

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES
Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 4th, 2024

PRESENT:

COUNCILMEMBER CINDY BASS
COUNCILMEMBER MARK SQUILLA
COUNCILMEMBER GILMORE RICHARDSON
COUNCILMEMBER CURTIS JONES, JR.
COUNCILMEMBER BRIAN J. O'NEILL
COUNCILMEMBER JAMIE GAUTHIER
COUNCILMEMBER QUETCY LOZADA
COUNCILMEMBER JEFFERY YOUNG, JR.
BILLS 240058, 240157, 240242, 240332, 240368,
240385, 240415, 240421, 240426, 240427, 240432, and
240466

- - -

1 6/4/24 - RULES - BILL 240058, ETC.

2 COUNCILMEMBER BASS: This hearing is
3 called to order. Members and guests will please
4 take their seats. This is the Committee on
5 Rules. Today is Tuesday, June 4th, 2024. Madam
6 Clerk, please call the roll to take attendance.
7 Members that are in attendance will please
8 indicate that you are present when your name is
9 called.

10 THE CLERK: Councilmember Squilla.

11 (No response.)

12 THE CLERK: Councilmember Gilmore
13 Richardson.

14 COUNCILMEMBER RICHARDSON: Present.

15 THE CLERK: Councilmember Jones.

16 COUNCILMEMBER JONES: Present.

17 THE CLERK: Councilmember O'Neill.

18 COUNCILMEMBER O'NEILL: Present.

19 THE CLERK: Councilmember Thomas.

20 (No response.)

21 THE CLERK: Councilmember Gauthier.

22 COUNCILMEMBER GAUTHIER: Present.

23 THE CLERK: Chair Bass.

24 COUNCILMEMBER BASS: Present. Thank
25 you. A quorum of the committee is present and

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2 the hearing is now called to order. And this is
3 the public hearing of the Committee on Rules
4 regarding bills number 240058, 240157, 240242,
5 240332, 240368, 240385, 240415, 240421, 240426,
6 240427, 240432, and 240466. And, Madam Clerk,
7 please read the title of these bills.

8 THE CLERK: Bill Number 240058,
9 amending section 14-702 of the Philadelphia Code
10 entitled floor area, height and dwelling unit
11 density bonuses to add requirements related to
12 the use of payments in lieu of building
13 affordable housing to receive floor area,
14 building height and dwelling unit density
15 bonuses.

16 And amending section 14-533 entitled
17 MIN, Mixed Income Neighborhoods Overlay District
18 to add requirements related to the use of
19 payments in lieu of building affordable housing
20 to satisfy certain minimum affordable housing
21 building requirements under certain terms and
22 conditions.

23 Bill Number 240157, amending Title 14
24 Zoning and Planning and Title 18 Commerce of the
25 Philadelphia Code to clarify responsibilities of

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2 the Department of Aviation and eliminated
3 provisions related to passenger charges, all
4 under certain terms and conditions.

5 Bill Number 240242, amending section
6 14-500 of the Philadelphia Code entitled Overlay
7 Zoning Districts by amending section 14-524
8 entitled FDO, Fourth District Overlay District to
9 establish use regulations on medical facilities
10 under certain terms and conditions.

11 Bill Number 240332, approving the 6th
12 amendment of the redevelopment proposal for the
13 American Street Industrial Corridor urban renewal
14 area being the area generally bounded by Lehigh
15 Avenue, Burke Street, and Montgomery Avenue on
16 the north, by Second Street and Phillips Street
17 on the east by Gerard Avenue, Oxford Street and
18 Jefferson Street on the south and by Germantown
19 Avenue, 6th Street and 3rd Street on the west,
20 including the 6th Amendment to the Urban Renewal
21 Plan, which provides for changes that would make
22 it consistent with the North Philadelphia
23 redevelopment area plan and generally consistent
24 with the most recent comprehensive plan approved
25 by the City Planning Commission of the City of

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2 Philadelphia.

3 Bill Number 240368, continuing a
4 neighborhood improvement district known as the
5 East Passyunk Avenue Business Improvement
6 District in an area that generally includes both
7 sides of East Passyunk Avenue from the south side
8 of Federal Street to the east side of South Broad
9 Street.

10 Certain blocks of streets that
11 intersect the portion of East Passyunk Avenue,
12 both sides of South Broad Street from the north
13 side of McKean Street to the north side of Snyder
14 Avenue and the west side of Broad Street from the
15 south side of Mifflin Street to the north side of
16 McKean Street.

17 Designated the East Passyunk Avenue
18 Business Improvement District Incorporated, which
19 has organized itself as a Pennsylvania nonprofit
20 corporation as a neighborhood improvement
21 district management association for the district.

22 Approving a plan for the district
23 including a list of proposed improvements and
24 their estimated costs and providing for
25 assessment fees to be levied on property owners

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2 within the district authorizing the director of
3 commerce on behalf of the city to execute an
4 agreement with the East Passyunk Avenue Business
5 Improvement District Incorporated related to the
6 district.

7 And authorizing the East Passyunk
8 Avenue Business Improvement District Incorporated
9 to assess property owners within the district a
10 special property assessment fee to be used in
11 accordance with the approved plan, all in
12 accordance with the provision of the Community
13 and Economic Improvement Act and under certain
14 terms and conditions.

15 Bill Number 240385, to amend the
16 Philadelphia Zoning Maps by changing the zoning
17 designations of certain areas of land located
18 within an area bounded by Snyder Avenue, 6th
19 Street, Cantrell Street, and 7th Street.

20 Bill Number 240415, to amend the
21 Philadelphia Zoning Maps by changing the zoning
22 designations of certain areas of land located
23 within an area bound by Island Avenue, the
24 Delaware Expressway, and Bartram Avenue.

25 Bill Number 240421, to amend the

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2 Philadelphia Zoning Maps by changing the zoning
3 designations of certain areas of land located
4 within an area bound by Valley Avenue, Domino
5 Lane, Ridge Avenue, Paoli Avenue, Pechin Street,
6 extended Ridge Avenue, Hermit Street and Henry
7 Avenue.

8 And to amend title 14 of the
9 Philadelphia Code by adding section 14-541, Ridge
10 Avenue neighborhoods overlay and making other
11 related changes, all under certain terms and
12 conditions.

13 Bill Number 240426, to amend the
14 Philadelphia Zoning Maps by changing the zoning
15 designations of certain areas of land located
16 within the area bounded by Roosevelt Boulevard,
17 Adams Avenue, Ramona Street, Wyoming Avenue, and
18 Whitaker Avenue.

19 Bill Number 240427, amending section
20 14-305 of the Philadelphia Code entitled
21 Nonconformities by providing further provisions
22 on changes of non-conforming uses under certain
23 terms and conditions.

24 Bill Number 240432, to amend the
25 Philadelphia zoning routes by changing the zoning

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2 designations of certain areas of land located
3 within an area bounded by Kensington Avenue,
4 Tioga Street, Jasper Street, and Allegheny
5 Avenue.

6 And Bill Number 240466, amending
7 section 14-314 of the Philadelphia Code entitled
8 Public Hearings of the Zoning Board of Adjustment
9 to change the number of board members required
10 for a quorum or for action taken at a zoning
11 board of adjustment hearing, all under certain
12 terms and conditions.

13 COUNCILMEMBER BASS: Thank you, Madam
14 Clerk. And as per the sponsor's request, today
15 we will be holding Bill Number 240432. Madam
16 Clerk, please call the first panel we have to
17 testify this morning on Bill Number 240058.

18 THE CLERK: Paula Brumbelow Burns,
19 Director of Legislation, Philadelphia City
20 Planning Commission.

21 COUNCILMEMBER BASS: And as she's
22 approaching, I know that the bill's sponsor,
23 Councilwoman Gauthier, would like to make
24 remarks. Councilwoman Gauthier?

25 COUNCILMEMBER GAUTHIER: Thank you for

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2 the opportunity to comment, Madam Chair. I know
3 that we have a packed agenda for this morning, so
4 I'll be brief.

5 This bill is part of a set that aims to
6 correct what's essentially a lie that currently
7 exists in our code. Many of our district -- my
8 district colleagues might have experienced the
9 situation where there's new development going up
10 that's taller than what the zoning code currently
11 allows by right because developers have paid into
12 the mixed income housing density bonus.

13 What we know to be true is that not
14 only does this "payment in lieu" mean that no
15 affordable housing will be secured on site, but
16 we also know that these payments have never led
17 to a proportionate increase in the housing trust
18 fund. And that, moreover, none of this money
19 stays within the geographic vicinity of where the
20 development is taking place.

21 This leads to a situation that comes up
22 time and time again where developers are doing
23 what the city asks of them but community members
24 are still upset and discouraged because they are
25 getting over scaled development in their

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2 neighborhood with none of the affordable housing
3 benefits that were promised to them. We cannot
4 turn a blind eye to this any longer.

5 I've already proposed a charter change
6 that would mandate this funding to the housing
7 trust fund that was favorably referred out of
8 committee last month. The next step is Bill
9 Number 240058 in front of this committee today,
10 which calls on the city to spend the money on
11 affordable housing efforts within the council
12 district where the development is happening.

13 This morning, we will circulate an
14 amendment changing the language in the bill from
15 a two-mile radius around the development to the
16 same council district as the development to give
17 maximum flexibility to Councilmembers and the
18 administration in investing these funds.

19 These changes will help make good on
20 the original intent of the density bonus, which
21 is for there to be a compensatory benefit that
22 offsets the additional density allowed in the
23 zoning code.

24 I'll note also that the language is
25 quite flexible, allowing for best efforts and

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2 multiple years for planning and development to
3 spend the funds. And as just referenced, it
4 allows for these funds to be spent within the
5 entire council district where the project will be
6 built.

7 For this reason, I think this is a
8 reasonable and common-sense bill and should be
9 referred favorably today. Thank you so much,
10 Madam Chair.

11 COUNCILMEMBER BASS: Thank you,
12 Councillady Gauthier. And now to the witness,
13 Paula Brumbelow Burns. Please state your name
14 for the record and proceed with your testimony.

15 MS. BURNS: Good morning, members of
16 the Rules Committee. I am Paula Brumbelow Burns,
17 Director of Legislation for the Philadelphia City
18 Planning Commission. I am here to testify on
19 Bill Number 240058, introduced into City Council
20 on February 1st, 2024 by Councilmembers Gauthier,
21 Landau, O'Rourke, Brooks, and Squilla.

22 Bill Number 240058 amends Section 14-
23 702 of the Philadelphia Code entitled floor,
24 area, height and dwelling unit density bonuses.
25 To add requirements related to the use of

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2 payments in lieu of building affordable housing
3 to receive floor area, building height and
4 dwelling unit density bonuses.

5 And amending section 14-533 entitled
6 MIN, Mixed Income Neighborhoods Overlay District.
7 To add requirements related to the use of
8 payments in lieu of building affordable housing
9 to satisfy certain minimum affordable housing
10 building requirements.

11 This bill amends the mixed income
12 housing bonus and the MIN, Mixed Income
13 Neighborhoods Overlay District, by adding the
14 requirement that the city uses best efforts to
15 use in lieu fees within five years of the owner
16 tending payment to the city for a project or
17 projects within two miles of the development.

18 If pursued in earnest, this new
19 requirement would impose an administrative
20 burden. Each housing trust fund, known as HTF
21 expenditure, would need to be individually
22 designated as drawing from the fees associated
23 with given development. And funds remaining from
24 each development's account would need to be
25 tracked.

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2 In addition, HTFs expenditures are
3 spent in response to applications by residents
4 and developers. The need for housing programs is
5 universal throughout the city, but development is
6 generally concentrated in select areas of the
7 city.

8 As a result, we would need to target
9 our programs that serve those in the areas in
10 question. Further, HTF is just one source of
11 funding that is often used interchangeably with
12 other local state and federal funds which are not
13 constrained by this code section, creating a
14 somewhat piecemeal approach to serving the city's
15 housing needs.

16 The Philadelphia City Planning
17 Commission considered Bill Number 240058 at its
18 public meeting on March 21st, 2024, and they
19 recommended the bill not be approved. I'll be
20 happy to answer any questions at this time.

21 COUNCILMEMBER BASS: Thank you for your
22 testimony. Chair recognizes Councilwoman
23 Gauthier.

24 COUNCILMEMBER GAUTHIER: Thank you,
25 Madam Chair. Thank you for your testimony. As

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2 noted, we are changing the geographic boundary to
3 council district.

4 So with that change and with what was
5 already in the bill best efforts, the planning
6 commission would have five years. The planning
7 commission has the entire council district to
8 work in with collaboration with the
9 Councilmember.

10 I fail to see how this would be an
11 administratively burdensome program. As city
12 government, we have to allocate money to
13 different geographic areas all the time. And I
14 just want to bring us back to the original intent
15 of the payment and lieu program.

16 When high density market rate
17 development is going up in Community X, we are
18 telling neighbors that that is okay because
19 they're going to get a corresponding investment
20 in affordable housing, which was the original
21 intent of the program as created by former
22 Councilmember Maria Quinones Sanchez.

23 These changes, one, to mandate that
24 that payment in lieu money actually finds its way
25 to the housing trust fund and to require that

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2 there is some geographic coordination to where
3 that money is spent so that it actually does
4 provide an offset.

5 Our commonsense changes, and I fail to
6 see how the administration would not be able to
7 make a corresponding investment in such a large
8 geographic area within a five-year period. I
9 think that we are more sophisticated than that.
10 Thank you.

11 COUNCILMEMBER BASS: Thank you,
12 Councilmember. Chair recognizes Councilmember
13 Jones and also want to recognize the presence of
14 Councilmember Mark Squilla.

15 COUNCILMEMBER JONES: Thank you, Madam
16 Chair. Question, and it came to our attention
17 that how much money have we received over the
18 last couple of years for the housing trust fund
19 from this --

20 COUNCILMEMBER GAUTHIER: Point of
21 information, these payments have never exceeded,
22 with the exception of one year that was an
23 anomaly, more than \$10 million a year. So it's a
24 relatively small amount of money that equals
25 about 1.9 percent of the total money that the

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2 city is spending on housing assistance.

3 COUNCILMEMBER JONES: So it's

4 approximately 10 million a year?

5 COUNCILMEMBER GAUTHIER: Most times

6 less.

7 COUNCILMEMBER JONES: Okay. My

8 question actually is, why does it go to the

9 general fund and not to the housing trust fund?

10 MS. BURNS: That is a very good

11 question that I don't --

12 COUNCILMEMBER JONES: I usually ask

13 good questions. Don't be surprised.

14 MS. BURNS: I don't actually know that

15 answer. I had originally -- I believe the bill

16 was originally set up to go to the housing trust

17 fund. I do not know what happened then that goes

18 to the general fund. That I do not know.

19 COUNCILMEMBER JONES: Would you provide

20 that answer to the chair to --

21 MS. BURNS: Yes.

22 COUNCILMEMBER JONES: -- distribute to

23 the committee? Because that's the whole

24 intention of creating a housing trust fund, is to

25 put these kinds of dollars in it. And I don't

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2 understand why it would go to the general fund.

3 MS. BURNS: We will get that answer by
4 this afternoon.

5 COUNCILMEMBER JONES: Thank you.

6 COUNCILMEMBER BASS: Thank you. And I
7 just wanted to add -- any other questions from
8 members of the committee? Comments? I just
9 wanted to add that based on what we've been doing
10 and the way we've been operating in terms of not
11 providing funding directly into the housing trust
12 fund, it's created a fiasco.

13 It's just a disaster of epic
14 proportions because when we look at the number of
15 people who applied for housing choice vouchers, I
16 think the number was somewhere around 37,000.

17 And at \$10 million going into the
18 housing trust fund a year and the rate, the price
19 and the rate of real estate development right
20 now, we are never going to be able to see our way
21 anywhere close to being able to house the folks
22 that need to be housed.

23 I firmly believe that it's our
24 responsibility as the City of Philadelphia to
25 make sure that there's housing for those of

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2 lesser means, to make sure that we're doing
3 everything we can to make sure that people have a
4 decent quality housing.

5 So I applaud the bill's sponsor. I'm
6 glad to hear that we're going to be making sure
7 that this reaches neighborhoods that otherwise
8 might not have been reached.

9 So we're going to expand the boundaries
10 of where these funds will go to where they're
11 coming from and where they're going to. There'll
12 be a larger catchment area, if you will, so that
13 the funds can get out into the neighborhoods
14 needed.

15 So that being said, if there's no other
16 comments for members of the committee. Thank
17 you, Ms. Brumbelow Burns.

18 MS. BURNS: You're welcome.

19 COUNCILMEMBER BASS: Madam Clerk, can
20 we have you call the next members of -- the next
21 panelist to testify?

22 THE CLERK: Pamela Andrews, West
23 Powelton/Saunders Park RCO, De'Wayne Drummond,
24 Mantua Civic Association, and Garrett O'Dwyer
25 from the Philadelphia Association of Community

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2 Development Corporations.

3 COUNCILMEMBER BASS: And while they're
4 coming forward, I do want to recognize the
5 presence of Councilwoman Quetcy Lozada from the
6 7th District and Councilman Jeffery Young from
7 the 5th district. Good morning.

8 MS. ANDREWS: Good morning.

9 COUNCILMEMBER BASS: When you're ready,
10 please state your name for the record and
11 proceed.

12 MS. ANDREWS: My name is Pamela
13 Andrews. I am the chair of West
14 Powelton/Saunders Park RCO. Good morning. I am
15 here today to testify in support of Bill 240058.

16 For us, we feel the most important
17 thing that you need to know about this bill is
18 that West Powelton, we deal daily with the impact
19 of the density bonus in our community.

20 Developers come in. Their main focus
21 in our community is to build multifamily housing.
22 It has turned our community primarily into a
23 bedroom community for the universities. We have
24 to deal with oversized development, density,
25 noise, trash, all of it.

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2 And there is no guarantees that none of
3 the monies that are generated from the density
4 bonuses come back into our community. We have
5 seen absolutely none, and we need to see that
6 changed.

7 In our community of West Powelton, I
8 will say to you, over the past year, as zoning
9 chair of RCO, I have seen numerous large-scale
10 buildings go up. All right? And no money has
11 come back in the community.

12 The monies that could be generated, the
13 millions that have come from that development, we
14 could basically, if it came back into our
15 community, we could put together our own
16 affordable housing programs. This needs to
17 change.

18 I'm constantly bombarded every day with
19 phone calls, and this is a simple thing. But
20 seniors who have lived in the neighborhood for
21 30, 40, 50 years, and because how this has
22 impacted the neighborhood, they're calling every
23 day saying, "Pam, you know, I've been here for 50
24 years and I've never seen rodents running up and
25 down the street", because with all of this

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2 density, the quality of life in our particular
3 neighborhood is changing.

4 We are happy about this bill. We
5 applaud Councilwoman Gauthier for sponsoring this
6 bill. And we want to see the density monies come
7 back into our neighborhood and be utilized
8 positively to create affordable housing. Thank
9 you for allowing me to speak today.

10 COUNCILMEMBER BASS: Thank you for your
11 testimony. De'Wayne Drummond.

12 MR. DRUMMOND: Good morning, Madam
13 Chair and --

14 COUNCILMEMBER BASS: Good morning.

15 MR. DRUMMOND: -- the Rules Committee.
16 I'd like to thank you all for hosting and having
17 this very, very important topic. My name is
18 De'Wayne Drummond. I am the president of Mantua
19 Civic Association. And the Mantua Civic
20 Association support this bill 240058.

21 And I have to stand on the Mantua motto
22 is plan or be planned for. This is an excellent,
23 excellent strategy when it comes down to
24 displacement. And displacement, we call at
25 Mantua the G-spot. It's a gentrification spot

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2 where a lot of development is taking place and
3 the current residents is not benefiting from the
4 development.

5 And with this bill right here for you
6 to go to pass through Rules Committee and go up
7 to city council, I think this will be a win, just
8 not for Mantua, but for the City of Philadelphia
9 also. And it should not be that development take
10 place and money get put in a trust. And instead
11 of North Philly or West Philly getting that
12 money, it get placed down in Center City, for
13 example.

14 So I ain't going to be long winded. I
15 thank you for your time, and I hope you digest
16 what everybody is saying about this bill. And
17 thank you once again.

18 COUNCILMEMBER BASS: Thank you. Thank
19 you for your testimony. And Garrett O'Dwyer.

20 MR. O'DWYER: Good morning.
21 Chairperson Bass and Vice Chair Squilla, if he's
22 still here, and members of City Council Committee
23 on Rules. My name is Garrett O'Dwyer, and I'm
24 the associate policy director for the
25 Philadelphia Association of Community Development

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2 Corporations, or PACDC.

3 We represent 60 Philadelphia CDC
4 members and another hundred associate members
5 engaged in community development, community
6 revitalization, and community stabilization.

7 Thank you for the opportunity to
8 testify before the Rules Committee in favor of
9 Bill Number 240058 that adds further requirements
10 for payments in lieu in exchange for obtaining
11 density bonuses for projects providing mixed
12 income housing.

13 If the City's goal is to create
14 diverse, affordable neighborhoods of choice
15 across Philadelphia, it is important that
16 affordable housing be created where larger scale
17 market rate projects are taking place.

18 What we've seen is that payments in
19 lieu in exchange for density bonuses are not
20 necessarily utilized to expand affordable housing
21 opportunities in the neighborhoods where the new
22 developments are taking place.

23 Currently, the payments to the housing
24 trust fund can be used by the Housing trust fund
25 anywhere in the city. While there is value in

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2 having such flexibility, in this case a more
3 targeted approach for use of these funds is
4 warranted since new market rates development may
5 lead to increases in housing costs in a
6 neighborhood.

7 In communities where we have seen
8 increases in property values and resident
9 displacement, an uptick in market rate
10 development has been the lead indicator.

11 Therefore, if we were to meaningfully
12 combat displacement and build mixed income
13 communities, it is necessary for there to be
14 focused investments in exactly these communities
15 before opportunities for affordability are
16 foreclosed upon for good.

17 PACDC supports Bill Number 240058 as
18 amended, requiring payment and lieu funds to be
19 spent within the council district at the project
20 receiving the density bonus. But we are
21 concerned that the council district may be too
22 large a geography to ensure expanded affordable
23 housing opportunities in the neighborhood where
24 the project is being developed.

25 We all know that neighborhoods can be

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2 quite compact in Philadelphia, often smaller than
3 10 blocks or about a mile. The original two-mile
4 radius is actually four miles from end to end,
5 which can span multiple neighborhoods. Council
6 district could be even larger. We would
7 recommend a smaller distance, a more targeted
8 geography for the greatest effect.

9 While not addressed in this bill, we
10 would also highlight the need to periodically
11 evaluate whether payments in lieu are set at an
12 appropriate rate to maximize affordable housing
13 development on site, rather than payments to the
14 housing trust fund because that is the surest way
15 to create new affordable units within the
16 neighborhood experiencing significant market rate
17 development.

18 Lastly, we are concerned that these
19 proceeds are directed towards the Housing Trust
20 Fund sub fund. While the original Housing trust
21 fund has restrictions to ensure that at least 50
22 percent of funds are spent on our poorest
23 neighbors making less than 30 percent AMI, the
24 sub fund does not similarly prioritize those most
25 in need.

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2 Again, we'd like to thank Councilman
3 Gauthier for her leadership. And we want to add
4 our strong support for Bill Number 240058 as
5 amended. And thank you for the opportunity to
6 testify.

7 COUNCILMEMBER BASS: Thank you for your
8 testimony. Any questions from members?
9 Councilwoman Gauthier?

10 COUNCILMEMBER GAUTHIER: Quick
11 comments. One, I wanted to thank everybody for
12 testifying. Garrett, I just wanted to
13 acknowledge your testimony. The change the
14 council district was something that would make
15 the bill work for all of the district
16 councilmembers.

17 So it was an important change but I do
18 note your comment, and I also am very committed
19 to working with you to see how we can strengthen
20 on site affordable units and to tackle the AMI
21 issue as we move forward.

22 And then I also wanted to thank --
23 well, I call her Ms. Pam -- Ms. Pam and Dwayne
24 for coming to testify today. They are in the
25 thick of all of this development, market rate

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2 development, where we're not seeing enough of an
3 offset in affordable units.

4 And I just wanted to give one quick
5 example, because with the pace of development
6 that's happening in and around West Powelton, in
7 and around Mantua, this budget season, I've been
8 advocating heavily for \$14 million to support the
9 rebuilding of 70 low-income units on the former
10 University City town home site.

11 We would have had that money already if
12 we had this change several years ago. And I will
13 note when we asked for it, we would have had that
14 money already, and we wouldn't be coming hat in
15 hand to the administration to ask for these units
16 that we already settled on in federal court.

17 So this is a very, very important piece
18 of legislation to make sure that communities get
19 what they deserve and that the most desirable
20 neighborhoods in our city are open to working
21 class people. Thank you so much for being here
22 today.

23 COUNCILMEMBER BASS: Seeing that
24 there's no other questions from the committee,
25 Madam Clerk, please call for the next bill and

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2 testify. Is there someone else here to testify
3 on Bill Number 240058?

4 THE CLERK: I have Pastor J. Broadnax
5 and Elizabeth Waring.

6 COUNCILMEMBER BASS: Good morning,
7 Pastor. How are you?

8 MR. BROADNAX: Good morning.

9 COUNCILMEMBER BASS: Okay. Please
10 state your name for the record and proceed with
11 your testimony.

12 MR. BROADNAX: Yes. My name is Pastor
13 Jay Broadnax. I'm pastor of Mount Pisgah AME
14 Church in West Philadelphia and a board member of
15 the West Powelton/Saunders Park RCO.

16 And I'm here in support of Bill Number
17 240058 concerning the use of in loop payments
18 made by developers to purchase density bonuses to
19 get around the requirement to include affordable
20 housing in their projects.

21 And you've just heard from others how
22 the projects taking place are generating much in
23 the millions and in lieu payments, especially in
24 our West Powelton neighborhood. And I believe
25 that the spirit and intent of the density bonuses

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2 requirement is good.

3 It's intended to make sure that somehow
4 the seemingly unbridled development that is going
5 on in certain sections of the city like ours,
6 does not lead to homogeneous and exclusive
7 neighborhoods through the spread of the cancer of
8 gentrification.

9 It's intended to provide resources to
10 make sure that there are units being built in
11 those neighborhoods that ordinary folk can
12 afford. The problem is that the funds that are
13 generated through the provision do not serve that
14 purpose.

15 The money's generated by development in
16 our backyards end up being added to the general
17 fund, thereby being a discretionary cash cow
18 applied to purposes that it was never intended to
19 fund.

20 So the city's housing trust fund goes
21 underfunded and more folks are priced out of
22 their neighborhoods. In addition, even when it
23 does go to the housing trust fund, the spirit of
24 the provision is to ensure that the neighborhoods
25 directly affected by the development, not some

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2 area that has no connection to the generation of
3 those funds get the benefit.

4 With all of the demands on city
5 revenues, that will never happen unless it's made
6 to happen by this bill. I look around and I see
7 the renewal going on, which is a good thing. But
8 I also look around and I see faces that have been
9 there for years, leaving, forced out.

10 Let's fix this policy so that there's
11 plenty good room for them and their children to
12 stay around. Thank you.

13 MS. WARING: Good morning.

14 COUNCILMEMBER BASS: Thank you for your
15 testimony. Please state your name for the record
16 and proceed.

17 MS. WARING: Elizabeth Waring, and I'm
18 a member of the West Powelton/Saunders Park RCO.
19 Also, I manage the Holly Street Garden. And I'm
20 saying these things because of development and
21 the pressures and constant calls and other things
22 being done because they want the garden, for one,
23 to develop also the homes.

24 So when I started in neighborhood and
25 bought my home 44 plus years ago, it was a great

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2 place to live. And I could afford to live there,
3 raise my children there.

4 We have less homeowners and more high-
5 density buildings, stacking of people. And this
6 has really created a problem. I'd like for my
7 children to come back to the area where they grew
8 up in but they can't afford to do it.

9 So in seeing the constant development
10 and what used to be multifamily units of three
11 units, they are multiple in terms of hundreds now
12 and it's just too much of a problem. And I don't
13 know what's going to be done. I see certain
14 neighborhoods, particularly West Powelton, being
15 more developed than some areas.

16 But I'm definitely in support of the
17 bill and bringing some of that money back and
18 hopefully not just a penny on the dollar, so that
19 we could have more mixed income, that people can
20 afford to come back and stay and raise their
21 children and let it be the continued like united
22 nations that it had been with all races. Okay.
23 Thank you.

24 COUNCILMEMBER BASS: Thank you very
25 much for your testimony. Is there anyone else

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2 here who would like to give public testimony
3 whose name hasn't been called? And there are no
4 more questions or comments from members of the
5 committee? Okay. All right.

6 COUNCILMEMBER GAUTHIER: I just wanted
7 to thank both of them for their testimony, but
8 moreover, all of your work in the community.
9 We're grateful for all of you. Thank you so
10 much.

11 COUNCILMEMBER BASS: Thank you. Okay.
12 And so hearing no other witnesses here to
13 testify, I want to thank the witnesses for their
14 participation today on Bill Number 240058. Madam
15 Clerk, please call the first panel we have to
16 testify this morning on Bill Number 240157.

17 THE CLERK: Shane Doud, director of
18 government affairs for the Department of
19 Aviation.

20 MR. DOUD: Good morning.

21 COUNCILMEMBER BASS: Good morning.
22 Please state your name for the record and
23 proceed.

24 MR. DOUD: Shane Doud, director of
25 government affairs for the Philadelphia

1 6/4/24 - RULES - BILL 240058, ETC.

2 International Airport, the Department of
3 Aviation.

4 Good morning. Chair Bass and members
5 of the Committee on Rules. My name is Shane
6 Doud, director of government affairs for the
7 Department of Aviation, which manages both
8 Philadelphia International Airport and Northeast
9 Philadelphia Airports.

10 I'm here to testify in support of Bill
11 Number 24157, which would clarify
12 responsibilities of the Department of Aviation,
13 eliminate provisions related to passenger
14 charges. A thorough summary of these changes was
15 shared in advance of this hearing.

16 Most of these changes are technical in
17 nature and update aspects of the Philadelphia
18 Code that still reference the Department of
19 Commerce and Division of Aviation as overseeing
20 PHL and PNE. As this committee may recall, these
21 functions were transferred to the Department of
22 Aviation as a result of a change to the Home Rule
23 Charter early in 2023.

24 This ordinance also eliminates
25 federally preempted language in the Philadelphia

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2 Code relating to locally assessed passenger
3 charges. Section 18-204 of the Philadelphia
4 Code, which was enacted in 1976, authorized a
5 local passenger charge.

6 Several years later, in 1996, this
7 section of the Philadelphia Code was preempted by
8 federal legislation, USC 40116. This federal
9 law, known as the Anti-Head Tax Act, prohibits
10 states and localities from assessing a fee, tax,
11 or head charge on an individual traveling in air
12 commerce. As this local charge cannot be
13 assessed, our team recommends removing the
14 language from the Philadelphia Code.

15 I'd like to thank you for the
16 opportunity to present testimony today on Bill
17 Number 240157. I kindly request adoption of the
18 amendments related to the -- to this ordinance.
19 These amendments include additional technical
20 changes to the code that were caught after bill
21 introduction.

22 I respectfully ask for the Committee
23 for adoption of the amendments, a favorable
24 recommendation of the ordinance, and that the
25 rules be suspended to allow first reading at the

1 6/4/24 - RULES - BILL 240058, ETC.

2 next session with councilmembers.

3 COUNCILMEMBER BASS: Thank you very
4 much for your testimony. Any questions from
5 members of the committee? Okay. Seeing none.
6 Is there anyone else here to testify on this
7 bill? Bill Number 240157? Okay. And seeing
8 none. Thank you very much for --

9 MR. DOUD: Thank you.

10 COUNCILMEMBER BASS: -- your testimony
11 today. Madam Clerk, please call the next witness
12 for Bill Number 240242.

13 THE CLERK: Paula Brumbelow Burns,
14 Director of Legislation, Philadelphia City
15 Planning Commission.

16 MS. BURNS: I'm Paula Brumbelow Burns,
17 Director of Legislation for the Philadelphia City
18 Planning Commission. I am here to testify on
19 Bill Number 240242, introduced into City Council
20 on April 4th, 2024 by Councilmember Jones Junior.

21 Bill Number 240242 amends the
22 Philadelphia Zoning Code by amending section 14-
23 524 entitled FDO, Fourth District Overlay
24 District to establish use regulations on medical
25 facilities in the Winfield Heights neighborhood

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2 of the West Park Planning District.

3 This bill establishes a medical
4 facility control area in the Winfield Heights
5 neighborhood within boundaries that include Ford
6 Road, Conshohocken Avenue and the Schuylkill
7 Expressway.

8 The overlay would prohibit the medical,
9 dental, and health practitioner and hospital uses
10 within overlay boundaries. The effect of the
11 bill is to limit future medical facilities in the
12 neighborhood.

13 Planning commission staff would note
14 that the zoning bill does not change the status
15 of legally non-conforming medical uses and
16 prohibit the medical use as described and could
17 limit access to needed health care.

18 The Philadelphia City Planning
19 Commission considered Bill Number 240242 at its
20 public meeting on April 18th, 2024 and
21 recommended the bill not for approval. I'll be
22 happy to answer any questions at this time.

23 COUNCILMEMBER BASS: Thank you for your
24 testimony. Chair recognizes Councilman Jones.

25 COUNCILMEMBER JONES: Always a pleasure

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2 to --

3 COUNCILMEMBER BASS: It is.

4 COUNCILMEMBER JONES: -- discuss things
5 with the planning department. My nickname for
6 them is the Department of No. You always tell us
7 no. And I understand you have to take those
8 positions. But as a district council person who
9 knows his respective communities, we try to err
10 on the side of the community.

11 And in this case, the good news is that
12 I am really working well with the developer of
13 this site. We are very close to figuring it out.
14 But when I introduced this legislation
15 colleagues, it was to make sure that there was a
16 bullet in the gun just in case.

17 Now, whether I was going to pull it and
18 shoot it and use it is something I think with
19 prayer and working together collegially that the
20 developer and the community will figure it out.

21 So what I am recommending at this point
22 is that we pass it out a committee without a rule
23 suspension so that we can keep it there as the
24 progress of this particular site.

25 And maybe I'll elaborate on the site

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2 and I want you to know, let me prefix my remarks
3 for the stenographer, high support rehabilitation
4 of people who have drug dependencies. Not just
5 in my words, but in my deeds.

6 We have Parkside Recovery on Parkside
7 Avenue, which we've worked out for now over a
8 decade, good neighbor relationships. We've
9 actually figured it out so that the community
10 isn't overly burdened with, that the property
11 values in the neighborhood aren't negatively
12 affected, and the people, more importantly, that
13 need that work, need those services get it.

14 We further went along with the, I think
15 it's project home one on Parkside Avenue. Am I
16 right? We approved a facility for women who are
17 coming back off of those kinds of dependencies.
18 So our history speaks for itself.

19 However, in this case, we have to be
20 cautious because of the mass impact that 300 beds
21 can have on Winfield Heights. Now, I don't --
22 names like Blondell Reynolds Brown live across
23 the street. Retired judges of all types that I
24 have to hear from want to know what is going on
25 in their neighborhoods.

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2 So, therefore, we have put this in
3 place. I am, again, I'm going to say, for the
4 record, I am happy with where we are in the
5 negotiations with the developer. However, we
6 don't want it to go south, and we love the
7 planning commission weighing in on issues germane
8 to our districts, even if you're wrong. Pause.
9 All right. So thank you for your testimony.

10 COUNCILMEMBER BASS: Chair recognizes
11 Councilwoman Gilmore Richardson.

12 COUNCILMEMBER RICHARDSON: Thank you.
13 Thank you so much, Madam Chair. I just wanted to
14 thank my district councilmember, Councilmember
15 Jones, for introducing 240242 after much robust
16 discussion with the Winfield Heights community.

17 I know there has been grave concern
18 relative to one particular site, but I think,
19 overall, relative to how development is taking
20 place in the community.

21 And so I appreciate the feedback from
22 the planning commission and the work that you all
23 do, but I just wanted to underscore the
24 importance of ensuring that the community is
25 represented in these planning decisions and

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2 ensuring that the uses that they want to see in
3 their communities are always considered as a top
4 priority. So thank you very much. And thank
5 you, Councilmember Jones.

6 COUNCILMEMBER BASS: Thank you. Thank
7 you very much. And this is a very timely topic.
8 I know that Councilman Jones has been on the
9 forefront of recovery and transitional housing
10 and just really like a lot of different issues
11 that are similarly related in your district for a
12 very long time.

13 I don't want to say how many years, so
14 I don't want to make it seem like you're old or
15 anything. Yeah. But I know that you've been
16 working on it for a long time. But I just wanted
17 to add this, and we have a resolution that we're
18 actually holding.

19 And we wanted to see how things are
20 going to unfold over the summer months, because
21 there is a lot of concern about the amount of
22 transitional housing that's happening throughout
23 the City of Philadelphia right now.

24 And I just wanted to say on the record,
25 I think that our biggest problem is that we as a

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2 city have not properly provided the level of
3 enforcement and just -- I say policing, for lack
4 of a better word, but just sort of oversight.

5 We have not provided the level of
6 oversight that we should provide that would make
7 facilities better and communities more embracing
8 of these particular sites. So I just wanted to
9 throw that out there.

10 So thank you for your bill, and I thank
11 you for your testimony. Is there anyone else --
12 or actually, Madam Clerk, can you call the next
13 witness to testify?

14 THE CLERK: Cheryl White.

15 COUNCILMEMBER BASS: Good morning.

16 MS. WHITE: Good morning. My name is
17 Cheryl White. I want to thank all of you who are
18 before me today and working hard to represent the
19 city's best interests and the best interests,
20 obviously, of the communities therein.

21 I represent Park Plaza Condominium. It
22 is a vertical community, 350 units. We have over
23 700 people living in this condominium community.
24 And we are located at 3900 Ford Road, right
25 within Winfield Heights.

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2 So I'm here to support this bill. I
3 think it's very important that communities be
4 involved and be represented and respected,
5 especially as it relates to concerns of density,
6 traffic, parking, etc.

7 And this particular bill, as I
8 understand it, puts a level of oversight, as one
9 of you mentioned, at the forefront of developers
10 and other entities coming into the community.

11 And so with that in mind, if as it
12 relates to issues of medical concerns, etc., if
13 that puts some level of responsibility with the
14 RCO for the various areas to have oversight of
15 what and who is coming into the community, that's
16 very important to me. And it's one of the
17 primary reasons that I support this bill.

18 So I'd like to thank you for giving me
19 the opportunity to represent my community and its
20 interests and for all of the work that each of
21 you do respectfully.

22 COUNCILMEMBER BASS: Well, thank you so
23 much for your testimony, for being here today.
24 We thank you for coming down. No questions for
25 the witness today. So we thank you for coming

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2 and joining us and giving us your testimony.

3 MS. WHITE: Thank you. My pleasure.

4 COUNCILMEMBER BASS: Thank you. Okay.

5 Is there anyone else here to testify on this bill
6 240242 whose name has not been called or anyone
7 else who wants to speak on this bill? Hearing
8 none, I want to thank all of the witnesses for
9 participating on Bill Number 240242.

10 And, Madam Clerk, please call the first
11 panel we have to testify this morning on Bill
12 Number 240332.

13 THE CLERK: Angel Rodriguez, deputy
14 executive director, Real Estate Philadelphia
15 Redevelopment Authority.

16 COUNCILMEMBER BASS: I don't see Angel
17 here.

18 THE CLERK: Angel Rodriguez has
19 submitted written testimony.

20 COUNCILMEMBER BASS: Okay. Is there
21 anyone else here to testify on Bill Number
22 240332? No. Okay. And seeing no one, Madam
23 Clerk, please call the witnesses to testify on
24 Bill Number 240368.

25 THE CLERK: Philip Green, senior

1 6/4/24 - RULES - BILL 240058, ETC.

2 manager, business advocacy, Department of
3 Commerce.

4 COUNCILMEMBER BASS: Good morning.

5 MR. GREEN: Hello. Good to see you
6 all.

7 COUNCILMEMBER BASS: Please state your
8 name for the record and proceed.

9 MR. GREEN: Philip Green with the
10 Department of Commerce. Good morning, Chairwoman
11 Bass and members of city council. My name is
12 Philip Green and I'm senior manager of business
13 advocacy within the Department of Commerce. My
14 primary role at commerce is to assist and
15 advocate for the needs of the city's 15 business
16 improvement districts.

17 I'm here to testify in support of Bill
18 Number 240368, providing for the reauthorization
19 of the East Passyunk Business Improvement
20 District. In 2002, property owners and
21 businesspeople along East Passyunk and a segment
22 of South Broad Street created a bid to fund
23 enhancements for their district.

24 Their bid assessments have funded
25 marketing and promotions, special events,

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2 cleaning and beautification, assistance to local
3 businesses and other activities. Commerce has
4 been pleased to support these efforts through
5 business grants such as the Storefront
6 Improvement Program and support for the bids
7 operations through the CDC tax credit program.

8 The bids work has been complemented by
9 cleaning and property acquisition management and
10 business recruitment provided by a separate
11 organization called the Passyunk Avenue
12 Revitalization Corporation.

13 We're pleased to see both organizations
14 working together to provide the critical services
15 that the area needs to remain strong. Over the
16 22 years since the bid first launched, the
17 district has become a nationally renowned dining
18 destination and a vibrant gathering place for
19 neighbors and visitors.

20 The bid has been instrumental in this
21 growth, but to maintain the district and the
22 organization's forward momentum, it must increase
23 its assessment revenue. The budget proposed in
24 this reauthorization will gradually bring East
25 Passyunk Avenue bids assessment revenue on par

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2 with bids of similar size and scope of services
3 elsewhere in the city.

4 The leadership and services the bid
5 provides are critical to maintaining the success
6 that I've established -- that have established
7 along with their partner -- they have established
8 along with their partners. Pardon me. These
9 efforts deserve the support of the city. Thank
10 you for your consideration. I'm happy to take
11 questions.

12 COUNCILMEMBER BASS: Thank you. Any
13 questions? Seeing none for members of the
14 committee, thank you very much for your
15 testimony.

16 MR. GREEN: Thank you.

17 COUNCILMEMBER BASS: You're welcome.
18 Is there anyone else here to testify on Bill
19 Number 240368?

20 MS. DOOBRAJH: Yes.

21 COUNCILMEMBER BASS: Okay. Please come
22 forward, state your name for the record and
23 proceed with your testimony.

24 MS. DOOBRAJH: My name is Michelle
25 Gillen Doobrajh. Good morning, Chairperson Bass

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2 and members of the Rules Committee. My name is
3 Michelle Gillen Doobrajh and I'm the president of
4 the board of directors for the East Passyunk
5 Avenue Business Improvement District.

6 I own Tildie's Toy Box, located at 1829
7 East Passyunk Avenue, a retail store focusing on
8 gender neutral toys, books and gifts for all
9 ages. I opened the store in 2016 and currently
10 have four employees at my Philadelphia location.

11 I also have another location in
12 Haddonfield, New Jersey. As I just mentioned,
13 I'm also the president of the East Passyunk
14 Avenue Business Improvement District.

15 I've been a board member since
16 September of 2020 and I joined the bid in order
17 to be involved in the community on a deeper level
18 and to do my best to support the businesses on
19 East Passyunk Avenue through event planning,
20 outreach and attracting people to the avenue.

21 Established in 2002, East Passyunk
22 Avenue Bid was formed to address increasing
23 vacancies on the avenue and revitalize the
24 commercial corridor.

25 Now serving approximately 300

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2 properties and over 200 businesses, these
3 Passyunk bid encompasses a one-mile stretch of
4 East Passyunk Avenue from South Broad Street to
5 Federal Street, South Broad Street between
6 Mifflin and Snider Avenue, and several adjacent
7 properties to East Passyunk Avenue at major
8 intersections.

9 Of the businesses within the bid's
10 boundaries, the vast majority are locally owned
11 mom-and-pop shops, with only a handful of
12 storefronts being national chains and or big box
13 retailers.

14 Further, about half of the businesses
15 along East Passyunk Avenue are women-owned. The
16 mix of businesses on the avenue is wide ranging
17 from bars and restaurants to boutique shops and
18 salons to consumer and professional services.

19 This mix of businesses is one of the
20 main reasons East Passyunk is so walkable and
21 accessible. Coupled with the proximity to not
22 one but three broad street line stops, several
23 bus routes and an indigo bike share in the heart
24 of the district. Residents and visitors alike
25 are able to address most, if not all, of their

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2 commercial needs in one place.

3 The bid provides essential services to
4 the avenue like street cleaning and sidewalk
5 sweeping. The bid also supports the businesses
6 through marketing and PR initiatives, facade
7 improvement grants and hosting events to draw
8 people to the avenue.

9 We focus on making East Passyunk Avenue
10 an attractive hotspot not only within
11 Philadelphia, but the surrounding suburbs and
12 tourists as well. Over the years, the first four
13 commercial vacancy rate in East Passyunk has been
14 as low as 5 percent.

15 Currently, the vacancy rate is around
16 10 percent, which, while higher than historically
17 average, is still considerably lower than most
18 other parts of the city.

19 Businesses are continuing to navigate a
20 post COVID world where attitudes toward dining
21 and shopping continue to change. With the
22 changing economy, the EPA bid is essential in
23 continuing to provide support and guidance to
24 businesses through the changing climate.

25 Earlier this year, East Passyunk bid

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2 launched a survey to evaluate the needs of our
3 constituents and the greater community. Not only
4 were bid property and business owners notified
5 via individual email and postcard mailings, but
6 so was the general public via email, marketing
7 campaigns, social media and our website.

8 Over the course of a month, the survey
9 garnered over 360 responses, the majority of
10 which came from immediate residents of East
11 Passyunk crossing and Passyunk Square
12 neighborhoods. 20 percent, however, were bid
13 property and or business owners.

14 This needs assessment summary was
15 presented to membership virtually on Monday
16 evening, March 6th, and subsequently posted on
17 the EPA bid's website. This feedback was then
18 used to drive the bids five-year plan, of which
19 the details I will get into next. This final
20 plan was then presented to the membership in a
21 second meeting on Tuesday morning, April 2nd and
22 also subsequently posted on our website.

23 The general consensus of the survey was
24 threefold. Continue programming and events and
25 marketing the avenue, reduce storefront vacancies

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2 and diversify the business mix, and make Passyunk
3 Avenue a more pedestrian friendly and create more
4 public spaces.

5 These directives are very much in line
6 with the bids current mission and service
7 offerings. So today's proposed bid plan aims to
8 continue that work.

9 While there are no real changes to the
10 bids proposed services and programs, there are
11 several changes to the bids budget, method of
12 assessment and boundaries. Over the past 15
13 years, prices have increased by 50 percent due to
14 inflation.

15 During that same time period, however,
16 the EPA bid's assessment revenue has been locked
17 and remained ostensibly flat at \$200,000 a year.

18 To compound matters, EPA bid used to
19 receive funding from the Pennsylvania Downtown
20 Center's main Street program, which provided
21 \$50,000 in supplemental staff salary and \$25,000
22 in facade improvements.

23 With the discontinuation of that
24 program several years ago and the inability to
25 keep up with inflation, the bids budget has lost

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2 significant buying power over the years.

3 To right the bids budget to a
4 sustainable level, the bid is increasing its year
5 one budget by \$75,000 to \$275,000. In years two
6 to five, the plan allows the board to implement a
7 maximum 7 percent year over year increase to
8 eventually catch the budget up with inflation.

9 In addition to flat assessment
10 revenues, the bids method of assessment
11 calculation considerably limited the bids ability
12 to maximize collectible assessments and update
13 property owners' assessments to reflect the
14 changing property values.

15 In this proposed plan, the method of
16 assessment would move to a budget-based model, a
17 common practice and best practice among all other
18 bids in the city.

19 In this method, current year
20 assessments will be based on the recent office of
21 property assessment market values as of April 1st
22 of the preceding year. And each property would
23 pay a portion of the bid budget proportional to
24 their total market value of all assessable
25 properties in the district.

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2 There are a few exceptions to this
3 calculation. First, owner occupied and taxes and
4 properties would be excluded from the equation
5 entirely.

6 Also, properties with outlying market
7 values will either pay a \$365 per year equivalent
8 to \$1 a day or a maximum of 9 percent of bid
9 budget. The minimum assessment would only apply
10 to properties with structures built on them. In
11 other words, empty lots and patios would still be
12 assessed but excused from the 365 minimum.

13 By our estimates, this minimum would
14 apply to a dozen or so properties within our
15 district. The capped assessment at \$25,000 per
16 year in year one would only affect one property
17 in our district, the Constitution Health Plaza at
18 1930 South Broad Street.

19 The last set of changes to the bid plan
20 are a handful of additional properties. A few
21 parcels within East Passyunk Avenue frontage were
22 mistakenly left out of prior ordinances because
23 of misleading mailing address as an example of
24 which being 1304 to 06 South 9th street that
25 doubles as 1303 and 1305 East Passyunk Avenue.

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2 833 Wharton Street and 1100 Wharton
3 Street, on the other hand, are being added
4 because they were recently developed and are
5 speculated for major development, respectively.

6 In summation, I support the bid because
7 I have seen firsthand as a resident, then a
8 business owner, a board member and now the board
9 president, how much the community and businesses
10 benefit from a bid.

11 Things that go unnoticed on the avenue,
12 like street cleaning, become apparent once you
13 step outside our boundaries. Commercial
14 corridors without bids suffer from a lack of PR
15 and events.

16 Less tangible is a sense of community
17 and belonging that comes with a bid. We are a
18 diverse group with a shared goal of bettering our
19 community, supporting our businesses and creating
20 something special. The bid is the glue of the
21 neighborhood and I've had the opportunity to see
22 that from many viewpoints.

23 We appreciate the assistance provided
24 by Councilman Squilla and his staff and request
25 your support in reauthorizing the East Passyunk

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2 Avenue Business Improvement District. Thank you
3 for your time.

4 COUNCILMEMBER BASS: And thank you for
5 your testimony. Councilman Squilla.

6 COUNCILMEMBER SQUILLA: Thank you. I
7 want to thank you for all the hard work and
8 dedication to it. I mean, it's always
9 challenging when we're dealing with all different
10 types of businesses and ownership, but also
11 dealing with community issues and concerns that
12 surround the corridor. And it's not always an
13 easy job.

14 But I know that it's a lot of hard work
15 and we appreciate that. And we appreciate how
16 East Passyunk has been able to adapt to changes
17 and challenges along the way. So hopefully we'll
18 be able to move that forward and continue another
19 five years. Thank you.

20 MS. DOOBRAJH: Thank you.

21 COUNCILMEMBER BASS: Thank you. Any
22 other comments from members of the committee?
23 No. Seeing none. Okay. Thank you very much for
24 your testimony. And is there anyone else here to
25 testify on this bill? Please come forward.

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2 State your name for the record and proceed. Is
3 there anyone else also here for this particular
4 bill?

5 MR. SWEITZER: Hello.

6 COUNCILMEMBER BASS: Yes, come forward.

7 MR. SWEITZER: My name is Jodi Switzer.

8 COUNCILMEMBER BASS: Good morning.

9 Please state your name for the record and
10 proceed.

11 MR. SWEITZER: Jody Sweitzer.

12 COUNCILMEMBER BASS: Proceed. Yeah.

13 Oh, sorry. Thank you.

14 MR. SWEITZER: I am here representing
15 myself at 1325-29 East Passyunk Avenue, and my
16 neighbor, Freddie and Janet Daddy, longtime
17 residents of 1323 East Passyunk Avenue.

18 They cannot attend due to medical
19 procedures they're having today, and they asked
20 me to speak on their behalf. They live on a
21 fixed income and this yearly assessed fee will
22 only gouge their already limited income that has
23 also been reduced by the OPA.

24 Our neighborhood has been dramatically
25 overtaxed in the past couple years. I've been

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2 fighting the OPA for years now. I'm not even
3 going to tell you how much my building has been
4 assessed now.

5 But anyway, the beautification that the
6 Passyunk Business Improvement District has
7 instituted seems to really help the younger
8 businesses and not the older residents.

9 And I just bring this forward because
10 in case Freddie is an older resident and we still
11 don't have trash cans on our block. The
12 beautification definitely is happening. But if
13 anything we're feeling is the overtaking of our
14 properties.

15 Freddie wanted me to also say that him
16 and his wife have been harassed repeatedly at
17 their home and at their property on Passyunk
18 Avenue by someone from the business district.
19 And as a gentleman, he did not disclose this
20 person's name, but he wanted me to say that he is
21 really grateful that she finally gave up. They
22 wanted to buy his property.

23 I understand that the business
24 improvement district really wants to make it a
25 better avenue of thoroughfare. They already own

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2 several properties. And according to the Exhibit
3 A, Section 4, they determine who gets extra
4 funding as a business and who doesn't.

5 That being said, a noisy brewery exists
6 across the street from me, and they got help when
7 a coffee shop down the street from me where
8 neighbors actually really congregated didn't get
9 the help they needed to stay afloat.

10 That was a personal thing. But still,
11 it just seems to me that there is favoritism and
12 us who have been there more than 20 years before
13 this was even put into effect don't necessarily
14 see the results.

15 I know that they need a third of the
16 residents need to protest the renewal. And I
17 know I'm only one of two residents, but I would
18 be remiss for me not to be here to basically
19 speak for the 1300 block of Passyunk Avenue.
20 Thank you for your time.

21 COUNCILMEMBER BASS: And thank you for
22 your testimony. Chair recognizes Councilman
23 Squilla.

24 COUNCILMEMBER SQUILLA: Yes. Thank you
25 for your testimony. And so do you own the

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2 property at --

3 MR. SWEITZER: I've owned it and lived
4 there for -- since 2000.

5 COUNCILMEMBER SQUILLA: You owned it
6 since 2000?

7 MR. SWEITZER: Uh-huh.

8 COUNCILMEMBER SQUILLA: And is it a
9 fully residential?

10 MR. SWEITZER: I live on the third
11 floor. I have a tenant on the second floor.

12 COUNCILMEMBER SQUILLA: And the first
13 floor is retail?

14 MR. SWEITZER: No, no, no. It's been
15 unoccupied because I can't find any contractors
16 to work for me.

17 COUNCILMEMBER SQUILLA: So it's
18 unoccupied?

19 MR. SWEITZER: Yeah.

20 COUNCILMEMBER SQUILLA: And did you get
21 a letter about the bid that you received the
22 packet?

23 MR. SWEITZER: Yeah, it's right here.

24 COUNCILMEMBER SQUILLA: And did you
25 submit that a request back?

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2 MR. SWEITZER: No. I did not, sir.

3 I'm not sure I understand what that was supposed
4 to do.

5 COUNCILMEMBER SQUILLA: Well, when a
6 bid goes out, you get to respond whether you
7 oppose the bid or not.

8 MR. SWEITZER: Oh, I thought that's
9 what I was doing by showing up here today.

10 COUNCILMEMBER SQUILLA: Oh, okay.

11 MR. SWEITZER: My misunderstanding.

12 COUNCILMEMBER SQUILLA: No, during the
13 packet, you respond one third of the people, one
14 third of the ownership of the properties. If
15 they respond in a negative way, the bid would not
16 move forward.

17 MR. SWEITZER: Oh, and how does one
18 respond without --

19 COUNCILMEMBER SQUILLA: When you get
20 your packet, there's a response in the packet
21 that you send in.

22 MR. SWEITZER: Okay.

23 COUNCILMEMBER SQUILLA: But I'd be
24 happy to work with you on your assessments
25 because the bid does not do OPA assessments.

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2 They work their assessments off OPA. If you are
3 believing that you're being over assessed for
4 OPA, my office will work with you on that.

5 MR. SWEITZER: When I was suing the
6 opaque, your office did try to help me, but it
7 didn't really do much. But I would love to redo
8 that if that's possible.

9 COUNCILMEMBER SQUILLA: Okay. Well,
10 we'll work with you on the assessed values. And
11 the other issue about the residents, only the
12 property owner pays the assessment to the bid and
13 it's based on your OPA value. So if your
14 assessment goes down, your bid payment also goes
15 down.

16 MR. SWEITZER: Right. Yeah. The
17 assessments don't go down. They just haven't.
18 I've tried. I really try.

19 COUNCILMEMBER SQUILLA: And you have
20 appealed them in the past.

21 MR. SWEITZER: I'm sorry?

22 COUNCILMEMBER SQUILLA: You have
23 appealed the assessments in the past?

24 MR. SWEITZER: Oh, twice.

25 COUNCILMEMBER SQUILLA: Twice?

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2 MR. SWEITZER: Yeah. I was in court
3 twice with a lawyer. Had to pay the fees. Oh.
4 So, you know, I'm trying. I'm really trying, but
5 it's just -- I feel like an uphill battle because
6 the OPA has determined that my property is -- I'm
7 undervaluing my property. But that's a whole
8 other conversation, so.

9 COUNCILMEMBER SQUILLA: I'd like to
10 talk to you offline on that and see if we could
11 help in any way.

12 MR. SWEITZER: I would appreciate that.

13 COUNCILMEMBER SQUILLA: Thank you.

14 MR. SWEITZER: Thank you very much.

15 COUNCILMEMBER BASS: Thank you, Mr.
16 Chairman -- thank you, Mr. Councilman Squilla.
17 Chair recognizes the next witness. Please state
18 your name for the record and proceed with your
19 testimony.

20 MR. GIANGIORDANO: Good morning,
21 everyone. My name is Michael Giangiardano II.
22 Thank you, Chairperson Bass, Councilmember
23 Squilla, and other members of the Rules
24 Committee. I am a board member of the East
25 Passyunk bid, as well as a business owner.

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2 My dad and I own Century 21 Forrester,
3 located on the avenue, as well as being a
4 property owner and more importantly, a neighbor.

5 And I just am here in support of this
6 bill to reauthorize our bid for another five
7 years, because the East Passyunk corridor is
8 really the lifeline of our neighborhood. And it
9 really embodies Main Street America. And the
10 work that we do at the bid is really important to
11 our community. So thank you. Thanks for your
12 consideration.

13 COUNCILMEMBER BASS: Thank you very
14 much for your testimony. And is there anyone
15 else here to testify on Bill Number 240368?
16 Anyone else here to testify on Bill Number
17 240368? Anyone? Please come forward now. Okay.
18 Please state your name for the record and proceed
19 with your testimony.

20 MS. LISUKA: Hi, my name is Anne
21 Lisuka, (phonetic) and I'm a consultant for the
22 East Passyunk bid on their reauthorization. I
23 just wanted to make some clarifying statements in
24 regards to Miss Sweitzer's testimony. I really
25 do thank her for coming here and giving her

1 6/4/24 - RULES - BILL 240058, ETC.

2 feedback this year.

3 However, according to our invoicing
4 records, she actually has not been assessed by
5 the East Passyunk district at all during its
6 tenure. So moving forward, she was labeled as
7 owner occupied.

8 We definitely understand hardships and
9 that sort of thing. However, moving forward,
10 next year, if she were to be assessed because
11 it's 50 percent owner occupied, she can apply for
12 an exemption and then the exemption would be
13 applied accordingly. However, to date, she has
14 not contributed any portion by assessment to the
15 bid.

16 COUNCILMEMBER BASS: Okay. All right.
17 Thank you for the clarification. Anyone else
18 here to testify on Bill Number 240368? All
19 right. Seeing none. Madam Clerk, please call
20 forward the witnesses to testify on Bill Number
21 240385.

22 THE CLERK: Paula Brumelow Burns,
23 Director of Legislation, Philadelphia City
24 Planning Commission.

25 COUNCILMEMBER BASS: Good morning.

1 6/4/24 - RULES - BILL 240058, ETC.

2 MS. BURNS: Good morning.

3 COUNCILMEMBER BASS: Please state your
4 name for the record and proceed.

5 MS. BURNS: I am Paula Brumbelow Burns,
6 Director of Legislation for the Philadelphia City
7 Planning Commission. I am here to testify on
8 Bill Number 240385 introduced into City Council
9 on May 2nd, 2024 by Councilmember Squilla.

10 Bill Number 240385 amends the
11 Philadelphia Zoning Maps by changing the zoning
12 of land located within an area bounded by Snider
13 Avenue, 6th Street, Cantrell Street and 7th
14 Street in the Whitman neighborhood of the South
15 Planning district.

16 This bill will change the existing CMX
17 1 to CMX 2 commercial mixed-use district for a
18 portion of the block bounded by Snider Avenue,
19 6th Street, Cantrell Street and 7th Street.

20 The change in zoning will reflect the
21 commercial nature of the block and will support
22 the construction of a new headquarters and
23 community center for the Southeast Asian Mutual
24 Assistance Association Coalition.

25 The Philadelphia City Planning

1 6/4/24 - RULES - BILL 240058, ETC.

2 Commission considered Bill Number 240385 at its
3 public meeting on May 16th, 2024, and recommended
4 the bill for approval. I'll be happy to answer
5 any questions at this time.

6 COUNCILMEMBER BASS: Thank you. Any
7 questions from members of the committee? Seeing
8 none. Is there anyone else here to testify on
9 this bill? And we thank you for your testimony
10 today on Bill Number 240385. Madam Clerk, please
11 call forward the testifier on Bill Number 240415.

12 THE CLERK: Paula Brumbelow Burns,
13 Director of Legislation, Philadelphia City
14 Planning Commission.

15 COUNCILMEMBER BASS: Welcome back.

16 MS. BURNS: It was a quick trip this
17 time.

18 COUNCILMEMBER BASS: Please state your
19 name for the record and proceed.

20 MS. BURNS: I am Paula Brumbelow Burns,
21 Director of Legislation for the Philadelphia City
22 Planning Commission. I am here to testify on
23 Bill Number 240415, introduced into City Council
24 on May 9th, 2024 by Councilmember Gilmore
25 Richardson for Council President Johnson.

1 6/4/24 - RULES - BILL 240058, ETC.

2 Bill Number 240415 amends the
3 Philadelphia Zoning Maps by changing the zoning
4 within an area bounded by Island Avenue, the
5 Delaware Expressway, and Bartram Avenue in the
6 Eastwick neighborhood with the Southwest planning
7 district.

8 This bill will rezone a portion of land
9 that is located along Interstate 95 and the exit
10 ramps for the airport and Bartram Avenue. The
11 property is currently a vacant office building
12 that is owned CMX 3 commercial mixed use and will
13 change to I2 medium industrial.

14 The use will support the preservation
15 of land for industrial uses that reinforce PHL
16 operations. The staff of the planning commission
17 will be recommending for approval as this
18 supports the preservation of land for industrial
19 uses and reinforcing PHL operations within the
20 Philadelphia 2035 citywide vision.

21 The Philadelphia City Planning
22 Commission will consider Bill Number 240415 at
23 its public meeting on June 6th, 2024. I'll be
24 happy to answer any questions at this time.

25 COUNCILMEMBER BASS: Thank you very

1 6/4/24 - RULES - BILL 240058, ETC.

2 much for your testimony. Are there any questions
3 from members of the committee? Seeing none.

4 Thank you very much for your testimony.

5 MS. BURNS: Thank you.

6 COUNCILMEMBER BASS: Is there anyone
7 else here to testify on Bill Number 240415? No?
8 Okay. Seeing none. Madam Clerk, please call the
9 next witness to testify on Bill Number 240421.
10 Guess who it is.

11 THE CLERK: Paula Brumbelow Burns,
12 Director of Legislation, Philadelphia City
13 Planning Commission.

14 MS. BURNS: Hello again. We're doing
15 fast trips today.

16 COUNCILMEMBER BASS: All right. Moving
17 right along. Please state your name for the
18 record and proceed with your testimony on Bill
19 Number 240421.

20 MS. BURNS: I am Paula Brumbelow Burns,
21 Director of Legislation for the Philadelphia City
22 Planning Commission. I am here to testify on
23 Bill Number 240421 introduced into City Council
24 on May 9th, 2024 by Councilmember Jones.

25 Bill Number 240241 amends the

1 6/4/24 - RULES - BILL 240058, ETC.

2 Philadelphia Zoning Code and maps by changing the
3 zoning maps for land bounded by Valley Avenue,
4 Domino Lane, Ridge Avenue, Paoli Avenue, Pechin
5 Street, Ridge Avenue, Hermit Street, and Henry
6 Avenue.

7 The bill also will add section 14-541
8 Ridge Avenue neighborhoods overlay, RAN,
9 impacting several neighborhoods along Ridge
10 Avenue of the lower Northwest planning district.

11 This bill will update zoning for
12 several properties along Ridge Avenue for a five
13 mile stretch from Crescent Street to Domino Lane.
14 The zoning will correctively zone commercial and
15 multifamily properties.

16 The existing Ridge Avenue neighborhood
17 conservation area will be moved to a new, unique
18 overlay and will also apply to large residential
19 properties that are zoned RM 1 residential
20 multifamily. The overlay will also add in new
21 requirements that will allow for right sizing new
22 developments to be more in character with the
23 surrounding neighborhoods.

24 The staff of the planning commission
25 will be recommending approval for this bill. Our

1 6/4/24 - RULES - BILL 240058, ETC.
2 office has worked over two years with a
3 consortium of impacted community organizations
4 and members to address concerns along Ridge
5 Avenue to create this relocated overlay and
6 update the zoning maps.

7 The Philadelphia City Planning
8 Commission will consider Bill Number 240241 at
9 its public meeting on June 6th, 2024. I will be
10 happy to answer any questions at this time.

11 COUNCILMEMBER BASS: Thank you very
12 much. Chair recognizes Councilmember Jones.

13 COUNCILMEMBER JONES: Thank you, Madam
14 Chair. I just want to thank you for being
15 supportive of this legislation. See, we can all
16 get along. Thank you so very much.

17 MS. BURNS: It was our pleasure. It
18 was a very long process but every community group
19 along that stretch was at every single meeting we
20 had over the two years. So it really was
21 beneficial.

22 COUNCILMEMBER JONES: Thank you.

23 COUNCILMEMBER BASS: Thank you for your
24 testimony. Any other questions from members of
25 the committee? Seeing none. Okay. Thank you

1 6/4/24 - RULES - BILL 240058, ETC.
2 for your testimony. And is there anyone else
3 here to testify on Bill Number 240421? Okay.
4 Please come forward and state your name for the
5 record. Good morning. Please state your name
6 and proceed.

7 MR. CARPENTER: Good morning. My name
8 is John Carpenter. Thank you, Chairwoman Bass,
9 Councilman Jones, and members of the Rules
10 Committee. My name is John Carpenter, and I'm
11 here today as president of the Central Roxborough
12 Civic Association.

13 As a registered civic organization,
14 CRCA has hosted many public presentations of
15 proposed developments that require variances
16 through the zoning review process. Through these
17 public meetings, we have heard a great deal of
18 public comment regarding these proposals.

19 We also heard concerns about the
20 numerous projects that have been built by Wright
21 without formal input over the past few years. As
22 the volume of this development increased, the
23 neighbors of these projects grew increasingly
24 concerned that their quality of life was being
25 eroded by these projects.

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2 As a result, over the past more than
3 two years, CRCA worked with our neighboring RCOs,
4 including the Ridge Park Civic, Wissic interested
5 neighbors, Interested Citizens Association, the
6 Wissic and Neighborhood Civic Association, as
7 well as the Roxborough Development Corporation
8 and the City Planning Commission to develop the
9 bill that's before you today.

10 A few weeks ago, we also hosted a
11 public meeting attended by well over 100
12 residents where this bill was presented and
13 discussed in detail.

14 The bill modifies the Ridge Avenue
15 neighborhood commercial area overlay to address
16 many of the concerns we heard from neighbors at
17 the past few years of public meetings. It
18 regulates the multifamily developments that have,
19 up until this point, not been subject to any
20 overlay regulations.

21 It allows developers to build and use
22 underground parking facilities for their tenants
23 that had been previously forbidden by a prior
24 version of this overlay. It creates increased
25 setbacks and lower height limits in sections of

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2 Ridge Avenue to help development better fit into
3 our already diverse, historic and thriving
4 community.

5 The conversation that was had a few
6 bills ago this morning is important to us because
7 the other thing our bill does is it preserves the
8 incentives for affordable housing development in
9 our neighborhood.

10 But it insists that if a developer
11 takes advantage of those density bonuses, that
12 that money be spent in that property to create
13 affordable units in that property. I understand
14 that may be a little extreme version of what you
15 were talking about this morning.

16 But we've had probably more than 2000
17 units of new housing built in our neighborhood,
18 and not a single one of those units is affordable
19 to the people who -- children of people who grew
20 up in our neighborhood. We think that's
21 appalling, and we would like to see that changed.

22 This bill also promotes the development
23 of new commercial space at the ground level that
24 can be used by businesses like restaurants and
25 retailers by requiring suitable ceiling heights,

1 6/4/24 - RULES - BILL 240058, ETC.

2 14-foot minimum ceiling heights so the HVAC and
3 other basic systems to support those kinds of
4 businesses can be installed and you still have a
5 spacious space for that use.

6 It requires appropriate parking for new
7 residential units to ensure that these projects
8 do not adversely affect existing residents. And
9 finally, it rezones a number of properties along
10 the avenue to better fit their current uses or
11 their planned best use.

12 We want to thank the planning
13 commission staff, Councilman Jones and your
14 staff, and the many residents who took the time
15 to raise their concerns with our organizations
16 over the past few years, and we urge you to
17 support this bill. Thank you.

18 COUNCILMEMBER BASS: Thank you very
19 much for your testimony. Please state your name
20 for the record and proceed.

21 MS. CUSACK: Jacqueline Cusack. I am
22 the executive director of the Roxborough
23 Development Corporation. Thank you for having us
24 here today, Councilman Bass and the Rules
25 Committee.

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2 Roxborough Development Corporation is a
3 nonprofit entity that manages the Ridge Avenue
4 Business Improvement District. And I'm here
5 today to express our support for the Ridge Avenue
6 neighborhoods overlay.

7 As John mentioned, we worked with the
8 five other RCOs in the neighborhood along with
9 the Philadelphia Planning Commission in a very
10 lengthy process to find the balance. The
11 neighborhood of Roxborough Long Ridge Avenue has
12 a very unique fabric that defines our area and I
13 believe this overlay is essential for preserving
14 enhancing the neighborhood's character.

15 Ridge Avenue is not just a
16 thoroughfare, it's a lifeline of the community of
17 Roxborough. It's in a period of transition that
18 is looking to bridge the legacy businesses and
19 legacy residents with the transformation along
20 the business corridor.

21 As many of the areas of Philadelphia in
22 the last few years have seen rapid, large scale,
23 dense development, Ridge Avenue is experiencing
24 the same thing. The recent development, however,
25 has not always balanced the needs of the

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2 residents and the existing business community
3 with the vision of the developers.

4 The proposed overlay seeks to address
5 this imbalance by ensuring the future
6 developments are thoughtful, sustainable and in
7 harmony with the existing neighborhood.

8 The overlay presents a comprehensive
9 plan that supports increased density while
10 maintaining the character and livability of our
11 community with a clear understanding of
12 compromise and long-term planning.

13 By implementing these changes for
14 future development, we can ensure that the growth
15 is managed in a way that benefits everyone. This
16 means more opportunities for businesses to thrive
17 without compromising the quality of life for
18 residents. It means safer, more walkable
19 streets, better public spaces, and more vibrant
20 community overall.

21 One of the critical components of this
22 overlay is the creation of different height
23 limits on different segments of the avenue. By
24 implementing these restrictions, we can preserve
25 the aesthetic continuation and historical

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2 significance of ridge Avenue while preventing the
3 overshadowing of smaller and historic buildings.

4 The topography of Roxburgh is
5 challenging and this careful planning is crucial
6 for maintaining the unique skyline and ensuring
7 the new construction are harmonious with the
8 existing structures.

9 Additionally, the incorporation of
10 residential multifamily parcels into the overlay
11 and the remapping of the parcels to align with
12 their current use or the parameters of this
13 overlay is paramount. This strategy ensures that
14 the zoning reflects the actual needs and uses of
15 the area, providing clarity and stability for
16 both residents and developers.

17 I believe by doing so, we can create a
18 cohesive and well-organized community structure
19 that supports diverse housing options and meets
20 the evolving demands of our neighborhood.

21 Roxborough's strength lies in its
22 growing diversity and the strong sense of
23 community among its residents. The Ridge Avenue
24 neighborhoods overlay recognizes this by
25 incorporating community input and addressing

1 6/4/24 - RULES - BILL 240058, ETC.
2 concerns about preserving the essence of our
3 area. It promotes mixed use development that
4 cater to modern needs while respecting the
5 heritage and scale of our neighborhood.

6 Moreover, the overlay supports
7 strategic density. By encouraging development in
8 targeted areas, we can provide more housing
9 options and reduce sprawl, leading to more
10 efficient uses of resources and better
11 infrastructure.

12 This will help us accommodate new
13 residents and businesses in a way that is
14 sustainable and beneficial for RL. The IDC urges
15 the Rules Committee to adopt the Ridge Avenue's
16 neighborhood overlay. This plan represents a
17 balanced and forward-thinking approach to
18 development that respects the unique identity of
19 Roxborough's neighborhoods while promoting growth
20 and sustainability.

21 I just want to thank the Philadelphia
22 Planning Commission staff, Councilmember Jones
23 and his staff for the guidance during this
24 process and for your time today. Thank you.

25 COUNCILMEMBER BASS: Thank you very

1 6/4/24 - RULES - BILL 240058, ETC.

2 much. Thank you very much for your testimony.

3 Any questions? Councilman Jones?

4 COUNCILMEMBER JONES: Not a question,
5 Madam Chair, but a comment.

6 COUNCILMEMBER BASS: Okay.

7 COUNCILMEMBER JONES: I want to thank
8 them for their continued work. This didn't just
9 pop here today. This is over a year's worth of
10 work collectively with the respective
11 organizations along the ridge.

12 The privilege I have to represent the
13 corridor is that George Washington walked up and
14 down Ridge Avenue, spent the night there, and I
15 can only say that some of those buildings still
16 exist because of overlays like this.

17 I would also say that it is one of the
18 best small towns in the City of Philadelphia and
19 because of the character of the architecture that
20 is being preserved and kind of blending some of
21 the design to match that. It's a great walkable
22 space.

23 And I appreciate Passyunk Avenue. I
24 used to work down there. Remember Squilla? In
25 another life at PCDC. But y'all ain't got

1 6/4/24 - RULES - BILL 240058, ETC.

2 nothing on Ridge Avenue. Yeah, I remember that.

3 No PCDC. John Jurasse, (phonetic) a guy who used
4 to represent the Passyunk Avenue.

5 So I look forward to the continued work
6 that we're doing to preserve some of the
7 qualities of a small town while encouraging
8 development. People need places to live, but the
9 people who similar to your plea today, that
10 people who live there through the good times and
11 the challenging times should be able to afford to
12 live there and their children live there in the
13 future.

14 And I would only say that Ridge Avenue
15 is only second to Germantown Avenue by way of
16 historic significance. Like, you guys probably
17 have one of the most historic corridors, business
18 trips in the City of Philadelphia. So thank you
19 for your work. We appreciate it.

20 And the unnamed staffer that has worked
21 so hard on this, his name is Joshua Cohen. And
22 he fights very hard for these areas, all of the
23 district, but in particular that part of the
24 district, because he lives there. Thank you.

25 MR. CARPENTER: Thank you.

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2 COUNCILMEMBER BASS: Thank you very
3 much for your testimony. Chair recognizes
4 Councilwoman Gauthier.

5 COUNCILMEMBER GAUTHIER: Thank you,
6 Madam Chair. I wanted to one, commend
7 Councilmember Jones on this bill, but also on
8 what sounds like a really robust community
9 engagement and community planning process. And
10 wanted to thank our testifiers.

11 Special thanks to Mr. Carpenter for
12 your comments on my bill and just for your work
13 overall. When I was just starting off my career
14 at LISC, I was looking to people like you and
15 others in housing and community and economic
16 development to learn. Right?

17 So thank you so much, not only for
18 today, but for your work in the city over a very
19 long period. Not as long as when George
20 Washington was walking the streets, but
21 definitely for several decades. Thank you.

22 COUNCILMEMBER BASS: Thank you for your
23 testimony today. Thank you, Councilwoman
24 Gauthier and Jones. Is there anyone else here to
25 testify on Bill Number 240421? Anyone? Okay.

1 6/4/24 - RULES - BILL 240058, ETC.

2 Seeing none. Madam Clerk, please call the next
3 testifier for Bill Number 240426.

4 And while we prepare for them, I would
5 like to open this up first to Councilwoman Quetcy
6 Lozada, who had some opening comments.
7 Councillady.

8 COUNCILMEMBER LOZADA: Thank you, Madam
9 Chair, members of the committee. For years, the
10 Northeast Philadelphia has been one of the
11 residents.

12 There's been a need for health
13 services. The Northeast has been a public health
14 desert for a really long time. Health Center 10
15 has more than four times the average wait time
16 for initial visits for children at the city's
17 other health centers, and nearly twice that time
18 for adults.

19 The Department of Health produced a
20 proposal to establish two new health centers that
21 would close this gap in coverage, providing more
22 people with care and making our communities
23 healthier.

24 The proposed health center, located at
25 the Friends Hospital campus, will offer

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2 comprehensive adult and pediatric care and on-
3 site pharmacy, radiology, dental care, a lab,
4 women's health services, prenatal care, insurance
5 counselors, health navigators, and behavioral
6 health counselors.

7 These services are very important to
8 making our communities safer and healthier for
9 all. Upon my arrival in council in 2022, I was
10 under the impression that robust community
11 engagement around this project had been
12 conducted.

13 I found as we began the process that I
14 was wrong, and I wanted to ensure that we
15 provided patients providers and community
16 residents an opportunity to voice their concerns,
17 their support, or comments around the project.
18 And so my office held five community meetings
19 that the health center around the areas of where
20 the health centers would serve.

21 At each meeting, the room was at or
22 near capacity and filled with Passyunk residents
23 interested to learn more. At the conclusion of
24 each presentation, residents were able to ask
25 questions and give testimony about their concerns

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2 and just learn more about the project.

3 I would like to thank community
4 residents, some of whom are here today, who
5 participated in those meetings. Your active
6 engagement throughout this process ensured a
7 vigorous, properly vetted analysis of this
8 proposal.

9 I would also like to thank the city's
10 public health department, Councilmember Phillips,
11 whose constituents will also likely use this
12 health center, and former Councilmember Sharon
13 Vaughn, who's also the board leader who attended
14 the meetings and helped bring out members of the
15 community.

16 It is after these meetings with each of
17 these public officials and community residents
18 that I decided to move forward with the proposal,
19 and I encourage my colleagues to provide a
20 favorable recommendation on this bill.

21 There is a lot of controversy when new
22 things are happening in different neighborhoods
23 and there's always questions. But my goal has
24 always consistently been to ensure that a
25 community engagement process does occur and that

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2 people feel that their input was valued and
3 respected.

4 And more importantly, that it is taken
5 into consideration. And I believe that after
6 these five community meetings, we have done so.
7 And so I ask for a favorable recommendation for
8 Bill Number 240426. Thank you.

9 COUNCILMEMBER BASS: Thank you,
10 Councilwoman Lozada, for your comments. Are
11 there any other opening comments from members of
12 the committee? No? Seeing none. Please state
13 your name for the record and proceed with your
14 testimony, Paula.

15 MS. BURNS: Hi. I'm Paula Brumbelow
16 Burns, Director of Legislation for the
17 Philadelphia City Planning Commission. I am here
18 to testify on Bill Number 240426, introduced into
19 City Council on May 9th, 2024, by Councilmember
20 Lozada.

21 Bill Number 240426 amends the
22 Philadelphia Zoning Maps by changing the zoning
23 of land in an area bound by Roosevelt Boulevard,
24 Adams Avenue, Ramona Street, Wyoming and Whitaker
25 Avenues in the Northwood neighborhood.

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2 This bill will correctively change the
3 zoning district from RSA 1, residential single
4 family attached to SPC, special purpose civic for
5 the lower Northwest Friends campus by allowing
6 civic, educational and medical special purpose
7 land use to be permitted by right.

8 The Philadelphia Department of Public
9 Health is proposing a new city health center on
10 the campus that will offer comprehensive primary
11 care for adults and children. The proposed city
12 health center will complement buildings and
13 landscaping on the historic Friends Hospital
14 campus.

15 The new facility will also include a
16 safe drop off lane inside the campus for those
17 with mobility impairments. Also, public transit
18 improvements will be made to the existing SEPTA
19 Langdon Street bus stop.

20 The Philadelphia City Planning
21 Commission will consider Bill Number 240426 at
22 its public meeting on June 6, 2024, and will
23 recommend the bill for approval in accord with
24 previous policy. I'll be happy to answer any
25 questions at this time.

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2 COUNCILMEMBER BASS: Chair recognizes
3 Councilman Jones.

4 COUNCILMEMBER JONES: Thank you, Madam
5 Chair. What's the dollar amount size of this
6 project?

7 MS. BURNS: I do not know that answer
8 at all.

9 COUNCILMEMBER JONES: I keep asking
10 good questions.

11 MS. BURNS: You really do. And I don't
12 have the answers today. But we will -- I will
13 read -- I'm sorry, the councilmember may know.

14 COUNCILMEMBER BASS: The chair
15 recognizes Councilwoman Lozada.

16 COUNCILMEMBER LOZADA: We have members
17 of the health department here who will be able to
18 respond to the size of the project, the number of
19 patients it will serve. All of that was part of
20 the analysis that was conducted as we work
21 towards moving the plan in the process forward.

22 COUNCILMEMBER JONES: Okay.

23 COUNCILMEMBER LOZADA: If that's okay
24 with you, Councilmember Jones.

25 COUNCILMEMBER JONES: Yeah. Can you

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2 provide those details to the chair? And I mean,
3 well, I support it.

4 COUNCILMEMBER LOZADA: They're going to
5 offer it in (indiscernible).

6 COUNCILMEMBER JONES: Thank you, Madam
7 Chair.

8 COUNCILMEMBER BASS: Thank you. All
9 right. No other questions from the committee.
10 Thank you for your testimony. Can we have the
11 clerk please call forward the next group of
12 witnesses?

13 THE CLERK: Palak Raval-Nelson, deputy
14 health commissioner, Department of Public Health,
15 and Sarah Enos Thorpe, chief of staff of the
16 Department of Public Health. And Adam Goldman,
17 executive director of Philadelphia Unemployment
18 Project.

19 COUNCILMEMBER BASS: Okay. Good
20 morning. Is it still morning? Almost afternoon.
21 Please state your name for the record and
22 proceed.

23 MS. RAVAL-NELSON: Dr. Palak Raval-
24 Nelson, deputy health commissioner for the health
25 department.

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2 MS. ENOS: And Sarah Enos. I'm the
3 chief of staff for the Department of Public
4 Health.

5 COUNCILMEMBER BASS: Okay. Please
6 proceed.

7 MS. ENOS: Good morning, Chairperson
8 Bass and members of the city council Committee on
9 Rules. As I stated, my name is Sarah Enos and
10 I'm the chief of staff for the Department of
11 Public Health.

12 And we thank you for the opportunity to
13 testify in support of Bill Number 240426, the
14 rezoning of Roosevelt Boulevard, which will allow
15 for the construction of a new city health center
16 on the campus of Friends Hospital.

17 The mission of the Department of Public
18 Health is to protect and promote the health of
19 all Philadelphians and to provide a safety net
20 for people who are disproportionately impacted by
21 societal factors that limit their access to
22 healthcare and other resources necessary for
23 optimal health.

24 Access to primary and preventive
25 medicine at the health centers enhances quality

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2 of life and improves overall health outcomes. In
3 some cases, access to the health centers
4 literally saves lives.

5 The city health centers offer
6 comprehensive primary and supportive healthcare
7 services to all Philadelphians, regardless of
8 age, insurance status, and ability to pay. Most
9 patients seeking care at the health centers live
10 under the federal poverty line and about 40
11 percent of them are uninsured.

12 Patients at the health centers are
13 friends, neighbors, and relatives. They are
14 children needing physical exams to play sports or
15 attend school, people who have lost their health
16 insurance, and seniors who can't afford their
17 medication.

18 In northeast Philadelphia, there is
19 currently one city health center located at
20 Cottman & Bustleton where wait times for new
21 adult patient appointments are close to a year
22 and new pediatric appointments are close to six
23 months, both of which are entirely way too long.

24 These long wait times force patients to
25 forego care for chronic conditions like diabetes,

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2 hypertension and heart disease, leading to
3 diminished ability to work, support their
4 families, enjoy a quality of life, which often
5 leads, sadly, to shortened lives.

6 For children, this can mean decreased
7 access to routine physical exams and
8 vaccinations, delaying the ability to enroll in
9 or stay in school. The need for new health
10 centers in the northeast is not new, and the
11 department has been working for many years to
12 identify and secure funding and locations to
13 build a new health center.

14 We have been able to secure the funding
15 to build two new health centers, one as part of
16 an infill development project with the Frankford
17 CDC near the Frankford Transportation Center, and
18 one on the campus of the Friends Hospital.

19 In searching for sites, we looked at
20 proximity to public transportation and major
21 arteries, space for parking, a large enough
22 footprint to accommodate health center
23 programming, visibility to the public, proximity
24 to local amenities, a safe physical environment,
25 and a building that can sustain heavy daily

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2 utilization for a long period of time.

3 The site on the Friends Hospital campus
4 meets these requirements, making it an ideal
5 location for this health center. The site at
6 Friends Hospital will accommodate about 30,000
7 patients per year and has plenty of space to
8 accommodate both our current health center
9 programs as well as provide room to grow to
10 accommodate the changing needs of the community.

11 The site offers a beautiful, serene
12 environment where patients will be able to enjoy
13 the walking trails and make use of the available
14 green space. The campus has plenty of parking
15 for patients who drive, and the health center
16 will be located next to the Langdon Street signal
17 light and SEPTA stop for those who utilize public
18 transportation.

19 The Philadelphia Department of Public
20 Health strongly supports this rezoning
21 legislation, which will allow for health center
22 construction and as a result, will help keep
23 Philadelphians healthy.

24 We would also like to thank
25 Councilmember Lozada for her support of this

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2 project, and thank you to the committee for
3 allowing us to testify. We're happy to answer
4 any questions.

5 COUNCILMEMBER BASS: Thank you for your
6 testimony. Dr. Nelson.

7 MS. RAVAL-NELSON: I don't have any
8 formal testimony, Councilmember. I'm just here
9 to support and answer any questions.

10 COUNCILMEMBER BASS: Okay. Chair
11 recognizes Councilman Jones.

12 COUNCILMEMBER JONES: Thank you so
13 much. You mentioned in your testimony some of
14 the unacceptable delays we now face with all
15 health centers in the City of Philadelphia. And
16 so I'm encouraged by this project to be some
17 relief to that.

18 How does that relate to people who have
19 diabetes seeking insulin and other -- I've heard
20 horrendous stories about there not being enough
21 supply. And do we have our own separate supply
22 within the City of Philadelphia?

23 MS. ENOS: So each health center has a
24 health center pharmacy that dispenses medications
25 to health center patients. And so once you are

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2 in the health center system as a patient, the
3 onsite pharmacy can dispense medications.

4 At this time, I don't know of any
5 insulin shortages, but we have a pharmacy
6 contract. We have a pharmacy wholesaler that
7 provides all medications sort of on a next day
8 delivery system.

9 COUNCILMEMBER JONES: Can you provide
10 to the chair specifically about the insulin
11 shortage that is going on because of Ozempic and
12 this, that, and the other, there were times where
13 people couldn't get their prescriptions filled.

14 And I want to juxtapose that with a
15 hearing on CVS right aid to see how that impacts
16 people within the City of Philadelphia. But the
17 question becomes, is the City's health department
18 the relief from that for many? So that you don't
19 have to answer that now. Could you provide that
20 to the chair?

21 MS. ENOS: Yes.

22 COUNCILMEMBER JONES: Thank you.

23 COUNCILMEMBER BASS: Thank you. Thank
24 you for the question. Any other questions for
25 this panel? And seeing none. Chair recognizes

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2 Councilman Lozada.

3 COUNCILMEMBER LOZADA: I'd also like to
4 just add that in districts like mine, because of
5 everything that we have been experiencing,
6 because of the high volume of retail theft,
7 because of just life. Right? Quality of life.
8 We have lost many of our pharmacies. They have
9 left the district.

10 Many of our just local doctors' offices
11 have picked up and taken their practices to other
12 spaces and other places. And so hearing from
13 residents how long it takes for them to be able
14 to see a doctor, hearing from residents the
15 amount or the distance that they have to travel
16 to be able to go see a physician.

17 To me, even hearing some of the
18 concerns from those who are opposing this project
19 to me, making sure that people have access to
20 seeing a doctor was important.

21 Making sure that residents are able to
22 fill their prescriptions before walking out of
23 the doctor's offices and not having to make an
24 additional stop to be able to get the medication
25 that they need to be able to live healthy, it was

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2 extremely important.

3 So I think that all of the
4 opportunities that will be or could be available
5 in a project like this one are opportunities that
6 will create a healthier 7th council district.

7 And so I want to say thank you to
8 everyone who's been involved and who has
9 participated in the conversations of this project
10 because we all have the district's best interest
11 at heart and we understand that we're not going
12 to make everyone happy, but we needed to make
13 sure that the decisions were made in an effort to
14 improve quality of life and make everyone
15 healthier.

16 COUNCILMEMBER BASS: Thank you,
17 Councilmember. And can we have the -- thank you
18 very much for your testimony. Can we have the
19 clerk call forward the next panel to testify?

20 THE CLERK: Adam Goldman, executive
21 director of Philadelphia Unemployment Project
22 Nathan Ferris Ballard Spire LLP Council, Carol
23 Rogers, vice chair of PDPH board of directors,
24 and Maria Serna, Northeast community member.

25 MS. GOLDMAN: Good morning, everyone.

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2 My name is Adam Goldman. I'm the director of the
3 Philadelphia Unemployment Project. I'm going to
4 keep mine brief because there are a number of
5 folks, I think, who are going to give really
6 great testimony, but this project is desperately
7 needed.

8 You've previously heard about the wait
9 times at Health Center 10. I'm sure you're all
10 aware of the quality, affordable healthcare that
11 our -- that's provided at the city health
12 centers.

13 You've also previously heard about how
14 the new health center on Roosevelt Boulevard
15 would provide services to tens of thousands of
16 residents from the northeast, whether or not they
17 have insurance, whether or not they can afford to
18 pay, whether they're unemployed, working,
19 retired, whatever.

20 Patients have really just waited long
21 enough and I think really time that this moves
22 along because it's been years in the works. As
23 councilmember Lozada mentioned previously, she
24 held a series of really great community events,
25 community meetings where I think there was a lot

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2 of support that was shown.

3 In addition to that, hundreds of
4 residents of the Northeast signed postcards and
5 petitions in support of the project. And so I
6 really just urge the committee to move this along
7 so that they can begin construction and start
8 seeing patients as soon as possible. Thank you.

9 COUNCILMEMBER BASS: Thank you. Please
10 state your name for the record and begin with
11 your testimony.

12 MR. FERRIS: Good morning, Madam Chair,
13 Councilmembers. My name is Nathan Ferris. I'm
14 with the law firm Ballard Spahr, and I have the
15 honor of representing the Thomas Scattergood
16 Foundation this morning, which is an organization
17 with Quaker Roots that owns the historic Friends
18 Campus.

19 For more than 200 years, that campus
20 has served the medical needs of the city's most
21 vulnerable and forgotten people. And I don't
22 know if George Washington walked there, but there
23 is quite a legacy at this campus, and we're proud
24 to be the stewards of that currently.

25 The foundation is partnering with the

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2 Department of Public Health to build a new city
3 health center on the Friends Campus, which will
4 address the urgent need for expanded primary care
5 in northeast Philadelphia.

6 And we are very excited about this
7 opportunity to further the campus's legacy of
8 serving the neediest Philadelphians. And we're
9 here today to encourage you to favorably report
10 Bill Number 244426 out of committee.

11 This bill remaps the campus to the
12 special purpose civic zoning classification. And
13 this remapping is the last major regulatory
14 hurdle to making this health care -- this health
15 center a reality.

16 And without boring you with the
17 details, I can tell you that I personally have
18 been working on this project since 2020, and many
19 people have been working on it for years before
20 that before I became involved.

21 So this is a very exciting day for the
22 whole project team. And passage of this bill is
23 a major step toward making this desperately
24 needed health center a reality.

25 And I wanted to thank Councilmember

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2 Lozada for her incredible support of this
3 project, as well as for helping us foster a
4 robust community engagement process around this
5 bill and the project.

6 And we look forward to working with her
7 on this health center as it continues to develop.
8 And the foundation also wanted to thank the
9 multiple public health commissioners and their
10 staff who have worked tirelessly on this project.

11 We simply would not be here today
12 without the dedication, hard work, and skill of
13 those public servants. And with that, I'm open
14 to any questions. Otherwise, urge you to
15 favorably report the bill.

16 COUNCILMEMBER BASS: Thank you very
17 much for your testimony. Please state your name
18 for the record and proceed.

19 MS. ROGERS: Good afternoon. Buenas
20 tardes. My name is Carol Rogers. I would like
21 to thank you, Councilwoman Bass, and other
22 members, and particularly Councilwoman Quetcy
23 Lozada for the chance after many, many years to
24 testify today.

25 I am vice chair of the Philadelphia

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2 City Health Center's board of directors. We
3 oversee the operations of the city health
4 centers, where we serve more than 80,000
5 Philadelphians each year, regardless of
6 insurance, money to pay, or immigration status.

7 I'm also a Philadelphia Department of
8 Public Health retiree after 29 years of service.
9 And I'm a member of the coalition that's been
10 fighting for two new health centers in northeast
11 Philadelphia now.

12 So I'm here to testify in support of
13 this bill, which will permit the Department of
14 Public Health to open one of two new health
15 centers in northeast Philadelphia on the Friends
16 site.

17 As you've heard, it's an urgent issue,
18 not only for the people of northeast
19 Philadelphia, but for all of us. I've testified
20 many times in front of this body over 40 years
21 ago, I testified here about this same issue.

22 So I'm going to talk a little bit about
23 numbers. I'm not going to bore you with numbers,
24 but the need for new health center to serve
25 people living in the lower northeast was

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2 identified as early as 2010 by the health
3 department.

4 At that time, 72,000 people were living
5 in the four zip codes surrounding the area of the
6 new health center. 72,000 people who had chronic
7 diseases like high blood pressure and diabetes.
8 5 percent of them reported having had no health
9 care in the previous year.

10 And I thought about the year since
11 then, 14 years. And I have those people on my
12 mind. How many of them suffer from preventable
13 conditions like stroke, heart attack, kidney
14 failure, amputation, early death, because they
15 were unable to get the care they needed then?

16 And I struggle with the reality. How
17 many would be healthy, healthier today if their
18 healthcare needs had been met? If we had built a
19 new health center, then how many of them would be
20 alive today?

21 Our city has the highest rate of people
22 living with disabilities in the country. Would
23 our rates be so painfully high if we had been
24 able to serve the primary health needs of our
25 people then?

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2 Okay. I'm going to give you another
3 number, 305. It takes 305 days to get an
4 appointment if you are a new, new adult patient
5 at Health Center 10. 305 days is almost a year.

6 And it doesn't only affect Health
7 Center 10, it affects the rates of. The weights
8 are higher at Health Center 9 in our
9 neighborhood, Councilwoman Bass. At Health
10 Center 6, which is a third in Girard, they're
11 much longer because of the lower need. As people
12 from the lower northeast go to those health
13 centers for care.

14 Healthcare delayed is health care
15 denied. I want to personally thank Councilwoman
16 Lozada and her staff, who promised that they
17 would introduce this -- that she would introduce
18 this legislation if we could show support for new
19 health center at the Friends Hospital site.

20 In the face of the opposition of a few
21 northeast residents who opposed the site of this
22 new health center, members of our coalition,
23 including thousands of health center patients,
24 our board members, Philadelphia Unemployment
25 Project, Pennsylvania Immigration and Citizenship

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2 Coalition, labor unions and clergy, thousands
3 have spoken strongly in support of this new site
4 at a Friends Hospital site without delay, as soon
5 as is humanly possible, followed up by a new
6 satellite clinic at the Frankford transportation
7 site.

8 Now, I know you have a lot of really
9 important issues to address. I know how hard it
10 is out here, but this one is an easy one. At
11 least right now, I urge you to support this bill.
12 And then please make sure there's no delay in the
13 establishment of these desperately needed
14 services.

15 92 percent of our patients state that
16 they would recommend their health center to a
17 loved one. Please learn about this amazing
18 system of care that our health centers provide
19 and the funding that it contributes, not only to
20 our people's good health, but to our general
21 fund.

22 Nobody else is coming to save us. Some
23 of you probably don't even remember when we had a
24 public hospital in this city. We were the first
25 city to shut our public hospital, Philadelphia

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2 General Hospital. So nobody else is coming to
3 save us? Nobody.

4 I urge you to support and expedite the
5 building of two new health centers in northeast
6 Philadelphia now and give your enduring and
7 robust support to the Philadelphia city health
8 centers, not only with this expansion in the
9 northeast, but all over our city as needed.

10 Healthcare delayed is healthcare
11 denied. Thank you all so, so much for all your
12 hard work on behalf of us in Philadelphia. Thank
13 you.

14 COUNCILMEMBER BASS: And we thank you
15 for your testimony.

16 MS. ROGERS: Thank you.

17 COUNCILMEMBER BASS: Are there any
18 questions from members of the committee for this
19 panel? No questions. No? All right. Seeing
20 none. Thank you very much for your testimony.
21 And can we have Madam Clerk please call forward
22 the last panel to testify on this bill, 240426?

23 MS. SERNA: (Speaks in Spanish.)

24 MR. RODRIGUEZ: And my name is Julio.
25 I'm going to translate after her.

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2 MS. SERNA: (Speaks in Spanish.) (In
3 English) My name is Maria Serna. Thank you very
4 much. Thank you, Julio Rodriguez.

5 MR. JULIO: Gracias, Maria. Good
6 afternoon, Council. My name is Julio Rodriguez.
7 I'm with the Pennsylvania Immigration Citizenship
8 Coalition. It's great to see so many strong
9 advocates here. And I'm going to be transiting
10 for Maria.

11 Dear Madam Chair, Councilmember Lozada,
12 and members of city council, my name is Maria
13 Serna and I'm here to testify in favor of
14 ordinance 240426. When we think about people's
15 lives, it's difficult to imagine what we can do
16 to have a better quality of life and health,
17 especially if you get sick and are looking for
18 somewhere to seek medical attention.

19 I have lived with my family for the
20 last 26 years in the northeast of the city, and I
21 can testify to how difficult healthcare has been
22 for all of us. As over the years, we were never
23 able to access healthcare at Health Center 10 on
24 Cottman Avenue because of how congested it is.
25 Where, despite getting up at 4:00 in the morning

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2 to get in line, you find extremely long lines to
3 get an appointment. And if you do get an
4 appointment, it's over a year long waits.

5 As it happened to my friend Christina,
6 she was never able to get treatment there either.
7 I actually brought a friend named Joanna who had
8 extreme pain in her mouth. I told her where I
9 was coming today and she said, let me go with
10 you. I'd rather go spend half a day and try to
11 get an appointment than wait a year.

12 Give me one second. One big thing I
13 want to know is that when people are not able to
14 get care, they often resort to home remedies
15 which we all know can be dangerous. And I want
16 to also emphasize that this does affect people
17 like my mom, who's 91 and she's in a wheelchair.

18 So it's challenging to move throughout
19 the city. So having access to healthcare nearby
20 is super important. And as her condition becomes
21 more difficult, it's also more and more difficult
22 for her to take her to the doctor.

23 The same thing happened with my sister,
24 who suffers from multiple cirrhosis and uses a
25 wheelchair, and with my brother, who also suffers

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2 from his heart and the same way for me and my
3 children, of which Miguel Esteban was about to
4 die. And I often think if we had a better
5 quality of health, this would not have happened
6 to him.

7 Having a place like this new center to
8 serve us will be a great help, because the years
9 go by and it's difficult to have accessible place
10 to provide medical care to treat you. That is
11 why I'm here. I took today off to be here and
12 presenting my testimony, my life experience, not
13 only for my family, but for more and more people.

14 Due to not being able to access a
15 nearby accessible place to take care of one's
16 health, we are forced to postpone the right to
17 care and preventative health. The health center
18 is very important because this way, my entire
19 family and other families, we would obtain the
20 access to care from care of our health.

21 In the northeast, there are many
22 communities living that do not have that
23 possibility. Please listen to the people.
24 Please listen to us. Through my family's history
25 and the great difficulties we have experienced

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2 over the years due to not being able to receive
3 proper attention and preventive care.

4 This health center will help us have a
5 much healthier Philadelphia because the
6 population living in the area will have somewhere
7 to be treated. Thank you so much for your
8 attention to my testimony.

9 COUNCILMEMBER BASS: Thank you. Thank
10 you very much. Please state your name and begin.

11 MS. BRADSHAW: All right. My name is
12 Marlon Bradshaw. Chairwoman Bass, Councilmembers
13 and guests of the Philadelphia City Council Rules
14 Committee.

15 Back in 1981, I was living the dream.
16 I was married, a homeowner, and I was expecting a
17 baby. I gave birth to a beautiful baby boy. But
18 after about six months, when our precocious
19 toddler started walking and got a hold of his
20 father's Christmas train set, my husband decided
21 he wasn't really ready to be a parent and he
22 didn't want to be married anymore.

23 When we finally divorced, I was no
24 longer eligible for his health insurance. Our
25 son would always be covered, but me, not so much.

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2 At about the same time as my divorce, I was going
3 to college to become a nurse. I thank God every
4 day for my mother and my grandmother who helped
5 me raise my son. And for Health Center 10.

6 I remember walking into Health Center
7 10 to make an appointment 42 years ago. That
8 process took over three hours. When we were
9 done, I had health insurance and an appointment
10 for adult medicine for one month later. That is
11 nothing like the 10 to 12 months it takes today
12 to get a first appointment.

13 About 18 years ago, I was asked to be
14 on the health center advisory committee. The
15 health center advisory committee members are a
16 wonderful group of patient representatives and
17 community volunteers and we meet monthly.

18 I've been a registered nurse now for
19 over 37 years. I'm still a patient of Health
20 Center 10. The patient satisfaction surveys
21 prove that all of the City of Philadelphia health
22 centers provide excellent care.

23 We need this new health center on the
24 campus of Friends Hospital to help those who are
25 waiting too long for an appointment and to make a

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2 dent in the healthcare desert that is northeast
3 Philadelphia. I thank you all. My name is
4 Marlon Bradshaw.

5 COUNCILMEMBER BASS: Thank you very
6 much for your testimony. Thank you for being
7 here today. Please state your name for the
8 record and proceed with your testimony, sir.

9 MR. WARRAKA: My name is Kusema
10 Warraka, president of the health centers of the
11 City of Philadelphia. Thank you, Ms. Chairman,
12 Councilwoman Bass, Council Jones, O'Neill,
13 Richardson, and --

14 COUNCILMEMBER BASS: Squilla.

15 MR. WARRAKA: Squilla. My apology.
16 Councilwoman Lozada, I would like to thank you so
17 much. Much has been said. I support everything,
18 really. We work with this together with the
19 group.

20 We've been in the community with the
21 Councilwoman Lozada, we've been talking to
22 Councilmembers, and members of the community have
23 been very supportive.

24 There's overwhelming support in the
25 community for the two new health centers and the

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2 pressure that is now being exerted across all the
3 other health centers because of the whelming
4 demand of primary healthcare, prevention care and
5 screenings and all those demands in public health
6 in the community at Health Center Number 10 have
7 been overwhelming.

8 It's just about time we actually
9 addressed this issue, and I'm so thankful for the
10 support we've gotten from the community. And
11 Councilor Bass, you remember from 2014, we've
12 been talking about these issues of the rising
13 population in the lower northeast and demand.

14 So this problem is well known in the
15 city and in public health. We thank very much of
16 the Department of Public Health members who
17 presented here tonight also.

18 Anyway, I'm not going to talk too much
19 because I'm just repeating myself and I'm so
20 appreciative. And we thank you so much for
21 paying attention to this issue. Thank you so
22 much.

23 COUNCILMEMBER BASS: And thank you.
24 Thank you for being here today. Any questions
25 from members of the committee? Seeing none.

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2 Okay. Thank you very much for being here.

3 MS. BRADSHAW: Thank you.

4 MR. WARRAKA: Thank you.

5 COUNCILMEMBER BASS: Thank you for
6 coming today. Is there anyone else here to
7 testify whose name has not been called? Please
8 proceed to the witness chair. Anyone else here
9 who would like to testify on Bill Number 240426?
10 Thanks. Yeah, you could take the first chairs
11 along the rail. Okay. Please state your name
12 for the record and proceed with your testimony.

13 MS. HUYNH: Hello, city councilmembers.
14 It's such a pleasure to come in person and see
15 you all today because in the past, we have been
16 communicated by email and invite you to my
17 community event.

18 My name is Pearl Mingchu Huynh. I'm
19 the founder and president of the Northeast
20 Philadelphia Chinese Association. I'm the one
21 who run the petition to get people signed to
22 support the two health center.

23 Six years ago, I was a staff at the
24 Health Center 10 and I do a Chinese
25 interpretation. When I worked there, I witnessed

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2 that so many people need appointment to see the
3 doctor, but they not be able to and they have to
4 put on a waiting list for six months.

5 And I left health center and I run my
6 organization, the Chinese Association. And
7 recently, I come back to the health center and
8 served on the advisory committee. And I was
9 surprised that the waiting list goes up to almost
10 a year.

11 So the healthcare is really urgent,
12 there's no doubt about it. And so many
13 testimonials today already say enough about it.
14 And I'm here just want to fill you in with how I
15 get to 900 something people signed a petition.

16 Most of them are the people who live
17 nearby the Friend Hospital. Because I live in
18 the Lawncrest neighborhood. I'm a resident there
19 and my family, we from Southeast Asia. And in
20 that area nearby, there's a pocket of Chinese
21 immigrants and Southeast Asia, including
22 Vietnamese, Laos, and Cambodia. And many are
23 patients of the health center currently.

24 And so when I talk to them about the
25 health center going to be -- could be at the

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2 Friend Hospital, everyone was so happy about it
3 because it's right in the heart of our community.

4 We live on two sides of the Roosevelt
5 Boulevard. So every day, family members just
6 cross the boulevard and visit each other. And we
7 shop at the northeast tower and the Asian Strip
8 Mall nearby. We like the Friends Hospital
9 location very much because it's right in the
10 heart of our activity. And the transportation is
11 convenient for both driving and walking.

12 To some people, they think the
13 boulevard is a dangerous area. But for most of
14 the community lives there, especially the Asian,
15 that is part of our life. We live there and you
16 know, we cross the boulevard every day. We shop
17 and we do our business, visit family.

18 So it is not a matter for us. So
19 therefore, some people that are concerned about
20 the safety, I'm grateful for their concern. But
21 to the concentration of Asian community and also
22 maybe other immigrant community. This area is as
23 safe as any other area in the city. So please
24 don't worry about it when you make your decision.

25 And I appreciate that you select a

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2 Friend Hospital because it's such a nice sight.

3 And I heard about all the nice things going to be
4 happening there. Because of the Friend Hospital
5 it going to be there.

6 So I heard the transportation
7 department going to put some money to invest in
8 this. And I believe when the Friend Hospital
9 Friend Hospital become a health center, the area
10 will bring up the economy of the whole area. And
11 it will be more development, bring more good
12 things to our city.

13 And the healthcare really shortest in
14 the northeast. So please treat this health
15 center as a high priority project. Because every
16 day is count when it comes down to people life
17 and well-being. And every day that passed
18 without adequate healthcare, it risks our family,
19 our friend and neighbor.

20 I strongly urge you approving the
21 zoning for this to new health center without
22 undue delay. Because let's move fast. This is
23 one of the best things you can do for our city
24 because our people really need it.

25 And the health center will bring

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2 happiness to our community. And I appreciate it
3 very much, and I hope you -- let's move fast,
4 please. Thank you.

5 COUNCILMEMBER BASS: Thank you for your
6 testimony. Thank you. Thank you. All right.
7 Please state your name for the record and
8 proceed.

9 MS. MORRISON: Good afternoon.

10 COUNCILMEMBER BASS: Good afternoon.

11 MS. MORRISON: My name is Linda
12 Morrison. Chairwoman Bass and the honorable city
13 councilmembers, thank you for allowing us to
14 speak. I'm here to put on record my objection to
15 Bill Number 240426. To the proposed zoning
16 changes to the area containing the Friends
17 Hospital property.

18 These changes pose a potential threat
19 to the nationally significant friends, to the
20 national -- pardon me. These changes pose a
21 potential threat to the nationally significant
22 property through a proposal to construct a
23 building on the contributing grounds and demolish
24 the historicity contributing resource of lawn
25 side built in 1859 and is one of the earliest

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2 buildings on the property.

3 I am not objecting to a medical
4 facility being built. I am bringing to light
5 that it took 186 years for the Friends Hospital
6 to attain this designation. And it's the only
7 national historic landmark in northeast
8 Philadelphia. Let's not lose it with a swipe of
9 a pen. Thank you.

10 COUNCILMEMBER BASS: Okay. Thank you
11 for your testimony. Please state your name for
12 the record and proceed.

13 MR. HEISER: Terry Heiser. I'm vice
14 president of the Northwood Civic Association. My
15 testimony is similar to Ms. Morrison's. We in
16 Northwood and a number of other neighborhoods in
17 northeast Philadelphia, we recognize the need for
18 additional health center capacity. No question
19 about it. But we are strongly opposed to this
20 location at Friends Hospital on three points.

21 Number one, it's an extremely dangerous
22 location. It's on a high volume, high speed,
23 twelve-lane major highway with a big Box shopping
24 center across the street. Police enforcement of
25 traffic rules and regulations is minimal in this

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2 city.

3 Public transit routes that would stop
4 there are few. There's only one that runs the
5 length of the boulevard and two that cross it.
6 Patients who would ride public transit or walk to
7 and from the health center would have to cross
8 all twelve lanes. And they would be 42 percent
9 of the patients, according to the public health
10 department.

11 Some of those patients would be on a
12 wheelchair, a walker, crutches or a cane. And
13 the city plans to eliminate left turns at the
14 intersection of Langdon Street. Left turns would
15 have to be made a block north or south of that.

16 Additionally, the traffic of the
17 patients and the staff would disturb the
18 tranquil, serene atmosphere. That's essential to
19 psychiatric care at Friends Hospital.

20 The national historic landmark aspect
21 of this has been mentioned. The lawn side
22 building, which is the former gatehouse and
23 superintendent's residence sits close to
24 Roosevelt Boulevard. It would be between the
25 boulevard and the health center as proposed.

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2 However, it's not in the footprint of
3 the health center. Yet the historical commission
4 has approved demolishing it despite the fact that
5 the architectural committee of the historical
6 commission recommended not approving because it's
7 not necessary in the public interest.

8 But demolishing lawn side would
9 conveniently relieve the hospital of a burden of
10 maintaining what is now a dilapidated structure
11 in lawn side.

12 Furthermore, on that site, which is 99
13 acres, the grounds of Friends Hospital, there
14 have been native American encampments. Native
15 Americans had fished and hunted there. Artifacts
16 have been found, arrowheads, tools and so on.

17 And if such artifacts were found in the
18 excavation for the health center there, that
19 would necessitate an archaeological survey which
20 might further entail additional preservation and
21 delay the arrival of the health center.

22 We have tried to look at the other 44 -
23 - the 44 sites that were considered. We've
24 requested that from several parties in the city.
25 We have not received them. We would like to see

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2 them.

3 We have approached some of the elected
4 officials who signed letters of support for this
5 project. There were five of them. Two of them
6 have withdrawn their support. Another one says,
7 who will go with whatever the community wants.

8 We recommend that this health center be
9 combined with a smaller one that's proposed at
10 Frankford and Pratt. That one is for 5,000
11 patient visits per year, whereas the Friends
12 Hospital health center would be for 31,300.

13 We recommend that the two be combined.
14 They're only 1.4 miles apart. And at Frankford
15 and Pratt, the traffic is much calmer and public
16 transit is abundantly available at the Frankford
17 Transportation center.

18 If parking were an issue there, there
19 is an abandoned Walgreens just a block north of
20 that Frankford and Pratt site and we would
21 recommend that the city purchase that.

22 So again, we are not disputing the need
23 for additional health center capacity. We're
24 just concerned about the location. It would be
25 dangerous at Friends Hospital, dangerous for the

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2 patients, and detrimental to operations at the
3 hospital. So that is my testimony.

4 There's just one thing I'd like to add.
5 We learned about this meeting only three and a
6 half weeks ago and we would -- we request a
7 continuance so that we can consult with our
8 attorney and do research on the background here.

9 And further, we'd like to point out
10 that this hearing is about the zoning change.
11 Yes, the zoning needs to be changed but we don't
12 want that to lead to the health center going to
13 Friends Hospital.

14 The property is presently zoned for
15 residential, single family and it's a hospital.
16 Sure, it should be changed but we don't want that
17 to bring this health center there. Again, we
18 have a solution to the problem, Frankford and
19 Pratt. So that is our testimony. We thank you
20 for the opportunity.

21 COUNCILMEMBER BASS: Thank you for
22 coming and thank you for your testimony. Please
23 state your name for the record, sir, and proceed
24 with your testimony.

25 MR. BUFFINGTON: My name is John

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2 Buffington. I chair the history committee of the
3 Historical Society of Frankford. Our position is
4 consistent with Northwood Civic. In fact, our
5 colleagues from Northwood Civic just stole most
6 of my best points, not coincidentally, because we
7 have the same essential position.

8 So at Northwood -- Friends Hospital is
9 not in Frankford. Our mission is to promote and
10 protect the history of Frankford and nearby
11 communities. Friends Hospital is not in historic
12 Frankford. It's adjacent. It's immediately
13 adjacent to historic Frankford.

14 We're very proud of Friends Hospital.
15 As has been said, it's the only national historic
16 landmark in northeast Philadelphia. There are
17 like four steps of importance in historic notice,
18 official notice of history.

19 You can be on the City Register of
20 Historic Places. You can be on the National
21 Register of Historic Places. You can be a
22 National Historic Landmark or you can be a
23 National Park. This is number three. This is
24 like close to the top.

25 This is like the Gettysburg Cemetery.

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2 It's really, really vitally important. Why?

3 Because this was the first place ever, in America
4 at least, to demonstrate that fresh air and not
5 being shackled or locked up was kind of good for
6 people that needed to get over their mental
7 illness. The first place in America.

8 That's why it's a historic national
9 landmark. It shows what the treatment system was
10 in 1836, the innovative treatment as of 1836,
11 which is pretty common now, but it was new when
12 this place became a hospital.

13 And what we have left is the remnant.
14 And it's been changed. It's been changed. Any
15 historic site is going to have been changed over
16 time.

17 What is being proposed here undermines
18 the historic use of the property. It undermines
19 the treatment of the current people there because
20 they're not going to have quite the access to the
21 grounds and whatnot.

22 As a matter of fact, Scattergood -- by
23 the way, Scattergood only owns 20 percent of this
24 property. It's 80 percent owned by a for profit.
25 This is different. This is not being done for

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2 the public good. The City Council did not get
3 full information on this soon enough to head it
4 off before stupidity started to move it along.

5 That is that location. I'm not saying
6 there shouldn't be a health center. I'm saying
7 the locating of that property, of that health
8 center, of the newest health center at this
9 location is just dumb. It's dumb.

10 It's not in the interest of the health
11 community. It's not in the interest of the
12 people who are being treated there now. It's not
13 in the interest of the people that are going to
14 be coming there. You heard that.

15 A health center delayed is a health
16 center bungled not by our new council person, not
17 by the current health director for the city, but
18 by the previous administration or perhaps more
19 than one. They did not actually do their
20 homework. Thank you.

21 COUNCILMEMBER BASS: Okay. Thank you
22 for your testimony. Please state your name for
23 the record and proceed.

24 MR. MENKEVICH: My name is Joseph J.
25 Menkevich, M-E-N-K-E-V-I-C-H. I'm an independent

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2 researcher. Some people would call me a
3 historian. I call myself a researcher.

4 I was formerly the president of the
5 Northwood Pacific Association, and I had the
6 nerve to tell one politician that he worked for
7 us. We didn't work for him. And, yeah, I got
8 impeached, just like -- yeah, I got impeached.
9 So I know what it feels like.

10 Anyway. I live in a neighborhood. I'm
11 a stakeholder. I own a home in Northwood. I'm
12 not here to talk about health center. I think
13 this is all smoke and mirrors. The bill here
14 says, change the zoning map. Okay? All this
15 other stuff is reason why you're going to change
16 the zoning map.

17 This is a nomination I filed with the
18 historical commission. It's not about a health
19 center. It's about the land. Doesn't mention a
20 building. Doesn't mention any of that. It shows
21 arrowhead to Indians.

22 The Friends Hospital knew about the
23 Indian artifacts found on these grounds since
24 1977. They downplayed it. They didn't want to -
25 - nobody wants to find Indian artifacts, just

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2 like they didn't want it down there at the
3 casinos, sugar house. Didn't want to sit there
4 and dig up everything down, up and down Route 95,
5 but they did because they had to.

6 And I'll tell you something else I
7 don't mind telling politicians no. I don't mind.
8 I mean, we told Rick Mariano no, and we ended up
9 in state supreme court. We won. And when I say
10 we, it wasn't the civic association, it was just
11 independent members of the community said, "We
12 don't like what the civic agreed to." They were
13 going to turn around and build a crematorium over
14 at Greenwood cemetery. And we said no.

15 We said our barbecued chicken will
16 never smell the same again if you've got a
17 crematorium in our neighborhood. And we said no.
18 We took it to supreme court, and we won. And I
19 would do it again if I had to. But back to this
20 thing about the Indian artifacts, there's
21 pictures here if you want to see them.

22 There's pictures of Indian artifacts
23 getting found on that ground where I'm not really
24 opposed to this bill is. I'm opposed to moving
25 forward until after you actually have a -- yeah,

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2 I guess you can put it up there.

3 I'm opposed to not having an impact
4 study done because that actually drains -- the
5 EPA should do an impact study because that drains
6 to Tookany Creek watershed. That's just one
7 impact study.

8 You should have an environmental impact
9 study just for the watershed. You should have
10 another impact -- another study done to see if
11 there are -- to move to see either include or
12 exclude American Indian artifacts because it was
13 your heritage, you would care about it.

14 I didn't bring a tribal (indiscernible)
15 here to sit here and testify, but we could have.
16 We could have brought -- they come to
17 Philadelphia to bust the trees anytime you guys
18 want them. Oh, we're going to put a shovel on
19 bringing in great photo opportunity.

20 But that's their heritage. That's
21 their artifacts. There were encampments down
22 there on that ground. I traced every deed from
23 William Penn all the way up to present day. And
24 it's true that Scattergood Foundation doesn't own
25 that. It's kind of convoluted who even owns that

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2 property right now because it was flipped over
3 three or four times.

4 Friends Hospital owned it. Friends
5 Hospital was a nonprofit. This was in orphans
6 court. This whole deal when Friends Hospital got
7 purchased by a for profit company in Texas, I
8 think it was in 2015, it had to get approved by
9 Orphans Court and it had to get approved by the
10 Security Exchange Commission because this was set
11 up as a trust.

12 The Friends Hospital set this ground up
13 as a trust. So it did get approved by various
14 parties. And the Scattergood Foundation was
15 founded after it was sold to the people in Texas.
16 It's just a name. It's not the same people that
17 always ran it. It's not run by the Friends
18 anymore.

19 It was sold again to a company in
20 Tennessee. The Tennessee company now sold it
21 again to someplace out in Glen. I'm trying to
22 think where it is. Just outside the City of
23 Philadelphia. It's actually in that I actually
24 have all the deeds in there. All the deeds and
25 all the purchases.

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2 The Friends Hospital right now has been
3 broken up into condominiums. They rent the
4 property back to themselves. They formed.
5 There's so many layers. There's so many layers
6 of different companies operating in there. It's
7 not even clear who owns the property right now.

8 And if Scattergood Foundation only owns
9 20 percent of it, where's the majority owner?
10 Where's the majority owner saying, "Hey, we want
11 a zoning change. We want this. We want that."
12 Where is the majority owner of that property
13 right now in this hearing? Because it's not a
14 Scattergood Foundation.

15 I don't know who the Scattergood
16 Foundation is. It's just the straw purchaser. A
17 phony name. The front. All these people with
18 the healthcare stuff, that's all smoke and
19 mirrors. There's plenty of healthcare in
20 Frankford.

21 They got a place on Frankford Avenue at
22 Cellar Street. It takes up five parcels that go
23 from Frankford Avenue to Griscom Street. It's a
24 health center. It's not about public health
25 center. It's open to the public, and it takes

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2 people with no health insurance. If you don't
3 have health insurance and you go there, they'll
4 get you health insurance.

5 I'm 74 years old. I raised eight kids,
6 or I had nine. Eight of them are still alive.
7 Three of them graduated college. I worked a
8 blue-collar job at Bud company until Ronald
9 Reagan shut every -- all the unions down.

10 I never had a problem getting health
11 benefits. I mean, it was the time I was even
12 collecting welfare when I was out of work. They
13 put a lien on my house, and they took all their
14 money back when I sold the house.

15 And poverty is not a disease. It's a
16 desert. You make it from one end of the desert
17 to the other end of the desert, and you'll find
18 an oasis. I own a house now. I mean, I'm out of
19 that poverty thing. I'm getting to the end of my
20 life now because I got to start playing on, like,
21 where my stuff is going to go.

22 But I wouldn't mind suing the city
23 again. I wouldn't mind taking you people to
24 court because I kind of think that -- and I don't
25 mind telling people, like, my councilwoman

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2 stopped playing with her phone all time because
3 you sit here the whole time, this meeting, just
4 playing with.

5 I'll just say another thing. The
6 public meetings they said that we had in our
7 neighborhood weren't public meetings at all.
8 They didn't come to the Civic Association. What
9 they did is they dialed up all their friends from
10 Facebook, and they all showed up at a recreation
11 center. That was a prep rally. That wasn't a
12 public meeting.

13 One other thing is, I don't like Zoom
14 meetings. So they steal your voice. They
15 violate your constitutional rights.

16 So right now, I would really just urge
17 you people to wrap up my testimony, since they
18 talk too damn much, is postpone decision on this
19 until you really find out who owns the place. If
20 they put a health center, it may be as it may,
21 they put a casino down there on the -- they put a
22 casino in, but do the studies that need to be
23 done.

24 Make sure you do the impact studies of
25 the environment. Make sure you do the study to

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2 see if there are Indian artifacts there. And if
3 you get a health center in there, then you get a
4 health center in there. I mean, you can't
5 control the world.

6 COUNCILMEMBER BASS: Thank you for your
7 testimony, sir.

8 MR. MENKEVICH: Thank you.

9 COUNCILMEMBER BASS: Thank you.

10 MR. MENKEVICH: I mean, if you give
11 that book, I mean, if you want to keep that book,
12 I want you to --

13 COUNCILMEMBER BASS: We'll make sure
14 you get it back.

15 MR. MENKEVICH: Only if it goes to the
16 mayor, because the last thing I gave the mayor.
17 Was it the last guy? He didn't read it.

18 COUNCILMEMBER BASS: Thank you. Thank
19 you for your testimony. Is there anyone else
20 here to testify on Bill Number 240426? Anyone
21 else here to testify? I'm sorry? You already
22 testified, ma'am.

23 UNIDENTIFIED FEMALE SPEAKER:
24 (indiscernible).

25 COUNCILMEMBER BASS: Actually, no. I'm

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2 sorry. We still have a number of bills here that
3 we have to hear today, but we thank you for your
4 earlier testimony. Is there anyone else who
5 would like to testify on Bill Number 240426 that
6 has not already spoken?

7 Okay. Seeing none. Madam Clerk, can
8 we have you call forward the panelists for Bill
9 Number 240427? And as they are approaching, I'm
10 going to recognize Councilmember Jeffery Young
11 for comments. Councilmember.

12 COUNCILMEMBER YOUNG: Thank you, Madam
13 Chair. And so Bill Number -- what's the number?
14 240427 involves a change to the zoning code
15 regarding nonperforming uses. Zoning regulates
16 land use and structure placement to protect the
17 health, safety, and welfare of the City of
18 Philadelphia's residents and businesses.

19 For almost 100 years, local
20 government's ability to regulate land use has
21 been constitutionally protected as a natural
22 police power.

23 In the landmark United States Supreme
24 Court decision, Village of Euclid v. Ambler
25 Realty Company in 1926, the court held that as

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2 long as they are not arbitrary and unreasonable,
3 zoning ordinances are constitutional under the
4 police power of local governments, as long as
5 they have some relation to the public health,
6 safety, morals, or general welfare.

7 So, in effect, you know, changing
8 zoning regulations could be considered a taking
9 of private property. So I fully understand the
10 angst of this bill. However, although
11 governments have brawl powers to take private
12 property for a public purpose, individual
13 property owners must be compensated for the
14 property taken.

15 Accordingly, a zoning restriction that
16 requires a landowner to discontinue a previously
17 legal use of their land or remove from the
18 property a non-conforming building or structure
19 without compensation, that is unconstitutional.

20 However, when zoning power is exercised
21 in a reasonable and proper manner, payment of
22 compensation is not warranted. And so what we're
23 trying to do with this bill is not take away
24 property rights. It's not require that all non-
25 conforming uses be eliminated.

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2 But what we're trying to do here is to
3 ensure that a community has the benefit of
4 planning for the future. And so non-conforming
5 uses, referred to when local governments change
6 zoning laws and allow existing property some form
7 of exemption, excuse me, from abiding by the new
8 regulations.

9 So the law of Pennsylvania regulating
10 nonconforming uses is well settled. A non-
11 conforming use is a use that predates a
12 prohibitory zoning regulation. It constitutes a
13 vested constitutional property right that may be
14 continued unless the use is a nuisance,
15 abandoned, right? Which is the key to this bill
16 or extinguished by imminent domain.

17 So, again, this bill today seeks to
18 provide clarity on when a non-conforming use is
19 deemed abandoned. And I'm going to read the
20 language of the bill. It's really one sentence
21 long. "A non-conforming use shall be deemed
22 abandoned whenever such use is discontinued and a
23 new use is established, with or without the grant
24 of a zoning permit, and shall not be reinstated."

25 So the burden of proving the existence

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2 of a non-conforming use falls upon the property
3 owner. In order to establish a non-conforming
4 use, a property owner must present objective
5 evidence that the subject property was devoted to
6 such use at the time of the prohibitory zoning
7 regulation was enacted.

8 Property owners with a legal non-
9 conforming use have a constitutionally protected
10 right to expand that use, notwithstanding its
11 status as non-conforming. However, this right is
12 not unlimited.

13 But Pennsylvania courts have concluded
14 that while property owner may increase the
15 intensity of a non-conforming use, a non-
16 conforming use may not be expanded if it would be
17 inconsistent with the public interest.

18 The owner may also be prevented from
19 returning property to a non-conforming use if
20 that property starts to actually conform, to
21 become a conforming use.

22 So with that said, in determining
23 whether a desired use is a change in use or an
24 additional use, or merely just a continuation of
25 an existing non-conforming use, Pennsylvania

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2 courts have ruled that a new activity may be
3 permitted continuation of a non-conforming use if
4 it is a similar existing use.

5 So you're going to hear testimony from
6 folks that we may have tenants in a property, and
7 if this bill goes into effect and we have a
8 nonconforming use, then our tenants, we may not
9 be able to get new tenants at that property. And
10 I understand that.

11 However, the proposed use need not be
12 identical to the existing non-conforming use.
13 Rather, similarity is all that is required.

14 So for example, the court ruled that --
15 the Supreme Court ruled that a day camp was
16 similar to an amusement park. Right? So that's
17 how liberal the non-conforming use law is
18 construed here in Pennsylvania.

19 So this fear of losing a legal non-
20 conforming use, in my opinion, is misguided.
21 When is a non-conforming use abandoned by the
22 property owner? A use is entitled to legal
23 recognition and protection as a non-conforming
24 use. It does not lose such status unless it is
25 abandoned. And that's what we're talking about

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2 in this legislation. What is abandoned?

3 The courts ruled that non-conforming
4 use continues until abandonment, which requires,
5 one, an intent to abandon, and two, actual
6 abandonment. So to me, if you establish a new
7 use, then it's clear that you have intent to
8 abandon, an actual abandonment.

9 And so that's what this bill tends to
10 do. Right? But there are protections regarding
11 intent. So if you are you abandoned because of
12 financial inability, you're protected, your
13 nonconformity is protected, or if you fail to
14 register or get a permit for your non-conforming
15 use, that's not considered to be abandonment at
16 all.

17 So this bill does not eliminate non-
18 conforming uses. I'm going to read the bill
19 again. A non-conforming use shall be deemed
20 abandoned whenever such use is discontinued and a
21 new use is established, with or without the grant
22 of a zoning permit, and shall not be reinstated.
23 All right?

24 Just to give an example, for example,
25 we have a former nursing home at 2100 Gerard

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2 Avenue in Philadelphia. That nursing home closed
3 in 2022. And after 2022, that nursing home was
4 used as a homeless shelter.

5 Now, a homeless shelter and a nursing
6 home are two totally separate uses. So again, I
7 feel that in that event where you abandon your
8 nursing home use and you use it as a shelter use,
9 then under this legislation, you will be
10 prohibited from then trying to come back and say,
11 "You know what? We're going to still use it as
12 some kind of medical facility in the future."

13 Once you change that use from its
14 original use, you are not able to go back to then
15 say, "You know, we change our mind. We want to
16 go back to this use that is considered to be a
17 nuisance in the community."

18 So that is all this bill is trying to
19 do is to protect communities and prevent
20 nuisances from happening. So thank you, Madam
21 Chair.

22 COUNCILMEMBER BASS: We thank you for
23 the explanation. We just don't want to lose our
24 quorum. But thank you very much for a very
25 thorough explanation. You know your stuff. So

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2 we appreciate that. Even Paula gave you a thumbs
3 up. Right? So can we get you to state your name
4 for the record and please proceed with your
5 testimony, Paula?

6 MS. BURNS: I am Paula Brumbelow Burns,
7 Director of Legislation for the Philadelphia City
8 Planning Commission. I am here to testify on
9 Bill Number 240427, introduced into City Council
10 on May 9th, 2024, by Councilmember Young.

11 Bill Number 240427 amends the
12 Philadelphia Zoning Code by amending section 14-
13 305 of the Philadelphia Code entitled
14 nonconformities, by providing further provisions
15 on changes from nonconforming uses.

16 The bill proposes an additional
17 standard for how non-conforming use standards are
18 applied and when permits should be discontinued,
19 which will allow -- I'm sorry -- which will be a
20 major citywide change in how nonconformities are
21 treated.

22 The new criteria for determining when a
23 nonconforming use is abandoned will potentially
24 move legally nonconforming uses out of
25 compliance, specifically in buildings with many

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2 tenant spaces.

3 The staff of the planning commission
4 will be recommending an additional 45-day review
5 to the Planning commission at their upcoming
6 meeting. In reviewing the bill within the
7 administration, several significant questions
8 were raised.

9 We would like to step back and take a
10 more holistic review of our current nonconforming
11 section and determine if a full revision to the
12 entire section of the code, and not just one
13 small section is warranted.

14 The Philadelphia City Planning
15 Commission will consider Bill Number 240427 at
16 its public meeting on June 6th, 2024. I will be
17 happy to answer any questions at this time.

18 COUNCILMEMBER BASS: Thank you very
19 much for your testimony. Any questions from the
20 panel? Any questions? Councilman Young.

21 COUNCILMEMBER YOUNG: Does the planning
22 commission have -- I'm sorry -- does the planning
23 commission have a recommendation on the bill?

24 MS. BURNS: At this point, we have not.
25 When we met with the law department and license

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2 and inspections to see how the bill would be
3 interpreted, how L&I would be reading the bill,
4 there were just several questions. So we did not
5 have enough time to kind of work around trying to
6 figure out the best solutions.

7 COUNCILMEMBER YOUNG: Thank you.

8 MS. BURNS: So we don't actually have
9 one. We're just recommending the 45 days for
10 additional review time.

11 COUNCILMEMBER YOUNG: Thank you, Madam
12 Chair.

13 COUNCILMEMBER BASS: Okay. Thank you
14 very much for your testimony. Can we have the
15 Madam Clerk please call our next witness to
16 testify?

17 THE CLERK: Rachel Pritzker, Building
18 Industry Association board member.

19 COUNCILMEMBER BASS: Thank you. Please
20 state your name for the record and proceed.

21 MS. PRITZKER: Good afternoon. My name
22 is Rachel Pritzker. I am here as the owner and
23 CEO of Pritzker Law Group, which is the city's
24 only certified women owned law firm, focused in
25 the areas of real estate, business and government

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2 relations. I'm also the youngest female board
3 member of the Building Industry Association which
4 is who I'm here today representing.

5 I'm providing testimony on Bill Number
6 240427, amending the zoning code related to non-
7 conforming uses. I want to first say that I
8 never look forward to testifying in opposition of
9 legislation.

10 I consider myself a colleague to many
11 on city council and city Councilmembers and
12 staffers, given my former job for this
13 legislative body as a city council staffer,
14 specifically as legislative counsel.

15 With that said, the bill as currently
16 written is ambiguous and can have dangerous
17 consequences that goes against our city's goal of
18 keeping wealth in neighborhoods, transparency,
19 and providing affordable housing.

20 I want to start by making it clear that
21 a legal, non-conforming use or a property that is
22 grandfathered in means that at some point prior
23 to a remapping legislative change code amendment
24 or code rewriting, as was undertaken in 2011,
25 2012, the property obtained a valid use permit

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2 and certificate of occupancy. We are not talking
3 about illegal uses at all.

4 This legislation in its current form
5 seeks to remove the process and protections in
6 place for existing nonconforming uses and instead
7 provides a very unclear process for how existing
8 nonconforming uses that might be legal but maybe
9 not appreciated in this instance, can get wiped
10 out under a property owner.

11 While we are aware of the sponsors
12 intent for this bill, there are arguably, on the
13 low end, tens of thousands, if not hundreds of
14 thousands of properties in the City of
15 Philadelphia that have and had obtained legal use
16 permits and cos to use and operate their property
17 in a certain way.

18 For example, I worked on a project
19 recently located in the 32nd democratic ward and
20 one in Tioga, which were owned by the
21 grandchildren of a long-term Philadelphia
22 resident and property owner. The grandmother, in
23 one instance, had owned the triplex for 40 years
24 until she passed it to her granddaughter.

25 Since owning the property for 40 years,

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2 the property had never not been a legal triplex
3 and had provided retirement income for this
4 family and generational wealth owning the real
5 estate outright. The property had since been
6 remapped from a zoning classification in the
7 1960s that had allowed for a triplex by right to
8 RSA5.

9 However, given the city's rules for
10 non-conforming uses before this recent amendment,
11 we were able to help this family get an updated
12 rental license and keep the use as a triplex when
13 it changed hands to the granddaughter.

14 Given the current process, well known
15 to L&I and the city, we were able to show proof
16 that it was illegal nonconforming use and this
17 family was able to retain their property
18 hopefully for generations to come.

19 I could give you hundreds of these
20 examples. Had this legislation been in effect,
21 or the city process arbitrarily and ambiguously
22 changed, this family might have had to go through
23 the variance process, which can cost \$3,000 to
24 \$5,000 in city required fees and posting
25 requirements alone, not even considering legal

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2 fees.

3 And in most cases, they would have
4 either had no choice but to operate it illegally
5 or sold the property, as they would not have been
6 able to fight the battle with L&I or weather the
7 ZBA process. This conversation happens all the
8 time.

9 This is also the case for small
10 business owners across the city who have
11 maintained the same existing nonconforming uses
12 for decades. Without clear and thoughtful
13 amendments to this bill, this is what is at risk
14 all over the city.

15 This also does not help keep affordable
16 units in neighborhoods, as the family's other
17 option would have been if they could have
18 afforded to demolish the entire interior of the
19 building and made it one single family home under
20 the RSA5 zoning, or sell it to someone to do the
21 same thing, the cost of which would have far
22 exceeded what would be reasonable and marketable
23 in any neighborhood outside of Center City,
24 Society Hill, Washington Square, northern
25 liberties, or the like.

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2 And the family would have lost
3 generational wealth, and the neighborhood would
4 have lost affordable units.

5 What we are doing with this bill is
6 creating a citywide problem that does not solve
7 the one issue it was based on. And in fact,
8 could create even more loss. It is those in our
9 city who cannot afford lawyers like myself that
10 we hurt. And it is against my own bottom line to
11 stand in opposition to this bill, but it is the
12 right thing to do.

13 I want to end by saying we look forward
14 to working with the bill sponsor on various
15 issues that he is championing and that we can see
16 shared common ground on. Thank you for your
17 time, and I'm available for any questions,
18 Chairwoman and members of the Rules Committee.

19 COUNCILMEMBER BASS: Thank you very
20 much. Thank you very much for your testimony.
21 Any questions from the committee? I don't see
22 any questions.

23 COUNCILMEMBER YOUNG: One question.

24 COUNCILMEMBER BASS: Councilman Young.

25 COUNCILMEMBER YOUNG: Yeah. Good

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2 afternoon, Rachel. In your testimony, you
3 mentioned that you had clients that had a
4 triplex, and you have them through that process
5 now. Did they ever use that property as
6 something other than a triplex?

7 MS. PRITZKER: So they didn't use it as
8 something other than a triplex. However, there
9 were periods of time that it wasn't operating
10 with tenants in it and things. And given
11 abandonment, which, as you know from the courts
12 has longstanding, it doesn't have to be just
13 vacant.

14 They could be trying to fill it.
15 There's a lot of nuances to it, and we had to
16 spend hours working through this with L&I.
17 Hours.

18 COUNCILMEMBER YOUNG: And I get it.
19 And I get that point regarding abandonment. But
20 this bill says and establish -- a new use is
21 established. That's the only difference here.
22 So if they never established a new use, then they
23 would not fall under this bill. Right?

24 It only fall -- is it considered if
25 they, for example, were to say, try to use it as

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2 a store or something like that. As long as you
3 maintain your same grandfather use under this
4 bill, you're fine.

5 It's just that when you establish a new
6 use, even if it's a conforming or another non-
7 conforming use, you then lose the ability to say
8 you want to go back to that previous use once you
9 establish a new use. That's all this bill does.
10 And that's how it clarifies that.

11 MS. PRITZKER: When you have it say
12 things like with the zoning permit or not with
13 the zoning permit, it's a lot of gray area.

14 And what you want to have people do who
15 are not really well versed in this is make sure
16 it's really clear not only for the people that
17 are operating in the city, the people who are
18 buying real estate in the city, the people that
19 own real estate in the city, and then the people
20 that have to enforce all this, like the
21 Department of licenses and inspections.

22 COUNCILMEMBER YOUNG: I think that our
23 L&I have the technical capability of enforcing
24 this. And I do think that when it comes to the
25 issue, with or without the grant of a zoning

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2 permit, that goes to show that intent as well.

3 Right?

4 So if you're using a property and you
5 don't have a zoning permit for it, you're not
6 using it in a legal manner anyway. And so I
7 think what this bill does is just try to clarify
8 and to bring those properties on record to be a
9 legal, whether they're illegal, non-conforming
10 use or legally permitted use.

11 MS. PRITZKER: I'm going to, as respect
12 for the board, or the committee wanting a quorum,
13 I will leave my rebuttal to where it is. I think
14 the reality here is that this bill could be
15 cleaned up a lot cleaner, just a lot more
16 transparent and easier for everybody to follow.

17 And the reason that the BIA is opposing
18 the bill is because we want to make sure that
19 other councilmembers are aware, when we make big,
20 broad changes in the zoning code that affect a
21 lot of different properties and a lot of
22 different people, that we're really thoughtful
23 how we do it and it's really clear and concise.
24 And that's all we're asking for.

25 We appreciate the intent in the bill.

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2 I've offered, off the record, a thousand times to
3 help work on the bill. I just want to make sure
4 that when we're dealing with clients and people
5 in our industry who are not always well versed,
6 don't always have lawyers, don't always have
7 architects, and they have been in neighborhoods
8 for many years, and they don't understand the
9 nuances that it's clear to all of them.

10 So they don't wake up one day, and then
11 they have to figure out, how am I paying a
12 lawyer? How am I doing this, how I'm doing that?
13 And that's really what I'm here to support,
14 because although I have this big, fancy title, I
15 started my career representing neighborhood
16 people because nobody was hiring me for bid
17 projects and centers city.

18 And so I've seen a lot of the issues
19 that come from this, and I have done probably
20 more zoning board cases than most people in the
21 city. So I could tell you firsthand that we want
22 to be really careful before we push people
23 through what is a very expensive and time-
24 consuming process.

25 And that's all we're looking to achieve

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2 here and we're happy to work collectively on
3 that.

4 COUNCILMEMBER YOUNG: And just some
5 point of information, if a person was to disagree
6 with this particular provision, they wouldn't
7 have to go to the zoning board to seek a
8 variance. Right? If they disagree, you would
9 appeal to L&I and basically say that L&I made the
10 wrong decision by saying my property does not
11 fall under this grandfathered provision. If it's
12 not a similar.

13 Again, it's only for new uses. So if I
14 have a use and L&I is saying, well, nope, it
15 doesn't fall under there. And your argument is
16 that, yes, it does, it's still a similar use,
17 then you make an appeal against L&I. You don't
18 seek a variance. That's a much different
19 process.

20 COUNCILMEMBER BASS: So I think that
21 this is something that, in this particular case,
22 I think that Councilman Young is probably more
23 than willing that if we see, when we legislate
24 something, that if we see that it is -- that your
25 concerns do come to the forefront in a

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2 significant way, then that's something that we
3 can certainly revisit. I believe so.

4 Councilman Young, would you say that
5 you would be certainly open to making amendments,
6 adjustments after passage to this bill so that we
7 can make sure that it's not an undue burden on
8 the taxpayer of the property owners?

9 COUNCILMEMBER YOUNG: Madam Chair, one
10 more comment, if I may. Just given the fact that
11 the planning commission is asking for 45 days. I
12 mean, this bill won't pass before the end of the
13 session in reality anyway.

14 So we still have the summer to work on
15 things. I just would like to make sure that if I
16 ask this committee to humbly pass this with
17 favorable recommendations so we can move forward
18 with the process.

19 COUNCILMEMBER BASS: So there is time?
20 So there is a period over the summer months where
21 we can get together. I'd be happy to convene a
22 meeting so that we can walk through what your
23 concerns are and try to figure out something.

24 So let's keep that on the table over
25 the summer months. We work all summer long.

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2 People say city council doesn't work. We work
3 all summer long. So we'll be here and would love
4 to work with you on this to get it done. Okay.
5 All right. Thank you so much.

6 Is there anyone else here to testify on
7 Bill Number 240427 anyone else? No. Seeing no
8 one. Madam Clerk, please call the next witness
9 on Bill Number 240466.

10 THE CLERK: Paula Brumbelow Burns,
11 Director of Legislation, Philadelphia City
12 Planning Commission.

13 COUNCILMEMBER BASS: Please state your
14 name for the record and proceed.

15 MS. BURNS: Good afternoon to the
16 members of the Rules Committee. I am Paula
17 Brumbelow Burns, director of the legislation for
18 the Philadelphia City Planning Commission. I am
19 here to testify on Bill Number 240466, introduced
20 into City Council on May 16th, 2024 by
21 Councilmember Bass for Council President Johnson.

22 Bill Number 240466 amends the
23 Philadelphia Zoning Code by amending section 14-
24 30314 of the Philadelphia Code, entitled Public
25 Hearings of the Zoning Board of Adjustment. To

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2 change the number of board members required for a
3 quorum or an action taken at the zoning board of
4 Adjustment hearing.

5 This bill addresses the question of
6 what constitutes a quorum in light of the recent
7 charter change that increased the zoning board of
8 adjustment to seven members. The bill as
9 introduced increases the static number of members
10 necessary for making a quorum and taking action
11 from three to four members.

12 The amendment before you today will
13 revise the quorum requirement from the static
14 number of members to a majority of the members of
15 the zoning board constituting a quorum.

16 The staff of the planning commission
17 supports the amendment to adjust the language to
18 a majority of members. I will be happy to answer
19 any questions at this time.

20 COUNCILMEMBER BASS: Thank you for your
21 testimony. Any questions from committee? I
22 don't see any. Thank you very much for your
23 testimony.

24 MS. BURNS: Thank you.

25 COUNCILMEMBER BASS: Is there anyone

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2 else here to testify on Bill Number 240466?

3 UNIDENTIFIED MALE SPEAKER: No.

4 COUNCILMEMBER BASS: Okay. Seeing
5 none. It's been a marathon. Seeing none and
6 being that there are no further witnesses, let's
7 see where are we. This concludes the public
8 hearing. Is there anyone here for public
9 comment?

10 UNIDENTIFIED MALE SPEAKER: No.

11 COUNCILMEMBER BASS: Okay. I didn't
12 think so either. Okay. All right. So seeing
13 none. This concludes the public hearing. We'll
14 now go into a public meeting shortly to consider
15 the action to be taken on the bills for the
16 committee today. We want to thank you for your
17 patience and now go into our public meeting.

18 The chair recognizes Councilman Squilla
19 for a motion on Bill Number 240426.

20 COUNCILMEMBER SQUILLA: The quorum is
21 present. And thank you, Madam Chair. I move the
22 Bill Number 240426 be reported from this
23 committee with a favorable recommendation and
24 further move the rules of council submit the
25 first reading of this bill at the next session to

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2 council.

3 (Duly seconded.)

4 COUNCILMEMBER BASS: Thank you. The
5 chair notes for the record that Councilmember
6 Gauthier seconds the motion. It's been moved and
7 properly seconded that Bill Number 240426 be
8 reported from this committee with a favorable
9 recommendation and further move that the rules of
10 council be suspended to permit the first reading
11 of this bill at the next session of council. All
12 of those in favor of this motion will signify by
13 saying aye.

14 (Aye.)

15 COUNCILMEMBER BASS: Any opposed?

16 (No response.)

17 COUNCILMEMBER BASS: Ayes have it. And
18 the motion carries.

19 COUNCILMEMBER RICHARDSON: I'd like to
20 be recorded as voting aye on the bill that I just
21 missed. Thank you.

22 COUNCILMEMBER BASS: Yes. And chair
23 recognizes for the record that Councilwoman Kathy
24 Gilmore Richardson voted aye on Bill Number
25 240426 as well. Chair recognizes councilmember

1 6/4/24 - RULES - BILL 240058, ETC.

2 Squilla for a motion to the amendment on Bill
3 Number 240058.

4 COUNCILMEMBER SQUILLA: Thank you,
5 Madam Chair. I offer an amendment to Bill Number
6 240058. A copy of the amendment has been
7 circulated to all members of the committee. I
8 move that the amendment to Bill Number 240058 be
9 approved.

10 (Duly seconded.)

11 COUNCILMEMBER BASS: It's been moved
12 and properly seconded that the amendment to Bill
13 Number 240058 be approved. All of those in favor
14 of this motion will signify by saying aye.

15 (Aye.)

16 COUNCILMEMBER BASS: Does anyone
17 oppose?

18 (No response.)

19 COUNCILMEMBER BASS: Okay. The ayes
20 have it. And the motion carries. Chair
21 recognizes Councilmember Squilla for a motion on
22 Bill Number 240058 as amended.

23 COUNCILMEMBER SQUILLA: Thank you,
24 Madam Chair. I move the Bill Number 240058 as
25 amended to be reported from this committee with a

1 6/4/24 - RULES - BILL 240058, ETC.

2 favorable recommendation and further move that
3 the rule of council be suspended. I submit the
4 first reading of this bill to next session to
5 council.

6 (Duly seconded.)

7 COUNCILMEMBER BASS: The chair notes
8 for the record that Councilmember Kathy Gilmore
9 Richardson seconds the motion. It's been moved
10 and properly seconded that Bill Number 240058 as
11 amended be reported from this committee with a
12 favorable recommendation and further move that
13 the rules of council be suspended to permit the
14 first reading of this bill at the next session of
15 council.

16 All of those in favor of the motion
17 will signify by saying aye.

18 (Aye.)

19 COUNCILMEMBER BASS: Is anyone opposed?

20 (No response.)

21 COUNCILMEMBER BASS: The ayes have it.
22 And the motion carries. Chair recognizes
23 Councilmember Squilla for a motion on the
24 amendment to Bill Number 240157.

25 COUNCILMEMBER SQUILLA: Thank you,

1 6/4/24 - RULES - BILL 240058, ETC.

2 Madam Chair. I offer an amendment to Bill Number
3 240157. A copy of the amendment has been
4 circulated to all members of the committee. I
5 move that the amendment to Bill Number 240157 be
6 approved.

7 (Duly seconded.)

8 COUNCILMEMBER BASS: It's been moved
9 and properly seconded that the amendment to Bill
10 Number 240157 be approved. All of those in favor
11 of the motion signify by saying aye.

12 (Aye.)

13 COUNCILMEMBER BASS: Anyone opposed?

14 (No response.)

15 COUNCILMEMBER BASS: The ayes have it.
16 And the motion carries. And the chair recognizes
17 Councilman Squilla for a motion on Bill Number
18 240157 as amended.

19 COUNCILMEMBER SQUILLA: Thank you,
20 Madam Chair. I move the Bill Number 240157 as
21 amended be reported from this committee with a
22 favorable recommendation and further move that
23 the rules of council be suspended and submit the
24 first reading of this bill at the next session of
25 council.

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2 (Duly seconded.)

3 COUNCILMEMBER BASS: The chair notes
4 for the record that Councilmember Kathy Gilmore
5 Richardson seconds the motion. And it's been
6 moved and properly seconded that Bill Number
7 240157 as amended be reported from this committee
8 with a favorable recommendation and further move
9 that the rules of council be suspended to permit
10 the first reading of this bill at the next
11 session of council.

12 All of those in favor of this motion
13 will signify by saying aye.

14 (Aye.)

15 COUNCILMEMBER BASS: Anyone opposed?

16 (No response.)

17 COUNCILMEMBER BASS: Okay. The ayes
18 have it. And the motion carries. Chair
19 recognizes councilmember Squilla for a motion on
20 Bill Number 240242.

21 COUNCILMEMBER SQUILLA: Thank you,
22 Madam Chair. I move the Bill Number 240242 be
23 reported from this committee with a favorable
24 recommendation and further move the rules of
25 council be suspended and submit the first reading

1 6/4/24 - RULES - BILL 240058, ETC.

2 of this bill the next session accounts.

3 (Duly seconded.)

4 COUNCILMEMBER BASS: (indiscernible).

5 COUNCILMEMBER SQUILLA: Thank you,
6 Madam Chair. To correct the motion, I move the
7 Bill Number 240242 be reported from this
8 committee with the favorable recommendation.

9 (Duly seconded.)

10 COUNCILMEMBER BASS: The chair notes
11 for the record that Councilmember Kathy Gilmore
12 Richardson seconds the motion. It's been moved
13 and properly seconded that Bill Number 240242 be
14 reported from this committee with a favorable
15 recommendation. All those in favor of the motion
16 will signify by saying aye.

17 (Aye.)

18 COUNCILMEMBER BASS: Anyone opposed?

19 (No response.)

20 COUNCILMEMBER BASS: Okay. The ayes
21 have it. And the motion carries. Chair
22 recognizes Councilmember Squilla for a motion on
23 the amendment to Bill Number 240332.

24 COUNCILMEMBER SQUILLA: Thank you,
25 Madam Chair. I offer an amendment to Bill Number

1 6/4/24 - RULES - BILL 240058, ETC.
2 240332. A copy of an amendment has been
3 circulated to all members of the committee, and I
4 move that the amendment of the Bill Number 240332
5 be approved.

6 (Duly seconded.)

7 COUNCILMEMBER BASS: It's been moved
8 and properly seconded that an amendment to Bill
9 Number 240332 be approved. All those in favor of
10 the motion will signify by saying aye.

11 (Aye.)

12 COUNCILMEMBER BASS: Anyone opposed?

13 (No response.)

14 COUNCILMEMBER BASS: The ayes have it.
15 And the motion carries. Chair recognizes
16 Councilmember Squilla for a motion on Bill Number
17 240332 as amended.

18 COUNCILMEMBER SQUILLA: Thank you,
19 Madam Chair. I move the Bill Number 240332 as
20 amended be reported from this committee with a
21 favorable recommendation and further move that
22 the rules of council be suspended. I submit the
23 first reading of this bill the next session to
24 council.

25 (Duly seconded.)

1 6/4/24 - RULES - BILL 240058, ETC.

2 COUNCILMEMBER BASS: The chair notes
3 for the record that councilmember Kathy Gilmore
4 Richardson seconds the motion. It's been moved
5 and properly seconded that Bill Number 240332 as
6 amended be reported from this committee with a
7 favorable recommendation and further move that
8 the rules of council be suspended to permit the
9 first reading of this bill at the next session of
10 council.

11 All of those in favor of the motion
12 will signify by saying aye.

13 (Aye.)

14 COUNCILMEMBER BASS: Any opposed?

15 (No response.)

16 COUNCILMEMBER BASS: The ayes have it.
17 And the motion carries. Chair recognizes
18 Councilmember Squilla for a motion on Bill Number
19 240368.

20 COUNCILMEMBER SQUILLA: Thank you,
21 Madam Chair. I move the Bill Number 240368 be
22 reported from this committee with a favorable
23 recommendation and further move that the rules of
24 council be suspended. I submit the first reading
25 of this bill at the next session of counsel.

1 6/4/24 - RULES - BILL 240058, ETC.

2 (Duly seconded.)

3 COUNCILMEMBER BASS: The chair notes
4 for the record that Councilmember Kathy Gilmore
5 Richardson seconds the motion. (Coughs) I've
6 been talking for 3 hours straight, so.

7 COUNCILMEMBER RICHARDSON: Yeah.
8 That's okay.

9 COUNCILMEMBER BASS: Thank you. It's
10 been moved and properly seconded that Bill Number
11 240368 be reported from this committee with a
12 favorable recommendation and further move that
13 the rules of council be suspended to permit the
14 first reading of this bill at the next session of
15 council.

16 All of those in favor of the motion
17 signify by saying aye.

18 (Aye.)

19 COUNCILMEMBER BASS: Anyone opposed?

20 (No response.)

21 COUNCILMEMBER BASS: The ayes have it.
22 And the motion carries. The chair recognizes
23 Councilmember Squilla for motion on Bill Number
24 240385.

25 COUNCILMEMBER SQUILLA: Thank you,

1 6/4/24 - RULES - BILL 240058, ETC.

2 Madam Chair. I move the Bill Number 240385 be
3 reported from this committee with a favorable
4 recommendation and further move that the rules of
5 council be suspended and submit the first reading
6 of this bill at the next session of council.

7 (Duly seconded.)

8 COUNCILMEMBER BASS: The chair notes
9 for the record that Councilmember Gilmore
10 Richardson seconds the motion. It's been moved
11 and properly seconded that Bill Number 240385 be
12 reported from this committee with a favorable
13 recommendation and further move that the rules of
14 council be suspended to permit the first reading
15 of this bill at the next session of council.

16 All those in favor say aye.

17 (Aye.)

18 COUNCILMEMBER BASS: Any opposed?

19 (No response.)

20 COUNCILMEMBER BASS: The ayes have it.

21 And the motion carries. Chair recognizes
22 Councilmember Squilla for a motion on the
23 amendment to Bill Number 240415.

24 COUNCILMEMBER SQUILLA: Thank you,
25 Madam Chair. I offer an amendment to Bill Number

1 6/4/24 - RULES - BILL 240058, ETC.

2 240415. A copy of the amendment has been
3 circulated to all members of the committee. And
4 I move that the amendment to Bill Number 240415
5 be approved.

6 (Duly seconded.)

7 COUNCILMEMBER BASS: It's been moved
8 and properly seconded that the amendment to Bill
9 Number 240415 be approved. All those in favor of
10 the motion signify by saying aye.

11 (Aye.)

12 COUNCILMEMBER BASS: Anyone opposed?

13 (No response.)

14 COUNCILMEMBER BASS: The ayes have it.
15 And the motion carries. Chair recognizes
16 Councilmember Squilla for a motion on Bill Number
17 240415 as amended.

18 COUNCILMEMBER SQUILLA: Thank you,
19 Madam Chair. I move the Bill Number 240415 as
20 amended be reported from this committee with a
21 favorable recommendation and further move that
22 the rules of council be suspended and submit the
23 first reading of this bill at the next session of
24 council.

25 (Duly seconded.)

1 6/4/24 - RULES - BILL 240058, ETC.

2 COUNCILMEMBER BASS: The chair notes
3 for the record that Councilmember Gilmore
4 Richardson seconds the motion. It's been moved
5 and properly seconded that Bill Number 240415 as
6 amended be reported from this committee with a
7 favorable recommendation and further move that
8 the rules of council be suspended to permit the
9 first reading of this bill at the next session of
10 council.

11 All of those in favor of this motion
12 will signify by saying aye.

13 (Aye.)

14 COUNCILMEMBER BASS: Anyone opposed?
15 (No response.)

16 COUNCILMEMBER BASS: The ayes have it.
17 And the motion carries. Chair recognizes
18 Councilmember Squilla for a motion on the
19 amendment to Bill Number 240421.

20 COUNCILMEMBER SQUILLA: Thank you,
21 Madam Chair. I offer an amendment to Bill Number
22 240421. A copy of the amendment has been
23 circulated to all members of the committee, and I
24 move that the amendment to Bill Number 240421 be
25 approved.

1 6/4/24 - RULES - BILL 240058, ETC.

2 (Duly seconded.)

3 COUNCILMEMBER BASS: It has been moved
4 and properly seconded that the amendment to Bill
5 Number 240421 be approved. All those in favor of
6 the motion will signify by saying aye.

7 (Aye.)

8 COUNCILMEMBER BASS: Anyone opposed?

9 (No response.)

10 COUNCILMEMBER BASS: The ayes have it.
11 And the motion carries. And I want to recognize
12 Councilmember Squilla for a motion on Bill Number
13 240421 as amended.

14 COUNCILMEMBER SQUILLA: Thank you,
15 Madam Chair. I move the Bill Number 240421, as
16 amended, from this committee with a favorable
17 recommendation and further move that the rules of
18 council be suspended and submit the first reading
19 of this bill at the next session to council.

20 (Duly seconded.)

21 COUNCILMEMBER BASS: The chair notes
22 for the record that Councilmember Kathy Gilmore
23 Richardson seconds the motion. It's been moved
24 and properly seconded that Bill Number 240421 as
25 amended be reported from the committee with a

1 6/4/24 - RULES - BILL 240058, ETC.

2 favorable recommendation and further move that
3 the rules of council be suspended to permit the
4 first reading of this bill at the next session of
5 council. All those in favor of the motion will
6 signify by saying aye.

7 (Aye.)

8 COUNCILMEMBER BASS: Anyone opposed?

9 (No response.)

10 COUNCILMEMBER BASS: The ayes have it.

11 And the motion carries. Chair recognizes
12 Councilmember Squilla for a motion on Bill Number
13 240427.

14 COUNCILMEMBER SQUILLA: Thank you,
15 Madam chair. I move the Bill Number 240427 be
16 reported from this committee with a favorable
17 recommendation and further move that the rules of
18 council be suspended and submit the first reading
19 of this bill to the next session of council.

20 (Duly seconded.)

21 COUNCILMEMBER BASS: The chair notes
22 for the record that councilmember Kathy Gilmore
23 Richardson seconds the motion. It's been moved
24 and properly seconded that Bill Number 240427 be
25 reported from this committee with a favorable

1 6/4/24 - RULES - BILL 240058, ETC.

2 recommendation and further move that the rules of
3 council be suspended to permit the first reading
4 of this bill at the next session of council.

5 All those in favor of this motion will
6 signify by saying aye.

7 (Aye.)

8 COUNCILMEMBER BASS: Anyone opposed?

9 (No response.)

10 COUNCILMEMBER BASS: The ayes have it.

11 And the motion carries. Chair recognizes

12 Councilmember Squilla for a motion on --

13 actually, we're going to be holding Bill Number
14 240432. So there will be no motion on Bill
15 Number 240432.

16 Chair recognizes Councilmember Squilla
17 for a motion on the amendment to Bill Number
18 240466.

19 COUNCILMEMBER SQUILLA: Thank you,
20 Madam Chair. I offer an amendment to Bill Number
21 240466. A copy of the amendment has been
22 circulated to all members of the committee. I
23 move that the amendment to Bill Number 240466 be
24 approved.

25 (Duly seconded.)

1 6/4/24 - RULES - BILL 240058, ETC.

2 COUNCILMEMBER BASS: It's been moved
3 and properly seconded that the amendment to Bill
4 Number 240466 be approved. All those in favor of
5 the motion will signify by saying aye.

6 (Aye.)

7 COUNCILMEMBER BASS: Anyone opposed?

8 (No response.)

9 COUNCILMEMBER BASS: The ayes have it.
10 And the motion carries. Chair recognizes
11 Councilmember Squilla for a motion on Bill Number
12 240466 as amended.

13 COUNCILMEMBER SQUILLA: Thank you,
14 Madam Chair. I move the Bill Number 240466 as
15 amended be reported from this committee with a
16 fable recommendation and further move that the
17 rules of council be suspended. I submit the
18 first reading of this bill to the next session to
19 council.

20 (Duly seconded.)

21 COUNCILMEMBER BASS: The chair notes
22 for the record that Councilmember Kathy Gilmore
23 seconds the motion. It's been moved and properly
24 seconded that Bill Number 240466 as amended be
25 reported from this committee with a favorable

1 6/4/24 - RULES - BILL 240058, ETC.

2 recommendation and further move that the rules of
3 council be suspended to permit the first reading
4 of this bill at the next session of counsel.

5 All of those in favor of this motion
6 will signify by saying aye.

7 (Aye.)

8 COUNCILMEMBER BASS: Is there anyone
9 opposed?

10 (No response.)

11 COUNCILMEMBER BASS: The ayes have it
12 and the motion carries. And if there is no
13 additional remarks, this concludes the business
14 of the Committee on Rules for today. Thank you
15 all very much for your attendance.

16 (The Committee was adjourned.)

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1 6/4/24 - RULES - BILL 240058, ETC.

2 CERTIFICATE OF TRANSCRIPTIONIST

3

4 I, JOSEPH MWANGI, Legal Transcriptionist, do
5 hereby certify:

6 That the foregoing is a complete and true
7 transcription of the original digital audio recording
8 of the proceedings captured in the foregoing matter.

9

10 IN WITNESS THEREOF, I have hereunto set my hand
11 this 25th day of June, 2024.

12

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Joseph Mwangi

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