

5 COUNCILWOMAN BASS: That's a
6 real issue for a sizable population of
7 our city.

8 MR. STEUER: Absolutely.

9 COUNCILWOMAN BASS: A question
10 in reference to the Cultural Fund grants.
11 Can you give us a breakdown in terms of
12 what communities or neighborhoods these
13 organizations serve?

14 MR. STEUER: Sure. We can --

15 COUNCILWOMAN BASS: Or by
16 Council district.

17 MR. STEUER: We can get you
18 that list. We have all that information.

19 COUNCILWOMAN BASS: And also
20 who makes the decision or determination
21 in terms of who gets what amount for
22 these organizations?

23 MS. STEUER: There's a peer
24 panel review process. So there are peer
25 panels that are broken down by

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 disciplines, emerging organizations,
3 large organizations. So we have a whole
4 array of panels, each one of which is
5 chaired by a member of the Cultural Fund
6 Board, which consists of Council
7 appointees, mayoral appointees and
8 members of the general public. And so
9 that process is overseen by the Board,
10 and then the peer panels make the
11 recommendations, and then the actual
12 final grant amounts are generated by a
13 mathematical formula that takes into
14 account the panel recommendations that
15 then normalizes those panel
16 recommendations. So, for example, if one
17 panel is more generous than another
18 panel, it doesn't mean that the groups in
19 that panel get more money. So we go
20 through a mathematical process that
21 normalizes the recommendations. And then
22 the final amount is based on how much
23 money has been allocated. So all that
24 then takes the amount of money that's
25 been allocated, and that then generates,

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2 based on a scoring system, how much money
3 each group gets. We fund, I believe
4 it's, up to a third of the operating
5 budget of an organization. So the
6 process is actually, in certain ways,
7 disproportionately weighted towards
8 smaller organizations, which actually
9 need the money more.

10 COUNCILWOMAN BASS: Is there
11 any opportunity for members of Council to
12 weigh in on these decisions as they're
13 being made? Because I don't know about
14 anybody else, but I saw a letter that
15 came across my desk from a group that is,
16 in my opinion, questionable that received
17 a sizable grant from the Cultural Fund.

18 So is there an opportunity or
19 do you think there should be an
20 opportunity for members of Council to
21 have some sort of say?

22 MR. STEUER: Well, I think
23 that's something that perhaps the
24 Philadelphia Cultural Funds Board should
25 have that conversation. There are four

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2 Council representatives on the Board, and
3 my sense is, it should probably be raised
4 as a Board conversation process.

5 I certainly think information,
6 input is helpful in terms of knowing the
7 organizations better. The process was
8 set up when it was set up to make this an
9 independent body that was not sort of
10 influenced or controlled by Mayor or
11 Council.

12 COUNCILWOMAN BASS: No. I
13 agree that it should be an independent
14 body.

15 MR. STEUER: But having
16 important information about the worth of
17 an organization that may, for example,
18 make a good case about serving a
19 neighborhood or a community that you may
20 have information that may speak
21 otherwise, that would be important
22 information to have, I would think.

23 COUNCILWOMAN BASS: Okay. Can
24 you talk about the salaries of your
25 staff?

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2 MR. STEUER: Sure. We can
3 provide a complete salary list. I don't
4 have them off the top of my head.

5 COUNCILWOMAN BASS: Can you
6 give us your salary?

7 MR. STEUER: Sure. I believe
8 it's about 150 right now.

9 COUNCILWOMAN BASS: So out of
10 the 198,750 for the employee
11 compensation, is that primarily you?

12 MR. STEUER: That would be me
13 plus the Executive Assistant, and other
14 staff are paid through PIDC.

15 COUNCILWOMAN BASS: Okay. I
16 guess the only other statement or
17 question that I have is that, you know,
18 I'm new here, so I guess I'm surprised
19 when in 2012 and looking at Fiscal Year
20 2013, that if you mention that you have
21 eight employees, that you have seven
22 white, one Asian, one part-time African
23 American.

24 I spoke with a group of
25 developers recently. I walked into the

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 room and I was the only African American.
3 I was one probably out of 50 people. I
4 was one of two other women, three women
5 in total, and I think one was acting in a
6 role as the secretary. And I really said
7 to the developers -- which, you know, I
8 don't know if I should have said or not.
9 But I said, If you don't intend to hire
10 people of color, then there's no need to
11 think about doing work in the 8th
12 District, because we embrace diversity.
13 It's important. It's very important to
14 me.

15 And so to see these numbers,
16 it's very, very troubling, I'll just say
17 for me personally, that this lack of
18 diversity is in an office that I think
19 that's an office very important to the
20 City and to the City's future. And I'll
21 just leave it at that for now.

22 MR. STEUER: Thank you. Thank
23 you for that.

24 COUNCIL PRESIDENT CLARKE:
25 Thank you, Councilwoman.

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2 Mr. Steuer, before I proceed
3 with the next Councilmember, on your
4 budget for employee compensation, you
5 have 198, and you said you have eight
6 employees.

7 MR. STEUER: Correct.

8 COUNCIL PRESIDENT CLARKE: How
9 are those employees funded?

10 MR. STEUER: Well, a number of
11 the employees are funded through PIDC.
12 So we provide an allocation of funding to
13 PIDC. This actually pre-dated the
14 creation of the office. So there were
15 several staff when the office was in the
16 Commerce Department who were paid through
17 PIDC and they're still paid that way. So
18 we have a structure where we have two
19 City employees.

20 COUNCIL PRESIDENT CLARKE: Who
21 funds the positions in PIDC?

22 MR. STEUER: They are funded
23 through a combination of General Fund
24 dollars and then actually private funding
25 as well. So part of the way we've been

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2 able to do what we do in the office is by
3 raising private funding that funds two of
4 those positions, and the remaining
5 positions are funded through Class 200
6 funding.

7 COUNCIL PRESIDENT CLARKE:
8 Okay. Because sometimes -- and just
9 being very candid. In the old days, from
10 a fiscal perspective, we don't do this
11 anymore in government, but they used to
12 say you hide money, and you hide money in
13 other departments and put people on from
14 a work perspective in the department
15 where they weren't actually being funded
16 by. I'm not suggesting that that's
17 what's going on here, but in this more
18 recent question as it relates to
19 Councilwoman Bass, this whole issue with
20 respect to the demographics of your
21 office, and now there's private funding
22 tied to some of the employees and the
23 fact that the other funding comes out of
24 PIDC, which is traditionally an
25 organization in itself that doesn't

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2 necessarily meet the level of scrutiny as
3 it relates to City departments, could be
4 a contributing factor to the lack of
5 diversity in that particular office.

6 So if you can get the
7 information specifically as it relates to
8 the other employees, what percentage is
9 funded by private, what's funded by
10 General Fund dollars or any other
11 categories of government funding.

12 (Witness approached witness
13 table.)

14 COUNCIL PRESIDENT CLARKE:
15 Ms. Rhynhart, you look like you wanted to
16 jump in.

17 MS. RHYNHART: I was just going
18 to speak to -- you mentioned hiding
19 money, so that made me come up here.

20 COUNCIL PRESIDENT CLARKE: I
21 prefaced my statement by saying that we
22 don't do this anymore.

23 MS. RHYNHART: Right. Just so
24 you're clear, this is something that was
25 developed a long time ago, and we have

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2 been looking at what would it take to
3 move the employees. The same thing
4 exists in Commerce, that there is a
5 historical relationship with PIDC that
6 many employees are on PIDC's payroll and
7 then funds are given from Commerce to
8 PIDC. It's a similar thing as Office of
9 Arts and Culture.

10 We have started to look at what
11 it would take to move those employees
12 onto the City's General Fund payroll,
13 those positions onto the payroll. There
14 is complicating factors such as some of
15 those employees have started to actually
16 gain pensions already, and those are PIDC
17 pensions, and how would we accomplish
18 this. But that is something that we're
19 looking at to figure that out.

20 COUNCIL PRESIDENT CLARKE:
21 Well, I mean, you talk about it was
22 historical in terms of the process. The
23 office just started in 2008.

24 MS. RHYNHART: Right, but those
25 positions came over from Commerce. So it

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2 comes from that historical relationship
3 in the Commerce Department.

4 MR. STEUER: This is not
5 something that I initiated. This existed
6 already.

7 MS. RHYNHART: So it is
8 something we're looking at trying to
9 figure out.

10 COUNCIL PRESIDENT CLARKE:
11 That's relatively easy to fix.

12 MS. RHYNHART: No, not when the
13 employees have already started to gain
14 pensions, and then how would it work? I
15 mean, that's what I've been told, that
16 there's some complicating factors.

17 COUNCIL PRESIDENT CLARKE:
18 Okay. So since you brought that up, with
19 respect to some of the possibilities of
20 consolidating some of the housing
21 agencies, because that's what happened in
22 some of the housing agencies when there
23 were some changes four, five, six years
24 ago. A number of people who had pensions
25 in certain categories as it related to

1 4/2/12 - WHOLE - BILL 120164, ETC.
2 those departments when they moved over in
3 the consolidation, there was significant
4 challenges and changes made to a lot of
5 the employees. So your concern is the
6 possibility that something similar to
7 this could happen?

8 MS. RHYNHART: I'm not familiar
9 with that. I was just noting that I've
10 been told that there are various
11 complicating factors, so it will just
12 take some time to look through.

13 COUNCIL PRESIDENT CLARKE:
14 Okay. Well, I'm just saying -- I guess
15 what I'm saying is, as you look at that,
16 you may want to also look at some of the
17 potential implications relating to some
18 of the consolidations that are happening.

19 MS. RHYNHART: Sorry. I missed
20 your point. I agree with you.

21 COUNCIL PRESIDENT CLARKE: All
22 right. Thank you.

23 One last question, totally
24 unrelated. Mr. Steuer, what's your
25 office's relationship with the Avenue of

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2 the Arts organization?

3 MR. STEUER: Only that they're
4 part of the arts sector. They're
5 actually funded, I believe, through the
6 Commerce Department because of their
7 economic development function, but
8 certainly I work closely with them. But
9 they're not supported directly by my
10 office and they're not part of my office.

11 And, yes, it was just pointed
12 out to me Karen, their Executive
13 Director, serves on the Mayor's Cultural
14 Advisory Council. So since she's an
15 important leader within the arts sector,
16 she's one of the people that's been
17 appointed to that body.

18 COUNCIL PRESIDENT CLARKE: So
19 you're not -- you said not directly
20 funded. Does that mean indirectly?

21 MR. STEUER: No, no.

22 COUNCIL PRESIDENT CLARKE:
23 There's no relationship whatsoever?

24 MR. STEUER: There's no
25 relationship other than that they're part

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2 of the larger arts sector. So the same
3 way we would work with a BID or any other
4 arts organization that's doing
5 arts-related work that also --

6 COUNCIL PRESIDENT CLARKE: So
7 there's no review by your organization --

8 MR. STEUER: No.

9 COUNCIL PRESIDENT CLARKE: --
10 of their operations?

11 MR. STEUER: No, none.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you.

14 The Chair recognizes Councilman
15 Jones.

16 COUNCILMAN JONES:
17 Mr. President, I'm going to forego my
18 time, since I monopolized a lot of it
19 today, to my colleagues.

20 COUNCIL PRESIDENT CLARKE: Your
21 words, sir, not mine. Thank you.

22 The Chair recognizes Councilman
23 Kenney.

24 COUNCILMAN KENNEY: Thank you
25 very much.

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2 But I was riveted, Councilman
3 Jones, at every question. So you can
4 always monopolize the time. I don't
5 care.

6 This has kind of bothered me
7 since I've been on the Mural Arts
8 Advisory Board. The Office of Arts and
9 Culture and Creative Economy has got a
10 budget of 2.6 million. What percentage
11 is funded by PIDC?

12 MR. STEUER: Actually, the vast
13 majority of that funding goes out in the
14 form of re-grants. So most of that is
15 the Philadelphia Cultural Fund and the
16 funding for the African American Museum.

17 COUNCILMAN KENNEY: How much is
18 left after -- so the 2.6 million includes
19 the Cultural Fund and the Museum?

20 MR. STEUER: Correct.

21 COUNCILMAN KENNEY: How much is
22 left after that?

23 MS. BAYLSON: It's about a half
24 a million dollars.

25 COUNCILMAN KENNEY: Half a

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2 million dollars left?

3 MR. STEUER: Correct.

4 COUNCILMAN KENNEY: So I think
5 the confusion is why -- I mean, I
6 understand the historical nature of being
7 over at PIDC, but it kind of makes it
8 difficult to measure what we expend and
9 what we get. The diversity issue, I
10 mean, is frankly a bit shocking, and
11 Councilperson Bass and Council President
12 Clarke talked about it and I don't need
13 to go through it again. But I'm just
14 trying to figure out how we justify the
15 amount of money that we -- how much goes
16 into the Cultural Fund?

17 MR. STEUER: The Cultural Fund
18 is about 1.85 million at this point --
19 1.84, and 231,000 to the African American
20 Museum.

21 COUNCILMAN KENNEY: Okay. I'm
22 just -- again, the difficulty that I have
23 is that -- and I've said this when Jane
24 was here and the MAP people were here.
25 It seems as if that's such a long-term

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2 and such a productive activity or effort
3 that includes probably eight to ten times
4 more employees than the Office of Arts
5 and Culture and touches more people in
6 many ways than that organization. So I'm
7 wondering why they seem to be going
8 begging every year. They're not
9 permitted to go out and raise their own
10 money. They're not permitted to consult.
11 They're not permitted to have salaries
12 handled by people who are willing to
13 raise money outside. All these
14 constraints because of perceived lack of
15 transparency and perceived -- the
16 Inspector General or the Integrity
17 Officer says we're not allowed to do
18 this. All right, I hear it. It doesn't
19 sound like it makes much sense, but it's
20 what your position is. That we can't get
21 more money to this particular
22 organization when it seems like for a
23 smaller group of people we are spending a
24 lot more.

25 MR. STEUER: Well, I mean, all

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2 I can say, Councilman, is I, like you, am
3 a huge fan of the Mural Arts Program. I
4 also serve on the Board. I think they do
5 fantastic work. I wouldn't be doing what
6 I'm doing if I didn't think it's
7 important for a city to have a Cultural
8 Affairs Office as well. I think for the
9 amount of money the City spends, it gets
10 significant value. I think it's sort of
11 apples and oranges. We do different kind
12 of work. Mural Arts does fantastic,
13 fantastic work and does leverage their
14 City funding with significant private
15 dollars, which is part of how they've
16 been able to be so successful. If they
17 were only dependent on what the City is
18 able to provide, I think they wouldn't be
19 able to accomplish all that they
20 accomplish, so I think --

21 COUNCILMAN KENNEY: But it
22 seems as if -- and this is not your
23 decision, but it seems that the City
24 constrains them even further. They could
25 do more, they could leverage more, they

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2 could earn more and they could spend more
3 on positive productive stuff if the City
4 would kind of get out of the way a little
5 bit.

6 MR. STEUER: I certainly would
7 be glad to work with you on figuring out
8 how we can remove some of those
9 restrictions and work on some of those
10 problems.

11 COUNCILMAN KENNEY: Because,
12 look, I love transparency. It's very
13 transparent. But sometimes it's not
14 effective. And we're not talking about
15 doing something wrong. I mean, this is
16 all for the good of the community, and
17 we're being told because of these issues,
18 that somehow something is wrong or
19 horrible or potentially wrong or corrupt
20 or something is going to happen if we
21 allow Jane Golden to consult for the City
22 of Paris and put the money back into the
23 program. I mean, I don't get all that.
24 And I know you sit on the Board and so do
25 I, and I know the frustration of a lot of

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2 the Board members are similar to mine,
3 but I think we got to find a way to get
4 to maximize that effort. Not minimize
5 what you're doing, but maximize what
6 they're doing, and I'm really looking to
7 trying to accomplish that before this
8 budget process is over.

9 Thank you.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilman.

12 The Chair recognizes Councilman
13 Squilla.

14 COUNCILMAN SQUILLA: Thank you,
15 Mr. Steuer. I notice you said the grants
16 and cultural organizations -- and I know
17 in my district is full of a lot of artsy
18 theatre type places that do receive some
19 of the grants, but I notice you said out
20 of that money, there is a fixed amount, I
21 guess, for the African American Museum.
22 Is that just a grant that is given to
23 them?

24 MR. STEUER: Right. There are
25 certain institutions that are City-owned

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2 facilities that have historically
3 received money directly from the City
4 because the City owns the facility. So
5 that money was really designed to cover
6 maintenance, security, the costs related
7 to the facility itself. And those
8 institutions would be the African
9 American Museum, the Philadelphia Museum
10 of Art and the Philadelphia History
11 Museum, which used to be known as the
12 Atwater Kent. So there are three of
13 those City-owned cultural facilities that
14 are funded outside of the Philadelphia
15 Cultural Fund process.

16 COUNCILMAN SQUILLA: And that
17 all comes out of that \$2.7 million?

18 MR. STEUER: Correct. Although
19 I should add that the funding that goes
20 to the Philadelphia History Museum is not
21 included within our budget. That money
22 is actually in the Recreation
23 Department's budget, again, just because
24 of the history and that's where it had
25 been in the past.

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2 COUNCILMAN SQUILLA: So the
3 Philadelphia Museum doesn't get grant
4 money?

5 MR. STEUER: Correct. Well,
6 they get grant money, but it's a lump sum
7 grant from the City. They actually have
8 a budget number as a City agency.

9 COUNCILMAN SQUILLA: I'm
10 talking about this grant from the
11 Cultural organization's money that's in
12 the budget here. They get none of that?

13 MR. STEUER: That's correct.
14 They are not eligible for support because
15 they get direct funding from the City.
16 So the 1.84 million is the money that
17 goes through the competitive grant-making
18 process to all the organizations that are
19 not funded directly by the City.

20 COUNCILMAN SQUILLA: And so the
21 African American Museum and the
22 Philadelphia Museum of Art get a certain
23 amount each year out of this?

24 MR. STEUER: No, not from that
25 funding. They're funded separately. So

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2 the 1.84 million is only what goes
3 towards the competitive grant-making
4 process. That goes to about 200 arts
5 organizations all over the City this
6 year.

7 COUNCILMAN SQUILLA: But you
8 mentioned that the other museums would
9 get the rest.

10 MR. STEUER: No, no. Right.
11 Out of the total, you have the 1.84 that
12 goes to the Philadelphia Cultural Fund.
13 The only other component that's in our
14 budget is the 230,000 that goes to the
15 African American Museum. I was just
16 referencing other parts of the City
17 budget.

18 COUNCILMAN SQUILLA: Oh, I was
19 only talking about that. That's why I
20 was confused. I'm sorry.

21 MR. STEUER: Sorry to confuse
22 you.

23 COUNCILMAN SQUILLA: So they
24 get money from -- and the African
25 American gets it because it's a

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2 Philadelphia -- owned by the City?

3 MR. STEUER: Correct.

4 COUNCILMAN SQUILLA: So they're
5 eligible for it?

6 MR. STEUER: Correct.

7 COUNCILMAN SQUILLA: And the
8 Museum of Art and the Philadelphia Museum
9 is also owned by the City, but they get
10 it through Recreation or some other
11 sources?

12 MR. STEUER: That's right.
13 That's right.

14 COUNCILMAN SQUILLA: All right.
15 Now, out of these, when they apply for
16 the grants, sort of like Councilwoman
17 Bass said, they apply to your
18 organization. I know some people also
19 apply to like Activities grant money. Is
20 that something that's cross-referenced?

21 MR. STEUER: Not that I'm aware
22 of. The groups that have applied to the
23 Philadelphia Cultural Fund, they're not
24 applying to my office. They're applying
25 to the Philadelphia Cultural Fund, which

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2 is an independent non-profit 501(c)(3).
3 So we provide a lump sum grant to that
4 entity that is sort of a joint creation
5 of City Council and the then Mayor, and
6 then they run a competitive grant-making
7 process. I don't know if in their
8 process they also look at which groups
9 might be getting funds.

10 COUNCILMAN SQUILLA: Out of
11 this money goes to them too?

12 MR. STEUER: Sorry?

13 COUNCILMAN SQUILLA: I'm a
14 little confused. Now you said the grants
15 to cultural organizations, you said you
16 supply money to the organization where
17 they apply for the --

18 MR. STEUER: Right. The 1.84
19 million goes to the Philadelphia Cultural
20 Fund in a lump sum. So they then make
21 the grants.

22 COUNCILMAN SQUILLA: You have
23 nothing to do with that?

24 MR. STEUER: Correct. Correct.

25 COUNCILMAN SQUILLA: Okay. All

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2 right.

3 MR. STEUER: Only in that I sit
4 ex officio on the Board. And so I
5 obviously participate in the process, but
6 as I said, there are four Council
7 representatives on the Board and four
8 mayoral appointees and then nine public
9 members of the Board, and the Board
10 oversees that process.

11 COUNCILMAN SQUILLA: Okay.
12 Thank you.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilman.

15 The Chair recognizes
16 Councilmember Oh.

17 COUNCILMAN OH: Thank you,
18 Mr. President.

19 Hello, Gary. How are you
20 doing?

21 MR. STEUER: Hi, Councilman.

22 COUNCILMAN OH: I had a
23 question, and I'm not sure if you're
24 involved in this process, which is why
25 I'm asking. I had read a couple months

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2 ago or so about -- and you're probably
3 familiar with this -- a sculpture,
4 life-size Abraham Lincoln sculpture that
5 was donated by the Chinese government to
6 Philadelphia. I understand it was in
7 storage. And it was apparently auctioned
8 off for about \$550, and its value was
9 \$200,000.

10 So my question is, do we know
11 the value of all of the City's art that
12 it owns, possesses?

13 MR. STEUER: Yeah. I don't
14 know if we have a current appraised value
15 of every work of public art in the City
16 collection. In that particular case, the
17 work was not actually -- the history, as
18 I understand it, because this happened
19 before I arrived at the City, was that it
20 was -- the gift was made as part of the
21 Lincoln Bicentennial. What was presented
22 was actually what's known as a maquette,
23 which is a model, not the actual final
24 sculpture itself. So it was not bronze;
25 it was plaster, I believe. So it was

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2 intended as a model of what would
3 ultimately be the final gift. But it was
4 presented without a process by which the
5 City sort of had a sense of where it
6 would be placed, who would be responsible
7 for maintaining it, and we went through a
8 process with the Lincoln Bicentennial
9 folks of trying to find a site and find
10 an organization that would take
11 responsibility for maintaining it or make
12 a gift to the City to set up a
13 maintenance fund, which is what we
14 generally do with these gifts to the
15 City.

16 In the end, we were not able to
17 identify that site and that organization
18 or the funding to maintain it. So what
19 we did as an alternative was actually
20 have it installed in City Hall to
21 represent the gift of the maquette to the
22 City. And so we exhibited that model in
23 City Hall for, I think, about six months
24 to a year right on the second floor next
25 to the Mayor's Reception Room. And then

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2 after that, it was not something that we
3 owned or had control over. So I think
4 that's at that point, when they were not
5 able to find a home for the model, that
6 they were able to or they tried to
7 auction it off.

8 COUNCILMAN OH: Right. This
9 might pre-date you, I think, but I'm not
10 sure. My understanding is, it was a
11 life-size statue and I thought it was
12 bronze. Was it a life-size statue of
13 plaster?

14 MR. STEUER: It was a life-size
15 statue, but my understanding was that
16 this was the maquette. What we actually
17 had here was the maquette or the model
18 for what would have been the permanent
19 sculpture that would have been cast in
20 China and sent over here.

21 COUNCILMAN OH: Okay. The
22 newspaper, which may not have gotten this
23 correct, as we all know, said it was
24 valued at about \$200,000. That's not the
25 case of a plaster piece?

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2 MR. STEUER: Yeah. I have no
3 idea what the actual value would be, so I
4 can't attest to what its true appraised
5 value would be.

6 COUNCILMAN OH: So my question
7 really is, where is Philadelphia's art
8 stored that is not being displayed?

9 MR. STEUER: Well, the vast
10 majority of it is actually out and being
11 displayed because it's permanent public
12 art. So the situations where art is in
13 storage are very, very small. And my
14 Public Art Director is not here today, so
15 I can get you a list of what's in
16 storage, but it's a very, very small
17 number of pieces. I cited earlier the
18 piece by Ferrer, which had been in
19 storage for about ten years. That's an
20 unusual situation.

21 We also a number of years ago
22 were able to identify at least parts of a
23 sculpture that was not designed to be
24 permanent by the artist Red Grooms that
25 had originally been created for

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2 Philadelphia called Philadelphia
3 Cornucopia that kind of disappeared from
4 the public eye when they were -- when the
5 installation was taken down. This is
6 back in the '80s, I believe. And it was
7 actually in storage in the basement of
8 City Hall. So we were able to identify
9 where that was, and in the end, the
10 Pennsylvania Academy of Fine Arts agreed
11 to take over the cost of conserving and
12 restoring it and eventually exhibiting
13 it.

14 But we know where all the work
15 is, and I can get you a list of any works
16 that are currently in storage. Most of
17 it is -- the vast majority of it, about
18 1,500 works, is in public and we also
19 have a list of where all those sites are
20 too.

21 COUNCILMAN OH: Okay. What I'd
22 be interested in is understanding the
23 process, if there is an opportunity for
24 Councilmembers to be involved in the
25 process of accepting art as gifts to the

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2 City and in site selection, and if
3 there's art that is not being used, to
4 know that for possible display in their
5 districts or some special occasions. And
6 ultimately if it's going to be disposed,
7 there would be some process of disposal.
8 In other words, I'm not saying throw it
9 away. I mean auctioned off, receiving
10 the monetary value.

11 MR. STEUER: Great.

12 COUNCILMAN OH: Thank you.

13 MR. STEUER: We will get that
14 to you.

15 COUNCIL PRESIDENT CLARKE:

16 Thank you, Councilman.

17 The Chair recognizes
18 Councilmember Johnson.

19 COUNCILMAN JOHNSON: Yes.
20 Thank you for being here. Just a real
21 quick question.

22 I want to go back to the
23 relationship with PIDC and the Office of
24 Arts, Culture and the Creative Economy.
25 So just elaborate on how PIDC can

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2 basically fund individuals on the
3 contract with your office. I'm just
4 trying to get clarity on it. It's the
5 Philadelphia Industrial Development
6 Corporation, and this is a totally
7 different genre, so I'm just trying to
8 get some clarity on it.

9 MR. STEUER: Sure. I'll do my
10 best to answer. I might rely on my
11 Deputy here to respond as well.

12 As was referred to when the
13 office was formed or reformed, it had
14 previously been part of the Commerce
15 Department. So we had a number of staff
16 people who when they were Commerce
17 Department employees were paid through
18 PIDC. So part what I had to do when the
19 office was formed in 2008 -- and you may
20 recall what was going on in the economy
21 in 2008 -- was figure out how we could
22 make an office without adding to the City
23 budget. So the major thing that we did
24 was take those programs and those people
25 that used to comprise the office and

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2 reassemble them and get the budget lines
3 from those entities reassigned to my
4 office, so that we basically put together
5 the budget without increasing the General
6 Fund budget by adding those staff and
7 shifting them over. And as Rebecca
8 Rhynhart noted, many of those employees
9 have been employees for quite a while,
10 and so they're already vested in the PIDC
11 retirement plan. And so it's not as
12 simple as it would seem to simply shift
13 them over to the City payroll. So they
14 have stayed on the PIDC plan. It's not
15 hidden at all. It's in our report.
16 They're considered our employees. It's
17 just that the funding comes to our office
18 and then is transferred to PIDC that
19 provides their payroll services.

20 COUNCILMAN JOHNSON: Okay. I
21 did participate in the unveiling of the
22 statue, Abraham Lincoln, from China.
23 Nice statue, I remember. I didn't know
24 it was sold, but I definitely do remember
25 it.

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2 I have no other questions.

3 MR. STEUER: Thank you.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilman.

6 I was going to leave it alone.

7 So now let me understand this PIDC issue.

8 You're saying that the individuals that

9 are currently assigned to your staff were

10 employees in the Commerce Department in

11 years past assigned to PIDC? I'm trying

12 to understand.

13 MR. STEUER: There were four

14 employees who were in the Commerce

15 Department who were paid through PIDC.

16 COUNCIL PRESIDENT CLARKE:

17 Through PIDC.

18 MR. STEUER: Correct.

19 COUNCIL PRESIDENT CLARKE: And

20 those individuals left PIDC to come to

21 your staff?

22 MR. STEUER: Well, they were

23 never actually at PIDC. They were at

24 Commerce.

25 COUNCIL PRESIDENT CLARKE: So

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2 they worked at Commerce the entire time,
3 paid through out of PIDC?

4 MR. STEUER: Right. And then
5 at one point they were shifted to Public
6 Property. So, for example, the public
7 art program and the Art in City Hall
8 program and those staff were shifted from
9 the Commerce Department to Public
10 Property and then eventually to my
11 office.

12 COUNCIL PRESIDENT CLARKE: Was
13 there consistent work product that was
14 coming from the employees?

15 MR. STEUER: Yes. They were
16 still --

17 COUNCIL PRESIDENT CLARKE: Did
18 they always do the same thing?

19 MR. STEUER: Correct. All the
20 same time, doing the same jobs, same
21 staff.

22 COUNCIL PRESIDENT CLARKE: Over
23 here, over there, the same thing?

24 MR. STEUER: For example, when
25 the office closed, there was no home or

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2 no oversight, for example, for the work
3 that the Art in City Hall program was
4 doing and the Percent for Art program,
5 the public art program was doing, but
6 that work still had to be done. It's
7 mandated by ordinance that we run a
8 Percent for Art program. So since it's
9 related to City facilities and City
10 buildings, it seemed a logical place, I
11 gather, at the time to shift them over to
12 Public Property. So they had a home
13 within Public Property, but then when the
14 office was reformed, the sense was it was
15 the best fit to have them be part of the
16 office.

17 COUNCIL PRESIDENT CLARKE: And
18 you weren't here, and I understand if you
19 don't know the answer to the question.
20 The elimination of the office, did it
21 have anything to do with fiscal policy or
22 just policy in general? I mean, we don't
23 normally get rid of offices unless we
24 don't have the money. And you said that
25 it was mandated by ordinance, and the

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2 question is, unless the dollar amount was
3 specifically placed in the creation of
4 the office, we're never required to
5 maintain certain levels of funding.

6 MR. STEUER: Well, the Office
7 of Arts and Culture is not mandated by
8 ordinance. The Percent for Art program
9 is mandated by ordinance. So it was the
10 office that was eliminated, but not the
11 Percent for Art program. And I can't
12 speak to why the office was eliminated.
13 It was before my time.

14 COUNCIL PRESIDENT CLARKE: My
15 recollection, it had something to do with
16 some fiscal issues. All right. I have a
17 little better understanding of this. The
18 bottom line is, there is the possibility
19 that if we're going to maintain this
20 level of employees, that funding and
21 those employees, where applicable, the
22 four will go over to your office and not
23 being funded through -- so those two can
24 maintain --

25 MR. STEUER: As Rebecca

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2 Rhynhart said, if this larger issue is
3 solved, will be a part of that.

4 COUNCIL PRESIDENT CLARKE: All
5 right. Thank you.

6 The Chair recognizes Councilman
7 Squilla.

8 COUNCILMAN SQUILLA: Thank you,
9 Mr. President.

10 As far as art is concerned, if
11 somebody comes up with an idea to have a
12 memorial or they want to display
13 something somewhere in the City, how do
14 they go about doing that?

15 MR. STEUER: Well, again, I
16 could probably provide the process
17 through our head of Public Art, who
18 generally handles that. So I'll give you
19 my answer, but then I'd like to be able
20 to follow up to have her provide that
21 answer as well in case I misspeak.

22 But basically what happens is,
23 we'll have a conversation with that
24 person or that entity and then determine
25 if there's an appropriate location for

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2 that work of art or that monument, where
3 might it be exhibited, is it an
4 appropriate location, if it's on City
5 property, is the City agency that's
6 responsible for that property okay with
7 it. So if it's on the side of a building
8 or sidewalk, we have to deal with all of
9 those issues, and then who is responsible
10 for the maintenance of that work of art.
11 So generally for gifts to the City, we do
12 require that we make an estimate of what
13 it's going to cost to maintain this work
14 of art in perpetuity and, therefore, what
15 small amount of money might need to be
16 gifted to the City to provide a
17 maintenance fund for that work of art to
18 just make sure that we can clean it when
19 it needs to be cleaned, restore it when
20 it needs to be restored. And part of the
21 challenge we have right now is that we
22 have this large public art collection
23 that actually has no budget for
24 conservation and maintenance. So one of
25 the things that was eliminated in Fiscal

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2 2009 was the budget for conservation and
3 maintenance, and that's part of the
4 reason why we're so concerned about not
5 wanting to add to the challenge of
6 conserving and maintaining our works of
7 art, because we, frankly, are limited in
8 our capacity to maintain what we have
9 already.

10 COUNCILMAN SQUILLA: So you're
11 saying right now you don't want to add if
12 somebody comes up with something that
13 they want to give and come up with ways
14 to maintain it, you would --

15 MR. STEUER: Just that we have
16 to think about how is this going to be
17 maintained. So we have to make sure that
18 actually can be cleaned. We don't want
19 to -- if we accepted thousands of works
20 of art to be placed all over the City, we
21 then have a challenge of lots more stuff
22 that adds a burden to the taxpayers of it
23 having to be maintained. So it's just
24 looking at that issue of what's the cost
25 of maintenance.

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2 COUNCILMAN SQUILLA: So do we
3 need them to contact with you or the head
4 of Public Art to initiate the initial
5 contact?

6 MR. STEUER: Generally if it
7 comes to me, I then refer it to our
8 Director of Public Art.

9 COUNCILMAN SQUILLA: And who is
10 that?

11 MR. STEUER: Margot Berg,
12 B-E-R-G, and Margot with a T.

13 COUNCILMAN SQUILLA: With a T?

14 MR. STEUER: With a T,
15 M-A-R-G-O-T. And we can get you her
16 direct contact info.

17 COUNCILMAN SQUILLA: Because
18 sometimes people come up to us and have
19 certain ideas or maybe an area and you
20 want to go through and just make sure
21 they know exactly what they need to do
22 when they present this information, and
23 it's better to have all the information
24 than none. And I agree with you, the
25 maintenance is a big issue. I mean, even

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2 anything we do in the City, we have to
3 know how we're going to be able to
4 maintain things. So it's very important.
5 And that they also know they have to
6 fundraise or make this happen, they also
7 have to fundraise for the maintenance of
8 this so that we will.

9 But I don't want turn anybody
10 down and just say, Oh, we have too much
11 already. If they come up with a great
12 idea, a great location and are able to
13 afford it, I think we should look into
14 investing in that and making it happen.

15 MR. STEUER: Absolutely. And
16 some of the great works of public art of
17 the City actually came through that gift
18 process. And I don't see Councilman
19 Kenney here right now, but we've been
20 going through that right now with the
21 O.V. Catto monument that has been
22 privately fundraised for that is very
23 important to the City and will be a gift
24 to the City, in effect. So that's a
25 great example of that kind of process

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2 where a group can come together, do
3 private fundraising, and we can be
4 involved in the process helping to
5 advise, if necessary, on artist
6 selection, siting, but ultimately it's a
7 gift to the City by a group of private
8 individuals.

9 COUNCILMAN SQUILLA: Thank you.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilman.

12 The Chair recognizes
13 Councilwoman Bass.

14 COUNCILWOMAN BASS: Thank you.

15 I just have two quick
16 questions. How many employees are in the
17 PIDC pension?

18 MR. STEUER: Right now would be
19 four.

20 COUNCILWOMAN BASS: Four
21 employees?

22 MS. BAYLSON: There are four
23 employees. I believe two are vested in
24 the pension.

25 COUNCILWOMAN BASS: Four

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2 employees, two vested.

3 And the other question is, it
4 says in your statement under your
5 accomplishments that the museum -- or you
6 provided a grant of 230,000 and some
7 change to the African American Museum in
8 Philadelphia to assist in delivering
9 high-quality programming and exhibitions
10 to the public. And so my question is,
11 since I know that they've been around for
12 quite some time, much longer than since
13 2008, I was wondering if you could
14 comment on the quality of programming
15 that they provided in the past.

16 MR. STEUER: Well, I can't
17 comment on the past because I wasn't
18 here, but just from my time here, the
19 quality has seemed to be very high.
20 They've installed a new permanent
21 exhibition about the kind of sweep of
22 African American history within
23 Philadelphia that I think is a great
24 addition to their programming. That is
25 largely on the first and second floors, I

1 4/2/12 - WHOLE - BILL 120164, ETC.

2 believe. They've reinitiated performing
3 arts programming, specifically jazz
4 programming, which is something that they
5 had been particularly recognized for in
6 the past, and so that's something that's
7 been brought back. They were able to
8 complete a capital project with a
9 combination of City and private dollars
10 that actually opened up the front of the
11 building.

12 It's not the greatest building
13 for art and public programming, so
14 they're working with a building that
15 frankly is challenging. One of the
16 challenges they had was that their public
17 face was largely sort of concrete. It
18 didn't really present itself well to the
19 public. So they did a project that
20 created a much more welcoming, beautiful
21 public space in the front, and they're
22 using that area now for programming,
23 outdoor programming, in front of the
24 museum.

25 So the sense that I have is

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2 that they're doing good work now. I
3 can't speak to what happened before.

4 COUNCILWOMAN BASS: I guess the
5 way this is worded, it sort of suggests
6 that in the past the quality of what was
7 presented wasn't acceptable or it was a
8 lower quality, if you suggest that -- or
9 you say that through an annual grant, you
10 were able to make sure that they had
11 adequate resources to deliver
12 high-quality programming and exhibitions.
13 It sort of suggests that prior to
14 receiving that grant or without that
15 grant, in the past maybe they didn't
16 provide the quality or the level that was
17 necessarily acceptable.

18 MR. STEUER: If it came across
19 that way, I did not intend it. So
20 basically it's to continue to provide
21 high-quality programming.

22 COUNCILWOMAN BASS: That's
23 probably a better --

24 MR. STEUER: Yes.

25 COUNCILWOMAN BASS: Okay.

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2 That's it. Thank you.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilwoman.

5 Any other questions of this
6 witness?

7 (No response.)

8 COUNCIL PRESIDENT CLARKE:

9 There being none, the Committee of the
10 Whole stands in recess until April 3rd,
11 10:00 a.m.

12 (Committee of the Whole
13 recessed at 5:40 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on April 2, 2012, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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