

COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING
Room 400, City Hall
Philadelphia, Pennsylvania
Monday, April 8, 2024

PRESENT:

COUNCILMEMBER CINDY BASS
COUNCILMEMBER CURTIS JONES, JR.
COUNCILMEMBER RUE LANDAU
COUNCILMEMBER NICOLAS O'ROURKE
COUNCILMEMBER MARK SQUILLA
COUNCILMEMBER ISAIAH THOMAS

BILLS 240012, 240066, 240159, and 240192

- - -

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2 COUNCILMEMBER BASS: Good morning. I
3 want to thank everyone for being here this
4 morning. My apologies for our slightly tardy
5 start. Good morning. This hearing is called to
6 order. Members and guests, please take your
7 seats. And, Madam Clerk, will you please call
8 the -- oh, actually, I'm going to take the roll.

9 And so, I want to recognize that in
10 attendance we have Councilmember Jones,
11 Councilmember Squilla, Councilmember Thomas, and
12 Councilman O'Rourke. And so, a quorum of the
13 committee is present, and this hearing is now
14 called to order. And this is the public hearing
15 of the Committee on Rules regarding bills number
16 240012, 240066, 240159, and 240192. Madam Clerk,
17 will you please read the title of the bills?

18 THE CLERK: Bill number 240066, "to
19 amend the Philadelphia Zoning Maps by changing
20 the zoning designations of certain areas of land
21 located within an area bounded by Wood Street,
22 4th Street, Vine Street, and Lawrence street."

23 Bill number 240159, "to amend the
24 Philadelphia Zoning Maps by changing the zoning
25 designations of certain areas of land located

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2 within an area bounded by Sedgwick Street,
3 Ardleigh Street, Upsal Street, Belfield Avenue,
4 and Sprague Street."

5 Bill number 240192, "approving the
6 fifth amendment of the redevelopment proposal for
7 the Tioga Urban Renewal Area, being the area
8 generally bounded by Hunting Park Avenue on the
9 north, Broad Street, Germantown Avenue, Venango
10 Street, 15th Street, Allegheny Avenue and
11 Germantown Avenue on the east, Glenwood Avenue
12 and Lehigh Avenue on the south and 23rd Street,
13 Allegheny Avenue and 22nd Street on the west,
14 including the fifth amendment to the urban
15 Renewal plan, which provides, inter alia, for
16 changes that would make it consistent with the
17 Tioga Redevelopment Area Plan and generally
18 consistent with the most recent Comprehensive
19 Plan approved by the City Planning Commission of
20 the City of Philadelphia."

21 And bill number 240012, "to amend the
22 Philadelphia Zoning Maps by changing the zoning
23 designations of certain area of land located
24 within an area bounded by Queen Lane, Wissahickon
25 Avenue, Roosevelt Boulevard (extended), and Henry

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2 Avenue, to amend Section 14-524 of the
3 Philadelphia Code entitled Fourth District
4 Overlay District and make related changes, all
5 under certain terms and conditions."

6 COUNCILMEMBER BASS: Thank you. Before
7 we begin, I want to announce for the record that
8 bill number 240192 is being held at the request
9 of the sponsor. That would be me. Madam Clerk,
10 will you first recall the first panel that we
11 have here to testify this morning, starting with
12 bill number 240066?

13 THE CLERK: There will be no testimony
14 for 240066. It will be 240159.

15 COUNCILMEMBER BASS: Madam Clerk,
16 please read the -- or please call forth the
17 witnesses to testify on 240159.

18 THE CLERK: Michael Gall, senior
19 legislative planner, Philadelphia City Planning
20 Commission.

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

24 MR. GALL: Morning, Madam Chair, member
25 of the Rules Committee. My name is Michael A.

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2 Gall. I'm senior legislative planner for the
3 Philadelphia City Planning Commission. I'm here
4 to testify on bill number 240159, introduced into
5 City Council on March 7th, 2024, by Councilmember
6 Bass. Bill number 240159 corrects the zoning map
7 to reflect existing uses on three blocks near
8 Stenton Station in east Mount Airy.

9 These blocks are developed with semi-
10 detached and attached multifamily buildings. The
11 proposed zoning map amendments changed the base
12 zoning district of these areas to RM-1,
13 residential multifamily. This change is
14 consistent with zoning recommendations from the
15 Philadelphia 2035 Upper Northwest District Plan.

16 The Philadelphia City Planning
17 Commission considered bill number 240159 at its
18 public meeting on March 21st, 2024 and
19 recommended the bill for approval. I'll be happy
20 to answer any of your questions this time.

21 COUNCILMEMBER BASS: Thank you for
22 being here and for your testimony today. We're
23 very aware that -- or I am very aware, as the
24 district council person, that these properties
25 really were incorrectly zoned from the very

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2 beginning when they were first built and really
3 should have had a different zoning designation.

4 So I just want to thank you and the
5 Planning Department for all of your work on this
6 matter. Any questions from any of my colleagues
7 on this matter? No. Well, thank you very much
8 for your testimony.

9 MR. GALL: Thank you.

10 COUNCILMEMBER BASS: Madam Clerk, can
11 we please call forward the next bill and
12 witnesses, please?

13 THE CLERK: For 240012, we have Michael
14 Gall, senior legislative planner, Philadelphia
15 City Planning Commission, Randy E. Hayman, water
16 commissioner for the Philadelphia Water
17 Department, Jason Lee --

18 COUNCILMEMBER SQUILLA: Real quick. We
19 do see written testimony for 2660. You did that
20 at the last hearing?

21 MR. GALL: I did, councilman. That's
22 correct.

23 COUNCILMEMBER SQUILLA: Right. For the
24 record, there is a testimony, for the last
25 hearing.

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2 COUNCILMEMBER BASS: So we're just
3 voting it out?

4 COUNCILMEMBER SQUILLA: Yes.

5 COUNCILMEMBER BASS: Thank you very
6 much. Madam Clerk.

7 THE CLERK: First panel for 240012
8 again, we have Michael Gall, senior legislative
9 planner for the Philadelphia City Planning
10 Commission, Randy E. Hayman, the water
11 commissioner for Philadelphia Water Department,
12 Jason Lee, and Basil Jackson.

13 MR. HAYMAN: Good morning, Madam Chair.

14 COUNCILMEMBER BASS: Good morning. How
15 are you?

16 MR. HAYMAN: Good.

17 COUNCILMEMBER BASS: Please state your
18 name for the record and begin your testimony.

19 MR. HAYMAN: Certainly. I'm Randy E.
20 Hayman, water commissioner. Good morning,
21 Councilmember Bass and members of the Rules
22 Committee. Thank you for the opportunity to
23 testify before you today. Again, I'm Randy E.
24 Hayman, water commissioner. My team and I are
25 here this morning to provide testimony in support

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2 of bill number 240012. The bill will correct the
3 zoning designation of one of Philadelphia's
4 critical drinking water treatment facilities.

5 The Queen Lane drinking water treatment
6 plant is currently zone residential, which does
7 not include water treatment facilities as an
8 allowable use. Since its construction in late
9 1890s, the Philadelphia Water Department has
10 operated the facility as a drinking water
11 treatment plant providing critical, life-
12 sustaining water to Philadelphia for more than a
13 century.

14 Philadelphia Water intends for the
15 facility to remain a drinking water treatment
16 plant for the next generation and beyond. As
17 such, we are seeking this corrective zoning
18 legislation to bring the facility zoning
19 designation in line to its current and future
20 use.

21 We would like to thank Councilmember
22 Curtis Jones Junior for his leadership in
23 introducing this bill to correct the zoning
24 designation of Queen Lane drinking water
25 treatment plant as well as advancing similar

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2 corrective zoning legislation for the Belmont
3 drinking water treatment plant.

4 As you know, the mission of the
5 Philadelphia Water Department is to provide the
6 greater Philadelphia region with integrated
7 water, wastewater, and stormwater services, as
8 well as provide water for critical Philadelphia
9 Fire Department and commercial needs.

10 Our commitment is to protect public
11 health by always delivering the highest quality
12 of drinking water at an affordable cost and to
13 protect the environment by managing and treating
14 the region's wastewater and stormwater. Dividing
15 work depends -- this dividing work depends -- or
16 demands that we take care of our aging system to
17 ensure we can consistently and reliably uphold
18 our core mission as we serve the entire city of
19 more than 1.6 million Philadelphians.

20 That said, a significant number of
21 major improvements to our infrastructure are
22 needed at this time across the entire drinking
23 water system, including upgrading drinking water
24 treatment plants, pump stations, and storage
25 facilities, as well as replacing miles of water

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2 mains to prevent breaks and service loss. We
3 will be required to make these improvements while
4 also continuing our typical operation and
5 maintenance activities.

6 In doing our critical work, the
7 improper zoning designation of Queen Lane
8 drinking water treatment plant site creates an
9 impediment in the form of a highly consequential
10 level of uncertainty in the planning process for
11 our system improvements that could result in
12 delay of necessary maintenance, security, and
13 improvement activities at our plants, pipes, and
14 pumping stations, thereby jeopardizing our
15 ability to leverage federal and state funding
16 sources.

17 We have developed a 25-year capital
18 plan that provides for significant upgrades to
19 keep the water system safe, reliable, and
20 resilient. In doing so, we're also meeting the
21 challenge of extending capital spending over
22 decades to keep operations running effectively
23 and water rates affordable for our -- for our
24 residents.

25 PWD water revitalization plan will

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2 improve system resiliency and increase the
3 reliability of our drinking water supply in
4 emergency situations such as the Trinseo spill
5 into the Delaware and the boil water notice
6 affecting parts of West Philadelphia in 2023.

7 The water revitalization plan's
8 critical path begins with the Schuylkill River
9 crossing, which is a large pipeline that will
10 connect PWD's Belmont drinking water treatment
11 plant in Wynnefield Heights to our Queen Lane
12 drinking water treatment plant in East Falls,
13 providing resilient water supply for the
14 residents who rely on those plants.

15 Without correcting the zoning, the need
16 for immediate variances for early supporting
17 projects such as the Schuylkill River crossing
18 will create costly delays, pose risk to aging
19 infrastructure and water service reliability.
20 The revitalization plan will culminate with the
21 reconstruction of the Queen Lane drinking water
22 treatment plant anticipated to begin in 2036.

23 Another major part of our commitment to
24 our ratepayers is our Comprehensive Community
25 Engagement Strategy, working with impacted

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2 residents from the earliest stages of the -- of
3 the projects and collecting their input
4 throughout all project phases. The bill under
5 consideration today is a clear example of our
6 commitment to engagement.

7 PWD worked collaboratively with the
8 Planning Commission for Councilmember Jones to
9 add water treatment facilities to the allowable
10 uses under the special purses -- purpose civic,
11 educational, and medical zoning district in an
12 effort to avoid undesirable zoning designations
13 such as industrial and residential neighborhoods.

14 After multiple meetings with the East
15 Falls Community Council, PWD has further
16 endeavored to restrict the allowable uses of
17 Queen Lane site to exclusively those that support
18 PWD's mission by amending the Fourth District
19 Overlay.

20 Additionally, we have continued meeting
21 with the group, the East Falls Group leadership,
22 to discuss and document our commitment to certain
23 site features and our commitment to working
24 collaboratively with the community during the
25 design phase of the Queen Lane reconstruction

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2 project.

3 It's important to note that there has
4 been -- there can sometimes be challenges to
5 meeting community asks and requests because, as
6 you know, PWD drinking water facilities are
7 Homeland Security sites, in addition to being
8 subject to local, state, and federal security
9 requirements and regulations. Nonetheless, we
10 consistently listen to concerns and incorporate
11 feedback to the greatest extent that we can.

12 The feedback that we receive will serve
13 a crucial role in the project's design phase.
14 And we'll develop a roadmap at the appropriate
15 time to design the future Queen Lane drinking
16 water treatment plant in a way that integrates
17 seamlessly within the East Fall community. We
18 would like to thank the East Fall community
19 Council for their engagement and collaborative
20 work that they've done throughout the process
21 with us.

22 Correcting the zoning designation to
23 the special purpose, civic, educational, and
24 medical zoning will allow PWD to operate and
25 improve the Queen Lane drinking water treatment

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2 plant as we have over century as a -- as a right.

3 It does not absolve us of our
4 commitment to be good neighbors, our
5 responsibilities to our taxpayers, or our
6 obligation as a city entity to follow due
7 diligence, including reviews and recommendations
8 by the -- our commission, the Civic Design Review
9 Committee.

10 This corrective action is necessary to
11 responsibly complete work on our infrastructure
12 on schedule, thereby reducing impacts to customer
13 costs and services -- service interruption risk,
14 saving both customers and the city plan -- the
15 city money in the long run. It is a reasonable
16 ask with generational benefits.

17 And we ask you to support this bill to
18 correct the zoning designation of Queen Lane
19 drinking water treatment plant in the name of
20 water security for 1.6 million people across
21 diverse socio-economic backgrounds.

22 PWD respectfully requests this bill be
23 reported favorably out of this committee and that
24 the rules of council be suspended to allow for
25 first reading of this bill at the next stated

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2 meeting of the City Council. Thank you for this
3 opportunity to appear before you today. Thank
4 you.

5 COUNCILMEMBER BASS: Thank you for your
6 testimony. Any questions from the panel?
7 Councilman Jones. Chair recognizes Councilman
8 Jones.

9 COUNCILMEMBER JONES: Thank you, Madam.
10 Thank you -- thank you, Madam Chair. And thank
11 you, Commissioner, for your testimony. If I
12 could, for benefit of the committee members and
13 people in the chambers and those who might be
14 listening, can you further describe what this
15 project is? So first of all, I wanted to --
16 things that we discussed up here is that it is an
17 operating water treatment plant as we speak.
18 Correct?

19 MR. HAYMAN: Yes.

20 COUNCILMEMBER JONES: Can you -- can
21 you tell us how big, how many acres? What, what
22 are we talking about by way of scope?

23 MR. HAYMAN: For that, I will ask Jesse
24 Debes to step up. He's our engineering
25 supervisor, Drinking Water Facility Planning. He

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2 will give you details.

3 MR. DEBES: Hello.

4 COUNCILMEMBER JONES: So --

5 MR. DEBES: Good morning.

6 COUNCILMEMBER JONES: Hello. State
7 your name for the record.

8 MR. DEBES: My name is Jesse Debes. I
9 work for the Philadelphia Water Department.

10 COUNCILMEMBER BASS: Can you -- can you
11 pull the microphone closer so we can hear you
12 better?

13 MR. DEBES: Okay. Is this better?

14 COUNCILMEMBER BASS: Yes.

15 MR. DEBES: Thank you. I'm Jesse
16 Debes. I work for the Philadelphia Water
17 Department as an engineer. The Queen Lane
18 facility treats about 60 million gallons per day
19 of drinking water and can treat up to 140 million
20 gallons per day. In terms of physical size of
21 the facility, I don't have a number off the top
22 of my head, but it's bounded by US 1 Fox Street,
23 Queen Lane, and Henry Avenue, if you can imagine
24 the size of that parcel.

25 COUNCILMEMBER JONES: And how long has

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2 it been in operation?

3 MR. DEBES: It has been in operation
4 since the late 1800s.

5 COUNCILMEMBER JONES: And in that time,
6 whoever the elected officials were of that time
7 did not see fit to zone it for anything other
8 than residential?

9 MR. DEBES: I would probably defer to
10 someone from the Planning Commission, but it may
11 predate zoning code.

12 COUNCILMEMBER JONES: Let's assume --
13 And if somebody can answer that.

14 COUNCILMEMBER BASS: I think.
15 Planning Department. Yeah. You want to come
16 forward? Please state your name again for the
17 record and proceed.

18 MR. GALL: Michael Gall for the City --
19 Philadelphia City Planning Commission. At the
20 time, the -- Philadelphia didn't have a zoning
21 code. So this predates Philadelphia zoning laws.

22 COUNCILMEMBER JONES: That makes sense.
23 That's the end of it?

24 MR. GALL: Oh, I had -- if you wanted
25 me to read my whole testimony, I could.

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2 COUNCILMEMBER JONES: Thank you. That
3 -- it's on the record. Can you further,
4 commissioner, describe the nature of this
5 project, the duration of this project, the cost
6 of this project for, for the record?

7 MR. HAYMAN: I'll have Jesse come back.
8 I want to start off by saying that the water
9 revitalization plan -- I'll talk in totality
10 because --

11 COUNCILMEMBER JONES: You got to move
12 the mic a little --

13 COUNCILMEMBER BASS: And look at your
14 microphone.

15 MR. HAYMAN: -- this is just one piece
16 of the puzzle. The water revitalization plan,
17 \$2.5 billion over 25 years, it would be 400
18 projects. And they have to be done sequentially.
19 Okay. So we can't be haphazard in how we line it
20 up. And we have to be able to receive the
21 funding. We're, we're seeking to receive
22 federal loan, low interest loans.

23 And our failure to give them confidence
24 that we can do the project and that we have
25 everything lined up to go forward jeopardizes our

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2 ability to get the loans. If we lose the loans,
3 we're looking at rising rates for customers. But
4 the Queen Lane project is \$763 million by itself.
5 And then also, the Schuylkill River crossing is
6 \$260 million.

7 COUNCILMEMBER JONES: Didn't you have a
8 diagram showing, illustrating the work to be
9 done? I kind of remember seeing that. And if
10 not, can you describe what we're talking about?
11 It's mammoth.

12 MR. HAYMAN: Oh, it's, it's mammoth.
13 As far as the Schuylkill River is going to go
14 underground from Belmont to the other side of the
15 shore and then up through Eastmont to the Queen
16 Lane plant. And so, it is a massive project.
17 And the Queen Lane plant design, I think, begins,
18 --or actually, I mean to say the Schuylkill River
19 starts in 2036?

20 MR. DEBES: The design phase for the
21 Schuylkill River crossing is beginning this year.
22 And the design phase for the Queen lane drinking
23 water treatment plant reconstruction is
24 anticipated to begin in 2030 or 2031.

25 COUNCILMEMBER JONES: And do you have

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2 specifics as to what will be redesigned,
3 reconstructed at the plant for the record. Like
4 what types of projects? You mentioned how many
5 projects, the total processes?

6 MR. HAYMAN: So all of the
7 revitalization plan is 400 projects.

8 COUNCILMEMBER JONES: Can you give us
9 some, not all 400 but a general understanding.
10 And I, I don't want to say this so that -- the
11 impacts potentially to the community. What, what
12 will they be experiencing during this project?

13 MR. DEBES: So the projects and
14 revitalization plan are primarily focused on our
15 drinking water facilities. It includes
16 reconstruction of storage reservoirs, pump
17 stations, treatment plants, expansion of
18 treatment plans, new treatment processes,
19 essentially modernizing our, our drinking water
20 facilities.

21 COUNCILMEMBER JONES: So it's a total
22 reconstruction?

23 MR. HAYMAN: Total reconstruction, tear
24 it down, in details.

25 COUNCILMEMBER JONES: Okay. All right.

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2 And so, if I understood you correctly, you have -
3 - you, you have the burden of providing this
4 water treatment plant for the benefit of the City
5 of Philadelphia. It is a total reconstruction
6 that will not only deal with the plant on the
7 surface but underground, a mile down, under the
8 water up to the City Avenue treatment site in
9 order to provide valve systems and safeguards and
10 -- for the treatment of the water. Correct?

11 MR. HAYMAN: So that if --

12 COUNCILMEMBER JONES: And we're done?

13 MR. HAYMAN: -- we were to have a
14 chemical spill, we could pull water from either
15 the Delaware or the Schuylkill, which is a great
16 benefit.

17 COUNCILMEMBER JONES: which I didn't
18 totally appreciate until the water advisory
19 happened and the complexity of what happened and
20 understanding, then, then it took on a different
21 priority. Drinking water is essential, but,
22 however, and nevertheless, the immediate
23 community -- and we'll hear from them -- is
24 concerned that this project -- what is it? 10
25 years or will it start in 10 years?

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2 MR. DEBES: The design phase will begin
3 around 2030, 2031.

4 COUNCILMEMBER JONES: So even though
5 for us, in real time -- yeah. But, but for, for
6 homeowners, this is a ongoing property value
7 potentially altering project. So what we're
8 experiencing here today -- and you'll hear from
9 the community -- is the compelling argument that
10 the department has for all of the city compared
11 to the people who have to, you know, live next to
12 it.

13 And so, what I want to do is get on the
14 record, what the project is and then hear from
15 the community about what their community benefit
16 concerns are, if that's all right, Madam Chair.
17 Thank you, Mr. Hayman.

18 COUNCILMEMBER BASS: Absolutely. This
19 sounds like, again, as described, a massive
20 project. And I can't even, you know, begin to
21 figure out, you know, if I lived in a
22 neighborhood, how I would feel about it.
23 Probably not so great.

24 But we want to, you know, take an
25 opportunity to hear from the community and hear

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2 their thoughts so that we're just not telling
3 them, all right, you got to take one for the
4 team, because it's, it is something, as you said,
5 that was, you know, very important. It's
6 critical for water safety for the entire city,
7 you know. I'm still trying to wrap my head
8 around just how complex this is. Have we ever
9 done anything, even on a -- on a, a smaller
10 scale, anything similar?

11 MR. HAYMAN: This is --

12 COUNCILMEMBER BASS: Are we --

13 MR. HAYMAN: -- a rebuilding of an
14 entire plant. And I, I don't believe that has
15 been done before.

16 COUNCILMEMBER BASS: Are, are we
17 modeling this off of something that was done
18 somewhere else, another city or municipality that
19 has done this? Is, is -- have we looked around
20 for best practices before we, you know, take on
21 such a huge undertaking or we're just -- you
22 know, this is -- this is something new and --
23 yeah. Okay.

24 MR. HAYMAN: I'll have Mark Cammarata--

25 COUNCILMEMBER BASS: Okay.

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2 MR. HAYMAN: -- come up, assistant
3 deputy commissioner.

4 MR. CAMMARATA: Hi --

5 COUNCILMEMBER BASS: Good morning.

6 MR. CAMMARATA: -- members of council.

7 Nice to see you again. Mark Cammarata,
8 Philadelphia Water Department deputy water
9 commissioner for planning and environmental
10 services. We will be making similar investments
11 at the Belmont treatment plant. So we're not
12 modeling over maybe what others are doing, but
13 we'll be modeling over what we are doing
14 ourselves by making --

15 COUNCILMEMBER BASS: Okay.

16 MR. CAMMARATA: -- significant impacts
17 --

18 COUNCILMEMBER BASS: So --

19 MR. CAMMARATA: -- to, to Belmont.

20 COUNCILMEMBER BASS: So, so Queen Lane
21 will be first and then Belmont?

22 MR. CAMMARATA: We'll be making
23 modifications to Belmont sooner than we will
24 Queen Lane.

25 COUNCILMEMBER BASS: Okay.

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2 MR. CAMMARATA: Jesse, Jesse had
3 mentioned that the design is going to be
4 initiated in 2030, probably about a four or five-
5 year design process. But the construction of
6 this plant, because of its sheer size, will be
7 many, many years, as the commissioner mentioned,
8 commencement with an \$800 million investment,
9 which. -- that number is probably a little bit
10 outdated at this point.

11 COUNCILMEMBER BASS: Okay.

12 MR. CAMMARATA: The revitalization plan
13 is 10 major projects, although we're citing 400
14 projects. There's 10 substantial projects that
15 need to be -- to be -- to be made that are
16 sequential, that allows us to provide this
17 redundancy.

18 COUNCILMEMBER BASS: So, so how many
19 years do we expect the project to exist on the
20 Queen Lane side?

21 MR. CAMMARATA: The active construction
22 at Queen Lane or once we --

23 COUNCILMEMBER BASS: At --

24 MR. CAMMARATA: -- make the investment
25 at Queen Lane?

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2 COUNCILMEMBER BASS: Well, at the
3 construction site. Like, once you put your first
4 shovel in the ground, how long will it be --

5 MR. CAMMARATA: I would expect that --

6 COUNCILMEMBER BASS: -- that need --

7 MR. CAMMARATA: -- to, to -- five
8 years, plus at least, maybe 10 years.

9 COUNCILMEMBER BASS: Plus what?

10 MR. CAMMARATA: I mean, I can -- I can
11 get you -- I can get you that number.

12 COUNCILMEMBER BASS: Okay.

13 MR. CAMMARATA: I mean, it is -- as you
14 --

15 COUNCILMEMBER BASS: Yeah.

16 MR. CAMMARATA: -- mentioned before --

17 COUNCILMEMBER BASS: This could be --

18 MR. CAMMARATA: -- it's a subsatatial -
19 -

20 COUNCILMEMBER BASS: -- plus five. It
21 could be plus 10. It could be -- you know.

22 MR. CAMMARATA: I'll, I'll get you a,
23 a, a better answer. Again, we're, we're, we're
24 in the planning process, right. These are all
25 estimates. All this stuff will get defined and

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2 refined as we move into the design process. We
3 can talk about how we'd be doing the staging and,
4 and sequential phasing of what will be, again, a
5 substantial investment. But I'll get you a
6 better number. I, I probably shouldn't even have
7 said five.

8 I have a feeling it'd be a longer
9 duration than that, given -- just given the, the
10 magnitude of it. And just to, to reiterate, I
11 mean, the Schuylkill River crossing, which the
12 commissioner mentioned, is one that's more
13 immediate. We need to be able to have the
14 flexibility to send water back and forth between
15 Belmont and Queen Lane that provides a, a level
16 of, of redundancy and, and risk abatement.

17 The idea, then, is to upsize Belmont so
18 it can serve a larger portion of the city as
19 Queen Lane gets taken out of service for us to
20 make those upgrades. So it, it -- think about it
21 from a risk mitigation standpoint, how quickly --
22 you know, when you shut down one plant and you're
23 relying on the city with only two plants, there
24 is a level of risk associated with that.

25 So timing is of the essence. And I

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2 think that's the one thing that needs to be
3 stressed here, is, is scheduling, trying to
4 balance this schedule when you're making the
5 investments that we're talking about here over
6 the next, you know, 15 to, to 25 years or so.

7 MR. HAYMAN: If I may add, the --

8 COUNCILMEMBER BASS: Yes.

9 MR. HAYMAN: Passing this legislation
10 does not give us carte blanche ability to do
11 anything that we wish. We still are bound by
12 being good neighbors with them. We have met with
13 them, and we will continue to meet with them.
14 And we have actually developed an MOU stating
15 very specifically some things that we're willing
16 to do.

17 The difficulty we have is that we're
18 years before we're actually going to have the
19 engineering designs. And so, it's hard for us
20 to, to agree to things before we actually have
21 the design of what we're going to do. And also,
22 technology may change by the --

23 COUNCILMEMBER BASS: Yeah.

24 MR. HAYMAN: -- time it's --

25 COUNCILMEMBER BASS: It will.

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2 MR. HAYMAN: Time to, to --

3 COUNCILMEMBER BASS: I'm sure it will.

4 So -- well, Commissioner, let me just say that,
5 you know, like, I work with you quite a lot, you
6 know. I text you probably every day, every other
7 day about something that needs to be addressed.
8 And you have been great to work with and a, a
9 person of your word, you know. But, but this is
10 a long time.

11 So if it was, you know, like a, a 12-
12 month, 18-month project, which is probably like
13 about the standard for Philadelphia projects, I
14 think that, you know, it might be looked at a
15 little bit differently than asking people to
16 endure what's probably going to be a difficult
17 construction site, you know, inconvenience and
18 all those kinds of things for a very long time,
19 you know. It's, it's really going to change, you
20 know, the quality of life for those residents,
21 but --

22 MR. HAYMAN: If I may, I would add that
23 --

24 COUNCILMEMBER BASS: Sure.

25 MR. HAYMAN: In this process, they will

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2 go through other administrative hearings. Okay.
3 You will have the Art Commission, the Historical
4 Commission, the Civic Design Review, and it's
5 gone through -- it will go through Planning
6 Commission. And so, these are all situations
7 where there'll be a ministry of hearing. They'll
8 have a chance to discuss the concerns. We'll
9 discuss --

10 COUNCILMEMBER BASS: Sure.

11 MR. HAYMAN: -- our, our issues. And
12 there will be a chance to come to a meeting of
13 the minds at all three of those. Thank you.

14 COUNCILMEMBER BASS: Thank you,
15 commissioner. Chair recognizes Councilman
16 Squilla.

17 COUNCILMEMBER SQUILLA: Thank you,
18 Madam Chair. And thank you for your testimony.
19 And as this goes, it seems like the design is
20 going to be taking place in 2030, '31. So you
21 really don't know the full extent of it. But if
22 you look at your construction site and staging,
23 would staging be off your site or be on your
24 site? You, you have no idea at this point.
25 Correct?

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2 MR. GALL: We, we will be staying
3 within the footprint of the site.

4 COUNCILMEMBER SQUILLA: You will stay
5 within the --

6 MR. GALL: -- within the footprint of
7 the site.

8 COUNCILMEMBER SQUILLA: And that's
9 something that would be -- you could agree to?

10 MR. GALL: Yeah. Again, we're very
11 early on, but these are the discussions we, we
12 want to have with the community, we've had, had
13 with the community. And, and we'd like to, to
14 just consider, to keep them engaged, to hear
15 input, to be able to share information as it
16 comes in. You know, I wouldn't even say we're in
17 the planning process. We're in the conceptual
18 process for the Queen Lane site --

19 COUNCILMEMBER SQUILLA: Right.

20 MR. GALL: -- as we move advanced
21 planning into design. As information comes to
22 light, we absolutely will share that. We've set
23 up a stakeholder advisory group. We have a
24 commitment to meaningful, inclusive community
25 engagement, not just for this project, for every

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2 project we do.

3 And the idea is to, to meet early, to
4 meet often, to share information, to share ideas,
5 to gather community input because we want to
6 continue to be a good neighbor, again, not just
7 for this project but for the investments we make
8 in every community in the city.

9 COUNCILMEMBER SQUILLA: Yeah. And I
10 agree, and I think you guys do a great job of
11 that. But sometimes when you have other aspects
12 of other meetings, CDR or advisory, other things,
13 sometimes the community wants some more concrete
14 --

15 MR. GALL: Yeah.

16 COUNCILMEMBER SQUILLA: -- something
17 that they, they could rely on in the future.
18 This is going to be -- I don't know if any of us
19 will be here when this starts, so -- maybe Cindy
20 or me.

21 COUNCILMEMBER JONES: Cindy.

22 COUNCILMEMBER SQUILLA: No. We got --
23 Isaiah is young enough to be here. But, you
24 know, it's just important to make sure that those
25 concerns are met in some type of way that would

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2 make people feel comfortable. And so, hopefully
3 that could happen during this process.

4 MR. HAYMAN: We've met with those --
5 We've talked with, I think, about a year and a
6 half as far as the, the community. And we've met
7 with them and, and worked with them in the last
8 two weeks. And we have an MOU, that on -- the
9 Philadelphia water side has some very specific
10 things that we're able to do. And so, we're
11 willing to do those things. Our concern is that
12 this isn't just a, a house that's going up or
13 just an office building that's going up.

14 It's a water treatment. And as a
15 result, it's part of Homeland Security. And so,
16 we have those rules and regulations that we're --
17 we have to act upon. So there's security issues
18 and all. So we're limited in some of the things
19 that we're able to give.

20 COUNCILMEMBER SQUILLA: Is there
21 certain funding requirements? Are you receiving
22 money, that you need certain things to be in
23 place?

24 MR. HAYMAN: We need certain things to
25 be in place so that when you apply for the loan,

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2 there's an understanding that we're, we're
3 capable of actually finishing the project. Okay.
4 They're not going to give us the funds if it
5 appears that we don't have everything in a row,
6 which makes sense. And so, it's imperative that,
7 since it is sequential, that we line up what
8 needs to be done and that we're able to show with
9 confidence that we're ready to move forward.

10 COUNCILMEMBER SQUILLA: Okay. Thank
11 you.

12 COUNCILMEMBER BASS: Chair recognizes
13 Councilmember Thomas.

14 COUNCILMEMBER THOMAS: Thank you, Madam
15 Chair. Thank you for your work on this issue. I
16 have to leave the meeting to attend other council
17 business, but I would like to be recorded as
18 voting aye on all bills and resolutions coming
19 before the committee today. Thank, thank you,
20 Madam Chair.

21 COUNCILMEMBER BASS: Thank you -- thank
22 you, Councilman. Okay. Unless there's no other
23 questions from the panel, we will have our next -
24 - I'll have the clerk call the next panel of
25 witnesses up. Thank you.

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2 THE CLERK: From the East Falls
3 Community Council, we have Hilary Langer, Paul
4 Elia, Paul Boney, and Charles Hines.

5 COUNCILMEMBER BASS: My apologies. We
6 missed the administration. Please begin your
7 testimony. We can have the other folks come
8 forward. You can sit, like, right along the
9 front here.

10 MR. GALL: Thank you, Madam Chair.

11 COUNCILMEMBER BASS: You're welcome.

12 MR. GALL: Good morning, members of the
13 Rules Committee. My name is Michael A. Gall.
14 I'm the senior legislative planner with the
15 Philadelphia City Planning Commission. I'm here
16 to testify on bill number 240012, introduced into
17 City Council on January 25th, 2024 by
18 Councilmember Jones.

19 Bill number 240012 amends the
20 Philadelphia Zoning Code and maps by changing the
21 zoning designations of certain areas of land
22 located within an area bounded by Queen Lane,
23 Wissahickon Avenue, Roosevelt Boulevard,
24 (extended), and Henry Avenue and to amend section
25 14-1 -- 524 of the Philadelphia Code entitled the

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2 Fourth District -- Fourth District Overlay
3 District in the East Falls neighborhood of the
4 Lower Northwest planning district.

5 This bill will remap the Queen Lane
6 water treatment plant from RSA-2 residential
7 single-family attached to SPC, special purpose,
8 civic, educational, and medical. The current use
9 as a water treatment plant is not permitted in
10 RSA-2. And water treatment facilities are a
11 permitted use in the SPC district.

12 This remapping will enable the
13 Philadelphia Water Department to move forward
14 with improvement projects to the treatment plant
15 without needing a use variance. The proposed
16 text amendments create a subarea within the
17 Fourth District Overlay for the Queen Lane water
18 treatment plant that will limit the permitted
19 uses to water treatment facilities and accessory
20 uses to that.

21 These text amendments result from
22 meetings between the community and the Water
23 Department to protect the neighborhood from
24 undesired uses on the site. This bill also
25 places restrictions on wireless service

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2 facilities. Since the bill's introduction, PWD
3 and the community have agreed to proposed
4 amendment further restricting on-site wireless
5 service facilities to building mounted antennas
6 for municipal use.

7 The Philadelphia City Planning
8 Commission considered bill number 240012 at its
9 public meeting on February 15th, 2024 and
10 considered it as an item in accord with previous
11 policy that the bill be approved. I'll be happy
12 to answer any, any of your questions at this
13 time.

14 COUNCILMEMBER BASS: Thank you for your
15 testimony. Any questions? Chair recognizes
16 Councilman Jones.

17 COUNCILMEMBER JONES: Thank you again,
18 Madam Chair. So, if I understand this correctly,
19 we go from a pre-zoning code use, which was
20 residential, to now a classification that only
21 allows water treatment plans?

22 MR. GALL: Effectively, yes on this
23 site, particularly. The SPC district allows a, a
24 number of civic, educational, and medical uses,
25 but because of the bills changing of the Fourth

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2 District Overlay, it would restrict this
3 particular site to major utilities and services.
4 Correct.

5 COUNCILMEMBER JONES: And it might seem
6 crazy to say, what else could it be used for?
7 But if you look in the 21st Ward, there was
8 literally consideration of our old reservoir for
9 housing because it's a desirable neighborhood.

10 And I can't imagine that East Falls
11 wouldn't continue someday in the future to be
12 that desirable neighborhood that some bright
13 engineer might say, hey, let's build townhomes
14 around the circumference and call the reservoir a
15 lake and -- you know, man made lake or something
16 like that. So this prohibits those types of
17 uses. Correct?

18 MR. GALL: That's correct, Councilman.
19 That's correct.

20 COUNCILMEMBER JONES: Okay. Is there a
21 reason we cannot have -- I guess I should ask the
22 commissioner his opinion on this too -- the
23 proposed community benefit agreement in the
24 zoning? And that's something I'm going to bring
25 to the Law Department as well, that the concerns

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2 which we will hear from, from the community be
3 incorporated in the tenants of the zoning. What
4 is your view on that?

5 MR. GALL: To my understanding, that is
6 outside the purview of the zoning code. That is
7 something that the zoning bills cannot do and
8 have be enforceable. That would be something
9 between the Water Department or the Water
10 Department, the Law Department, and the
11 community.

12 COUNCILMEMBER JONES: Okay.

13 MR. GALL: That's outside the purview
14 of, of what we're trying to accomplish with the
15 actual bill itself here.

16 COUNCILMEMBER JONES: And, and --

17 MR. GALL: So --

18 COUNCILMEMBER JONES: -- that is the
19 genesis of the concern from the community that 10
20 years from now, when I'm in the old folks' home,
21 who's going to be enforcing this. And is it
22 going to be more than just a piece of paper, if
23 you follow their concerns?

24 Now, do I believe in the Water
25 Department? Good faith. Yes, I do. But this

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2 commissioner might not be here as well, you know.

3 And so, what they're looking for is some trust

4 but verify enforceability. And we -- in your

5 mind, this has not been able to be accomplished

6 through a zoning bill?

7 MR. GALL: To my knowledge, this is not

8 something that can be accomplished through a

9 zoning bill.

10 COUNCILMEMBER JONES: Okay.

11 MR. GALL: That would be a separate

12 action.

13 COUNCILMEMBER JONES: Okay. Thank you,

14 Madam Chair.

15 COUNCILMEMBER BASS: Okay. Thank you.

16 MR. GALL: Thank you.

17 COUNCILMEMBER BASS: No additional

18 questions. Okay. Well, thank you for your

19 testimony. Madam Clerk, please recall that last

20 panel of witnesses to testify.

21 THE CLERK: From the East Falls

22 Community Council, I have Hilary Langer, Paul

23 Elia, Paul Boney, and then I have Charles Hines.

24 COUNCILMEMBER JONES: And could someone

25 from this panel, if they're willing to read what

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2 that proposed community benefit agreement, the
3 tenants of it that are in question, somebody from
4 that side?

5 MR. LANGER: Good morning.

6 COUNCILMEMBER BASS: Good morning.

7 COUNCILMEMBER JONES: Good morning.

8 MR. LANGER: My name is Hilary Langer.

9 I am the chair of the East Falls Community
10 Council Zoning Committee. East Falls Community
11 Council, on behalf of the community of East
12 Falls, with feedback received from our members
13 since January of 2023, opposes this bill today.

14 East Falls Community Council supports
15 the goal of reconstruction of the water treatment
16 facility and the ultimate rezoning of the site to
17 keep the funding, planning, design, and
18 reconstruction on track. I'm going to repeat
19 that. We support the goal of reconstruction and
20 rezoning of the site. However, it would be
21 irresponsible to do so at this time without
22 sufficient protections for our community.

23 This facility is intimately situated in
24 our neighborhood. And concerns about edge
25 conditions, such as landscape buffers, lighting,

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2 must be ironed out. Now, I'm going to repeat
3 that again, edge conditions, landscaping buffers,
4 and lighting. We're not redesigning the plant.
5 We're concerned about edge conditions, and these
6 need to be ironed out now before all leverage is
7 lost from this point on.

8 During our yearlong series of meetings
9 with representatives of the Water Department, the
10 mutual understanding and commitment of the Water
11 Department between EFCC and the Water Department
12 is that we will support the rezoning with the
13 simultaneous crafting of an enforceable community
14 agreement.

15 This agreement would contain minimum
16 protections for the community to prevent site
17 lighting, overspill, offensive razor wire, top
18 fencing along public sidewalks, such as exist
19 today on Fox Street, for example, noise control,
20 and would provide buffers at unattractive parking
21 areas, along with much needed improvement of site
22 maintenance and upkeep.

23 The Water Department, throughout this
24 last year, repeatedly agreed that the
25 requirements would be placed into an agreement.

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2 Indeed, the Water Department, in its PowerPoint
3 presentation to us, stated it would enter into a
4 community agreement with us. That commitment
5 appears to have been withdrawn.

6 Despite recent Water Department
7 assertions that there are sufficient safeguards
8 in place through historic commission and civic
9 design reviews through -- and through political
10 leverage, these are not sufficient for us, and
11 they should not be sufficient for City Council.
12 Any conditions recommended at these reviews,
13 especially the Civic Design Review, are merely
14 optional.

15 For the Queen Lane plant, the Water
16 Department indicates it will not begin the design
17 phase until 2030 or 2031. The reconstruction is
18 expected to run from 2036 to 2042.

19 Notwithstanding that the work is so far away, the
20 Water Department is requesting an ordinance now
21 for -- by right zoning, allowing the Water
22 Department almost free rein. Given the proximity
23 of so many homes, we are concerned.

24 The rezoning requested now, if
25 implemented, would strip the community of all

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2 this leverage that we currently have with the
3 residential zoning. Over the last year, we have
4 asked for two types of protections before the
5 rezoning bill moves forward. First, we are
6 asking for the Water Department to enter into an
7 enforceable agreement, establish the basic
8 parameters that we already spoke about.

9 Second, we ask that the redevelopment
10 of the facility be required to follow an official
11 master plan that would be prepared by the Water
12 Department and reviewed and approved by the
13 Planning Commission and City Council, a process
14 used for other large properties in the city which
15 impact the communities around them. We are
16 currently striving with the Water Department to
17 develop an agreement through meetings, and we are
18 making progress.

19 However, we need more time so we can
20 complete our collaboration. And we request this
21 bill be held by Councilmember Jones until we have
22 a signed agreement by all parties. Further, we
23 ask that Councilmember Jones put more pressure on
24 the Water Department to do the right thing for
25 the community.

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2 We're making very reasonable requests.

3 If you lived across the street from the facility
4 like we do, you'd be sitting here at the witness
5 table making the same request we're making today.

6 Thank you.

7 COUNCILMEMBER BASS: Thank you for your
8 testimony. That's it. Next witness. Please
9 state your name for the record and proceed.

10 MR. ELIA: Good morning. My name is
11 Paul Elia. I'm a resident of East Falls. I'm a
12 close neighbor. I live on Queen Lane. I've been
13 an architect for 35 years and a member of the
14 East Falls Community Council Zoning Committee for
15 10. I'm testifying in opposition to this bill as
16 well. I became aware of this bill back in
17 January when PWD tried to have it passed without
18 any community improvement, January of last year,
19 just to be clear.

20 There was no community involvement, no
21 community outreach. There was no information
22 provided. We heard about the bill in the 11th
23 hour and requested Councilman Jones to pull it
24 and he graciously did. The bill had contained,
25 at that point, uses that were totally

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2 inappropriate for a residential neighborhood,
3 transit stations, strip malls, medical
4 facilities, and, and, and transmission towers
5 with building heights in excess of five stories.

6 All of that is an aggressive move in a
7 very established, old residential neighborhood.
8 PWD assured us that they would provide us with an
9 agreement that we would find acceptable. Then
10 they changed their mind. We're all in support of
11 the project.

12 But PWD can't and won't provide any
13 assurances as to the handling of -- that this
14 project will not disrupt the quality of life in
15 East Falls, that this project will not become a
16 municipal compound with service trucks and
17 loading docks, that it will not become more of an
18 eyesore than it currently is. We've asked for a
19 master plan to let the residents know what's
20 being planned and how.

21 And we've asked for a simple,
22 enforceable, reasonable agreement, which we
23 drafted in two weeks and asked for reasonable
24 assurances to both requests. The Water
25 Department said, "No," just no. They ignored and

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2 delayed numerous requests to meet. We provided
3 that agreement back in November. We did not get
4 a response to our agreement until last week.

5 We're asking that this bill be
6 revisited and, and be revised to mandate a city-
7 approved plan and have the PWD enter into an
8 agreement with East Falls before the zoning is
9 changed. Thank you.

10 COUNCILMEMBER BASS: Thank you for your
11 testimony. Before we proceed, I'd like to ask
12 the water commissioner to, to return because I
13 really want to hear your response, Commissioner.
14 Say it ain't so -- say it ain't so. I would hate
15 to think that the Water Department would
16 undertake such a massive project without
17 community input or without any assurances or
18 without considering a community benefits
19 agreement that's been being actively worked on.

20 MR. HAYMAN: Oh, we, we have met with
21 them.

22 COUNCILMEMBER BASS: Please put your
23 mic -- state your name for the record and, and --

24 MR. HAYMAN: I'm sorry. Randy Hayman,
25 water commissioner. We have met with them, with

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2 the neighborhood for over a year and a half.
3 There have been community meetings that we've
4 attended. Now, they want a written agreement.
5 They want a contract.

6 Okay. And basically, the Planning
7 Commission has said that such an agreement is not
8 required, okay, that that type of agreement would
9 be used for a mixed use entertainment district, a
10 situation where you have people entering the
11 facility. That is inherently not what we have at
12 Queen Lane. This is a fenced-off area that is
13 under Homeland Security. Now, they want a signed
14 agreement that they basically would be able to
15 bring to court.

16 Okay. That's really what they want to
17 do. The problem that we have is, is on a couple
18 of levels. Number one, they are one group. We
19 could very well have another group come up next
20 week that says that they, too, have ideas and
21 differ from what they wish to do. We met. And
22 we were willing to do an MOU, and we have an MOU
23 that outlined in detail some of the things that
24 we were willing to do, including some of the
25 things they mentioned here just a moment ago.

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2 They wanted to say that they didn't
3 want barbed wire fences. Well, with fences, we
4 said no new permanent cyclone fencing will be
5 installed along the exterior perimeter. Cyclone
6 fencing may be used as a temporary fencing as
7 required by security during the construction. No
8 new barbed wire, which you mentioned, barbed
9 wire. No new barbed wire will be installed along
10 the exterior perimeter, Queen Lane area, stone
11 walls.

12 PWD will preserve and replace the
13 existing exterior. There are over 10 items that
14 we go in very deep -- I can't speak. I'm sorry,
15 specific detail of what we're willing to do with
16 sound. PWD will provide sound attenuation for
17 new generators to not exceed five decibels above
18 background level, measured at the property
19 boundary of the nearest occupied residential
20 property.

21 This shows we are taking consideration
22 the needs and the requests that this -- the
23 community has made. We have over 10 examples of
24 where we, in the MOU, state that we're willing to
25 do this. The problem is, anything beyond this

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2 MOU would jeopardize the funding opportunities
3 that we could have because what could happen?

4 You could have a situation that you --
5 the city -- and this is based on what we've been
6 instructed by council, that the city does not
7 want -- or the, the legal team does not want us
8 to enter into a legal contract with them. That's
9 not how these matters are handled in the real
10 estate arena. And as such, we're following the
11 direction we're being given by the legal counsel.

12 COUNCILMEMBER BASS: So Commissioner,
13 let me just say this, based on something that you
14 just said, which is that, you know, the City of
15 Philadelphia Water Department is not required --
16 that we are not required to enter into an MOU or
17 to a community benefits agreement. And even if
18 it's not legally required, I think that we in
19 government have to ask ourselves, is it the right
20 thing to do?

21 And knowing, as we all said, this
22 project is massive, this project is going to be
23 an inconvenience to the neighbors. There needs
24 to be some, some consideration that some of their
25 ass are not just, you know, dismissed, especially

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2 because we know that they're really going to be
3 inconvenienced as a -- really, as a service to
4 the entire City of Philadelphia.

5 You know, there's no doubt in my mind,
6 at least -- and I -- you know, I'm going to let
7 Councilman Jones take over this. But there's no
8 doubt in my mind that there's going to be an
9 impact of property values as a result of this
10 construction project, at least during the term of
11 the project.

12 And so, you know, if, if I was
13 intending to sell my home or buy a home, you
14 know, like, I might be waiting for this project
15 if I'm interested in buying because maybe the
16 markets -- it's very likely it's going to come
17 down or if I'm interested in selling, let me get
18 out now or I'm going to have to hold my position
19 for at least five years, five, five plus years.

20 So, you know, like, the idea that we
21 don't, you know, we don't have to do it, so we're
22 not going to do it, to me is not the right
23 approach. And like I said, you know, like, we've
24 worked together a lot. You know, I, I have the
25 utmost respect for you and the department, but I

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2 think, in my opinion, we're just wrong on our
3 approach on this. That's my opinion. I want to
4 turn it over -- Chair recognizes Councilman
5 Jones.

6 COUNCILMEMBER JONES: So sometimes up
7 here, we have to be Solomon without the wisdom.
8 So what I am thinking of is -- what you said was
9 that we aren't required, and that, that was the
10 phrase used. So I want to ask the Planning
11 Commission, can we incorporate that, though, into
12 the agreement somehow? And I -- and I want to --
13 I want to -- I want to raise that. First of all,
14 did we submit the proposed agreement for the
15 record, the --

16 MR. HAYMAN: MOU? I --

17 COUNCILMEMBER JONES: -- the MOU?

18 MR. HAYMAN: I believe you have it. If
19 not, we will, the drafted MOU.

20 COUNCILMEMBER JONES: Okay. Well, I
21 want us to do that so that there is some record
22 that these are the things that the community and
23 the Water Department, in theory, felt were okay.
24 And is that true, on behalf of the community,
25 that other than the enforceability of that

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2 agreement, there's some consensus about the
3 tenets of the agreement? Is that correct?

4 MR. ELIA: The, the original agreement
5 that we put together and provided to the Water
6 Department back in November was returned only
7 last week, which I have not had an opportunity to
8 review. I read it through quickly, and it was
9 pretty much gutted.

10 Many of the options that we had put in
11 our version were, were commented on to be
12 considered by the Water Department. It was not
13 an agreement. And a memorandum of understanding
14 has no commitment value. So we can submit our
15 version as well, if you would like to see the
16 difference between the two.

17 COUNCILMEMBER JONES: If you could
18 provide that to the chair. And what I'd like to
19 do is then give us a pause for a week to work
20 with the Law Department to see, if it can't be in
21 this, how do we amend so that it is to a degree
22 enforceable? Because the reality is you're going
23 to go on and run some utility in the private
24 sector and make millions and millions of dollars.
25 And I want you still to return my call when you

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2 do.

3 MR. HAYMAN: I want to -- I want to
4 state one -- well, finish, please, sir.

5 COUNCILMEMBER JONES: Let me finish --
6 let me finish -- let me finish, Commissioner.
7 And then that community -- all of us are going to
8 be kind of gone. And then 2030 and '31, the
9 owners of those properties or their heirs are,
10 are going to be faced with -- what did they agree
11 to shake hands about? And other than what's in
12 this record, they need to be able to fall back
13 on, well, you said, you know, you weren't going
14 to do five decibels of sound.

15 And here we are at seven. And what is
16 the recourse of that? And even if it's just in
17 the record so that there's some civil suit that
18 can happen, I think it's worth memorializing.
19 And I understand the compelling interests of the
20 department to want to move this project because
21 we have money on the line.

22 We have service of water on the line.
23 And I, I totally get that, but I want to move it
24 out of committee, Madam Chair. Give us a week to
25 work with the Water Department planning

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2 Commission to figure what pieces we can put in
3 place to give this community a little bit of a
4 leg to stand on. And if -- that's, that's just
5 my opinion.

6 Speaker F: If I may --

7 COUNCILMEMBER JONES: Yeah.

8 MR. HAYMAN: -- may, respond --

9 COUNCILMEMBER JONES: Yes.

10 MR. HAYMAN: I believe some of what I
11 said may have been inartful in this respect.
12 It's not that we don't have to do it. What the
13 engineers are telling me is that it's too early
14 in the process. We don't even have -- we have a
15 conceptual design of what's going on. And so,
16 for us to be tied to a legal document that says,
17 you must do X where we're still at the conceptual
18 design stage, is premature.

19 And I think it will -- it will
20 hamstring the engineers as far as what we're able
21 to do. But nevertheless, I do go back to the
22 fact that we have the MOU, and we have 10 items.
23 I didn't go in great detail on what they were,
24 but they were -- the ones I showed you were very
25 specific. We are willing to listen to them. And

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2 we've had very specific things we're willing to
3 do in the MOU.

4 So we have those 10 items. The other
5 thing is, the MOU has strength in this respect.
6 We are sitting in a public forum today. This is
7 documented, that the city -- the, the, the water
8 commissioner, the Water Department is willing to
9 do these 10 things. And we're willing to have an
10 MOU.

11 And we're willing to continue to speak.
12 And we understand that the agreement -- I mean,
13 the change of the legislation does not give us
14 carte blanche to do just anything, that we have
15 to be good neighbors. And we will continue to
16 walk that path with them. So I wouldn't defend -
17 -

18 COUNCILMEMBER JONES: Can you read into
19 the record those 10 things, please?

20 MR. HAYMAN: I'm sorry?

21 COUNCILMEMBER JONES: Can you read into
22 the record --

23 MR. HAYMAN: You, you want me to read
24 them into the record? Okay.

25 COUNCILMEMBER JONES: Yeah.

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2 MR. HAYMAN: Sure, sure. Just -- it'll
3 be lengthy, but give me a moment, please.

4 COUNCILMEMBER JONES: And submit that.

5 COUNCILMEMBER BASS: Yes, please.

6 COUNCILMEMBER JONES: And we want to
7 compare --

8 MR. HAYMAN: Okay.

9 COUNCILMEMBER JONES: -- what the
10 community is talking about versus what they're
11 agreeing to.

12 MR. HAYMAN: Okay. If we look at --
13 it'll be page 2.

14 MR. ELIA: Let me ask you to read --

15 MR. HAYMAN: No. I'm going to read
16 what he asked me to read first, and then we can
17 go back to that part of it. The specific
18 commitments, "PWD is committed to incorporating
19 the items identified below into their design
20 process, provided they do not compromise the
21 Queen Lane water treatment plant core mission and
22 security. PWD will also take into consideration
23 items identified in the attached Exhibit A during
24 the design process."

25 "Number 1, community meetings. PWD

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2 representatives will meet with EFCC leadership on
3 a biannual basis beginning in 2025. The purpose
4 of this meeting is for EFCC to provide input and
5 feedback on the aesthetic edge conditions of the
6 site during the water revitalization plan and
7 Queen Lane water treatment plant construction
8 design process."

9 "B, PWD will continue to provide EFCC
10 with regular updates and get updates and get --
11 and get feedback on water revitalization plan
12 projects, including the upcoming Schuylkill River
13 crossing, through email, community listening
14 sessions, and water, water revitalization plan
15 newsletters. Lighting --" and this is one where
16 we were very detailed.

17 "PWD will develop a lighting plan as
18 part of the design of the Queen Lane Water
19 treatment plant reconstruction project." That's
20 A. "B, PWD will adhere to the following design
21 standards applicable to lighting, exterior --
22 number 1, exterior lighting will be shielded
23 through the use of full cut-off fixtures so that
24 they do not cast direct light beyond the property
25 line next to the residential areas and public

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2 right of ways."

3 "2, all light sources will be designed,
4 located, and installed so that the light source
5 is not visible from any residential district. 3,
6 the maximum height of light poles and wall mount
7 lights will be 25 feet within 50 feet of any
8 residential district or any lot in residential
9 use and 35 feet in all other areas."

10 "PWD -- and C, PWD will utilize best
11 practices as part of the design of the
12 reconstruction of Queen Lane water treatment
13 plant to help shield and -- the facility as it's
14 -- at its source and minimize nighttime impact on
15 neighborhood properties while meeting industry
16 standards and required security design. Number
17 3, fencing. No new permanent cyclone fencing
18 will be installed along the exterior perimeter of
19 the Queen Lane treatment plant site."

20 "B, cyclone fencing may be used as
21 temporary fencing is required for security during
22 the construction phase. C, no new barbed wire
23 will be installed along the exterior perimeter of
24 the Queen Lane water treatment plant site.
25 Number 4, access drives and parking. A, all new

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2 permanent access drives will be on Fox Street.

3 1, PWD reserves the right to maintain existing
4 access driveway locations."

5 "B, gates for vehicular access will be
6 aesthetically consistent with exterior fencing.

7 Number 5, stone walls. PWD will preserve and
8 replace the existing exterior stone walls along
9 Queen Lane. Number 6, natural planted buffers.
10 PWD will develop a landscape site plan as part of
11 the Queen Lane Water treatment plan
12 reconstruction project."

13 "7, sound controls. PWD will provide
14 sound attenuation for new generators to not
15 exceed five decibels above background level
16 measured at the property boundary of the nearest
17 occupied residential property. 8, historic
18 preservation. PWD will preserve and continue use
19 of the Beaux-Arts structure at the west side of
20 Fox Street south of Queen Lane."

21 "B, PWD will incorporate the existing
22 historical marker on the corner of Queen Lane and
23 Fox as part of the Queen Lane Water treatment
24 reconstruction project. Number 9, site setbacks.
25 PWD will preserve the existing fence setback

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2 distance to the existing curb line along Queen
3 Lane. See Exhibit B attached. Number 10, future
4 building limitations."

5 "Any chemical storage will be located
6 at least 100 feet from Queen Lane, 100 feet from
7 Henry Avenue, 100 feet from the section of
8 Abbottsford Avenue between Henry Avenue and
9 Stokely Street, and 50 feet from Fox Street."

10 "B, reconstruction of Queen Lane water
11 treatment plant will adhere to Philadelphia
12 sustainability requirements as defined in
13 Philadelphia Code Chapter 17-100, procurement
14 contract 17-1111, energy efficiency in
15 environmental design in construction buildings."
16 Now, after that, it, it talks about additional
17 limitations. In the interest of time, it's
18 basically saying that in line with the Homeland
19 Security.

20 COUNCILMEMBER JONES: The tenets of
21 what you said, we'll submit that in writing. And
22 so, what, what -- on behalf of the chair, what
23 I'd like to do, because we may lose quorum, is
24 thank you for that. And then let's bring up the
25 next people to testify.

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2 MR. ELIA: If I could read the
3 sentences that have not been included in the
4 commissioner's testimony.

5 COUNCILMEMBER JONES: So you can submit
6 that.

7 MR. HAYMAN: I submitted -- I read what
8 was -- I was asked to read.

9 COUNCILMEMBER JONES: So what I'm
10 saying is I want both renditions so that we can
11 take a look at it. And we'll try to work over
12 the week, Madam Chair, to figure out how we can -
13 - what the differences are in what the community
14 wants and what the Water Department is
15 comfortable with, A.

16 And then B, how do we safeguard, attach
17 where applicable to assure the community at 10
18 years from now, other than what's in the record
19 today, is considered? Give us a week.

20 COUNCILMEMBER BASS: Well, thank, thank
21 you, Councilman. So, just a couple of things.
22 The first is that Council president has appointed
23 Councilmember Rue Landau to the committee so that
24 we can make quorum. My apologies, but we are
25 going to have to move things up rather quickly

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2 because we're going to lose that quorum and any
3 ability to further conduct business.

4 So what -- Councilman, Councilman Jones
5 is going to convene the community, the East Falls
6 Community Council, along with the Philadelphia
7 Water Department to work out the community
8 benefits issues that exist. And I, I can tell
9 you that, you know, Councilman Jones is, you
10 know, committed to making sure that that, that is
11 going to happen because we certainly don't want -
12 - I don't feel comfortable. I live a stone's
13 throw from East Falls in Mount Airy.

14 I don't feel comfortable with the idea
15 of what's going to happen to what are essentially
16 my neighbors and that they would be so
17 inconvenienced for my benefit and for the benefit
18 of, you know, everybody else in the city and that
19 they have to just sort of, like, take one for the
20 team.

21 So Commissioner Hayman, I know that you
22 probably agree, feel the same way and, you know,
23 are going to be working towards finding a more
24 suitable community benefits agreement that works
25 for them. So what we're going to do at this time

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2 is, is sort of do things a little bit in reverse
3 so that -- because I know we have a number of
4 people who are here who want to testify. And we
5 want to hear your testimony.

6 But we are going to move forward and
7 conduct the business of voting out these bills
8 and then go back in to hear your testimony. And
9 so, that's what we're going to be doing going
10 forward. So give us one second, please. Okay.
11 This is the public meeting to report bill number
12 240012. Chair recognizes Councilmember Squilla
13 for a motion on bill number 240012.

14 COUNCILMEMBER BASS: Thank you, Madam
15 Chair. And for the record -- thank you, Madam
16 Chair. And for the record, we, we have a quorum
17 for the meeting. The -- I move bill number
18 240012 reported from this committee with a
19 favorable recommendation without a rule
20 suspension.

21 COUNCILMEMBER JONES: Seconded.

22 COUNCILMEMBER BASS: Okay. The bill
23 has been -- well, I want to recognize that
24 Councilmember Jones seconded the motion. It's
25 been moved and properly seconded that bill number

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2 240012 to be reported from this committee with a
3 favorable recommendation.

4 COUNCILMEMBER SQUILLA: I'm sorry.

5 With favorable --

6 COUNCILMEMBER BASS: -- with a
7 favorable recommendation. And further move -- no
8 rule suspension, no rules. And further move that
9 the rules of council not be suspended to permit
10 the first reading of this bill at the next
11 session of council. All of those in favor of the
12 motion will be -- will signify by saying aye.

13 (Chorus of ayes.)

14 COUNCILMEMBER BASS: Anyone opposed?
15 The ayes have it, and the motion carries. And
16 so, essentially, what that means is that the bill
17 has been voted out of committee with a favorable
18 recommendation. However, it will not sort of be
19 fast tracked, moved along until some of these
20 other conversations with Councilman Jones
21 happens. Okay. Thank you. Okay. Chair
22 recognizes Councilmember Squilla for a motion on
23 bill number 240159.

24 COUNCILMEMBER BASS: Thank you, Madam
25 Chair. I move the bill number 240159 be reported

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2 from this committee with a favorable
3 recommendation and further move that rules of
4 council be suspended and submit the first reading
5 of this bill at the next session of council.

6 COUNCILMEMBER JONES: Seconded.

7 COUNCILMEMBER BASS: Chair notes for
8 the record that Councilmember Jones seconds the
9 motion. It's been moved and properly seconded
10 that bill number 240159 be reported from this
11 committee with a favorable recommendation and
12 further move that the rules of council be
13 suspended to permit the first reading of this
14 bill at the next session of council. All of
15 those in favor of this motion will signify by
16 saying aye.

17 (Chorus of ayes.)

18 COUNCILMEMBER BASS: Is anyone opposed?
19 No. The ayes have it, and the motion carries.
20 Chair recognizes Councilmember Squilla for a
21 motion on bill number 240066.

22 COUNCILMEMBER SQUILLA: Thank you,
23 Madam Chair. I move that bill number 240066 be
24 reported from this committee with a favorable
25 recommendation and further move that the rules of

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2 council be suspended and submit the first reading
3 of this bill at the next session of council.

4 COUNCILMEMBER JONES: Seconded.

5 COUNCILMEMBER BASS: Chair notes for
6 the record that Councilmember Jones seconds the
7 motion. It's been moved and properly seconded
8 that bill number 240066 be reported from this
9 committee with a favorable recommendation and
10 further move that the rules of council be
11 suspended to permit first reading of this bill at
12 the next session of council. All in favor of the
13 motion will signify by saying aye.

14 (Chorus of ayes.)

15 COUNCILMEMBER BASS: Anyone opposed?
16 Nope. Okay. The ayes have it, and the motion
17 carries. And, again, bill number 240192 is being
18 held. Okay. So with that being said, we're
19 going to go back to the public hearing. Thank
20 you very much, Councilmember Landau, and have the
21 next witnesses testify. I'm sorry. Did you have
22 something else you wanted to add before you
23 leave? Okay.

24 MR. ELIA: Our attorney will.

25 COUNCILMEMBER BASS: Okay.

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2 MR. ELIA: Thank you. Okay.

3 MR. BONEY: Good morning --

4 COUNCILMEMBER BASS: Good morning.

5 MR. BONEY: -- Madam Chair, Mr. Vice
6 Chair, and Councilmember Jones. Thank you very
7 much. My name is Paul Boney, and I'm a zoning
8 and land use attorney representing the East Falls
9 Community Council regarding the proposed rezoning
10 of the Water Department's Queen Lane water
11 treatment facility. I guess I was going to ask
12 you not to vote the bill out of committee. But
13 it is a pleasure to see everybody this morning.

14 I want to point out, as my client was
15 about to, that later in the document that the
16 commissioner was reading from, it says, "This MOU
17 does not create any rights, duties, benefits,
18 substantive or procedural, enforceable against
19 either party in any way." So, in a way, Mr. --
20 Councilmember Squilla, you had put your finger on
21 the issue when you used the example of, will all
22 your staging materials be on-site or would you
23 need to be off-site?

24 And actually, we don't think that's
25 going to be a major issue. But you used that as

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2 an example, and you asked the deputy
3 commissioner, would you be willing to agree to
4 that? And you used the A word, agree to that.
5 And that was the -- that was the part of the
6 question that he was not really able to answer
7 and talk about we're going to meet early and
8 often and have a lot of discussions.

9 And that really is -- the crux of --
10 the, the main crux of the disagreement between
11 the parties and why we're here today is that the
12 Water Department is willing to make some pledges
13 and to say, yeah, we really want to do it this
14 way with the lights and the fencing and all the
15 rest. And we're really going to try and -- you
16 know, but we're not willing to put it into an
17 enforceable agreement. So that is one of the
18 main impasses that we have.

19 You know, I think when it comes to the,
20 --and we really are talking, as Mr. Langer talked
21 about the, the landscape buffer around the edges,
22 the fence around the edges, the lighting around
23 the edges. That's most of what we're talking
24 about. And -- so let me get, get through my
25 statement here. When East Falls Community

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2 Council hired me towards the end of last year,
3 the request of me was very simple from the
4 outset.

5 This is why they hired me, to negotiate
6 the language of a binding, enforceable agreement
7 with the Water Department. The fact that it
8 would be an agreement was not a question because
9 all throughout last year, the discussions between
10 the parties was that it would be an agreement,
11 that it would be a community benefit agreement.

12 And even in my materials, I gave you
13 some excerpts from PowerPoint presentation that
14 the Water Department gave to the RCO, where they
15 used just that language, the language of
16 agreement, community benefits agreement and
17 whatnot. That is now no longer the Water
18 Department's position. And I'll sort of
19 paraphrase. We want City Council to -- we want
20 you to make it so that the Water Department is
21 held to its word.

22 They told us they would enter into an
23 agreement with us, and that's what they should
24 do. We're more than willing to discuss the terms
25 and the height and the this and that and the

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2 other. We could probably work that out. We
3 think we gave them about three -- what, what,
4 what the commissioner read to you was a good
5 start. It was probably about a third of the
6 things that we asked for, but, but it is a good
7 start.

8 There is a second part to our request.
9 And the second part of our request is that the
10 bill should be amended to classify the property
11 as a master plan district. And that means that
12 there would be a city-required master plan that
13 would have to be reviewed and approved by
14 Planning and reviewed and approved by City
15 Council.

16 That would give the district council
17 person, City Council, but especially the district
18 council person, some real leverage in the
19 process. Master plan is not a finely detailed
20 document, but it's your basic building blocks.
21 And it can talk about the landscaping and the
22 fence and the whatnot. And if there was a
23 problem and -- then the council person would be
24 in an agreement to sort of fix that problem.

25 That leads me to a final -- leads me to

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2 a final observation. And the question is to --
3 why does this bill even exist at the present
4 time? And we don't really see a good reason why
5 it even needs to exist now, this year, or even
6 this decade. The project won't occur for many,
7 many years out into the past.

8 But if you wanted to proceed now, we
9 would hope that it would at least be amended to
10 include a master plan district that -- along with
11 a signed agreement, we think would, would do the
12 trick. We are certainly not interested to get
13 even close to holding anything up, to
14 compromising any sort of funding, to getting into
15 what this plan -- the inside of this plan is and
16 how they do all that.

17 We don't really care. We're very proud
18 as a community, as, as design professionals,
19 architects, and as a community, incredibly proud
20 of the history of the Water Department. We're
21 really, you know, historically speaking, one of
22 the proudest parts of this country's evolution in
23 terms of water treatment and providing clean
24 water. That's a tremendous legacy. We're happy
25 that it's in our neighborhood. No one's -- no

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2 one's touching any of that.

3 No one is touching any of this Homeland
4 Security stuff. We know Homeland Security is
5 going to trump anything that we're talking about.
6 And if Homeland Security requires something --
7 and there's -- and we put a -- and we put a big
8 paragraph in our document that says, Homeland
9 Security preempts everything." We know that. I
10 mean, we're not -- now, we're not trying to slow
11 down or impede anything.

12 We're certainly simply asking for
13 reasonable protections about the edge conditions.
14 If any member of this committee would be living
15 in any of the homes that would be surrounding
16 this facility, you would be here at this table
17 asking for the exact same thing. So, really,
18 thank you very much. We appreciate Madam Chair's
19 leadership and, Councilmember Jones, your good
20 ideas.

21 I have a -- I do have a -- I don't know
22 if I can ask a question of the committee, but if
23 it -- since it's voted without the rules being
24 suspended, does that basically mean that the
25 council has some discretion as to when it

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2 actually moves through the rest of the process?

3 That it could be two weeks, three weeks, maybe

4 even more if, if, if it's in the discretion?

5 COUNCILMEMBER BASS: Yeah. It can --

6 it will move with the direction of the district

7 councilmember.

8 MR. BONEY: I thank you so much for

9 your time. We all thank you -- thank you.

10 COUNCILMEMBER BASS: Thank you -- thank

11 you for your testimony. Yes. Please come

12 forward. I believe your names were already

13 called. Were your names --

14 MS. BOURNE: I don't --

15 COUNCILMEMBER BASS: -- called?

16 MS. BOURNE: -- think they were, but we

17 did turn in --

18 COUNCILMEMBER BASS: -- just for.

19 Okay. Well, just state your name for the record

20 then.

21 MS. BOURNE: Okay. I don't know how to

22 turn this on. Can you hear me?

23 COUNCILMEMBER BASS: It's on. We can

24 hear you.

25 MS. BOURNE: It's on for me. Thank

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2 you. My name is Frances Bourne. I live in East
3 Falls at the corner of Penn and Fox Streets. So
4 I'm about a half a block from the water treatment
5 plant and the revolutionary war cannon that marks
6 the corner of Fox and Queen Lane, in case no one
7 knows about that. So I thank you for this
8 opportunity. I was once told a wise man said,
9 "Your urgency is not my emergency."

10 That gentleman was our own councilman,
11 Curtis Jones, in a meeting with the Water
12 Department. So I'd like to preface my, my little
13 statement with that. I feel as if this is almost
14 a moot point, but I'll continue. The change that
15 the Water Department is asking for right now is
16 neither an emergency or an urgency.

17 And we've been told by the Water
18 Department at different points, by different
19 individuals that delaying consideration of this
20 bill will not impact any aspect of this project,
21 not its funding, not its planning, not its time
22 line, not its consideration. So we're also
23 receiving mixed messages from the Water
24 Department.

25 The residents and homeowners of East

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2 Falls will be significantly impacted by this
3 project and deserve to be more than just a
4 checklist on PDW's to-do list. Trust, trust is
5 not an agreement any of you would accept, any
6 more than we should. It's time for the Water
7 Department to stop claiming its mission to
8 provide clean water does not allow it to respect
9 itself neighbors. We should all be committed to
10 doing both.

11 So we're only asking as this -- our
12 other community members, is where the Water
13 Department share -- and the community share
14 common ground. I suspect none of you would want
15 to look out your front door to see a chain link
16 fence topped by -- topped by a parking lot,
17 topped by barbed wire, a parking lot, or a
18 transmission tower.

19 And we don't either. We have
20 collaborated with PDW -- PWD in the past and are
21 only asking for the opportunity to do so again.
22 The fencing and lighting required by Homeland
23 Security that now faces Queen Lane illustrates
24 that working together, it results in a project
25 that both sides can and should be proud of.

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2 And there are other impacts here we're
3 not even yet available -- aware of because there
4 is no plan, the fencing and lighting required and
5 how it affects our neighbors on the Abbottsford-
6 Fall side and the Allegheny west side. They're
7 not aware of this process.

8 And we haven't had time to involve them
9 in our efforts. So without due diligence now, it
10 eliminates not only our voice but yours as well
11 in the future, as that's been well explained. So
12 I thank you for giving me this opportunity.

13 COUNCILMEMBER BASS: Thank you for your
14 testimony. Chair recognizes -- thank you.
15 Please state your name for the record and
16 proceed.

17 MR. HOFFNER: Good morning. I'm Bill
18 Hoffner, H-O-F-F-N-E-R. I'm at 31 on West Penn
19 Street. Frances and I live together. She's my
20 other half. Our house dates from 1904, so it's
21 not much longer after the woodworks was founded
22 on that block. And I'm not going to add -- I
23 mean, I think the testimony on both sides has
24 been great this morning. I think I'm better
25 informed. I think you all are better informed.

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2 So I, I thank you for the time.

3 I just want to -- I'm here to represent
4 not just myself, but I've been coordinating some
5 of the petitioning which Councilman Jones has
6 been receiving. And so, I -- part of the things
7 I submitted were the comments from 16 of the
8 folks while we were gathering petitions, some of
9 the folks who actually took the time out to add
10 some comments. So I left that with your
11 documents.

12 I left a copy of the petition itself.
13 There's now 151 signatures of this morning -- as
14 of this morning -- or yesterday, late last
15 yesterday afternoon or evening, 11 o'clock. So
16 there's 151, 150 of which are for the 19129 ZIP
17 Code. One is from 19144. So I want to thank
18 the, the fellow East Falls folks who showed up
19 this morning, took the time out. I appreciate
20 their effort to come out this morning. It's --
21 everyone has work to do, and we're all busy.

22 And I appreciate your time certainly
23 very much. Thank you so much. And thank you.
24 And again, I can't add anything further to the
25 testimony. I think I'm impressed. I appreciate

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2 everything everyone has done this morning for us.

3 Thank you.

4 COUNCILMEMBER BASS: Thank you -- thank
5 you for being here. We appreciate you coming
6 down this morning. Thank you so much. Can we
7 have the clerk call the next panel to testify?

8 THE CLERK: There are no other
9 testifiers.

10 COUNCILMEMBER BASS: Is there anyone
11 else who would like to speak on the record that
12 has not been called? No. Okay. Oh, Councilman
13 Jones. Chair recognizes --

14 COUNCILMEMBER JONES: Thank you --
15 thank you, Madam Chair for your indulgence. So
16 what -- where we are is not as far as one might
17 think. There are some conceptual community
18 benefit agreements that -- the question is, how
19 enforceable will it be in 10 years?

20 And so, what we hope to do by passing
21 this bill out of committee without, without a
22 rule suspension is slow it down a little bit so
23 that we can get the Law Department, get the
24 Planning Commission to look at our options on
25 enforceability, to look at that in a way that

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2 says, all right, without changing it, is there a
3 way to do a separate agreement, a piece of
4 legislation that is connected to the budget
5 reviews that we might be able to do to give the
6 community some sense of trust but verify?

7 And so, with what you did today, Madam
8 Chair, thank you for allowing us to pass it out
9 but slow it down so that we can get that kind of
10 conversation going. So thank you very much.

11 COUNCILMEMBER BASS: Thank you -- thank
12 you for your willingness to bring everyone
13 together and convene everyone so that we can find
14 an arrangement, an agreement that everyone can
15 live with.

16 And, you know, we can just disrupt the
17 quality of life for the residents as little as
18 possible. So thank you so much. That being
19 said, and if there's no one else here to testify,
20 that concludes the business of this Committee on
21 Rules for today. Thank you all very much for
22 your attendance. Thank you.

23 (The meeting was adjourned.)

24

25

1 4/8/24 - STATED - BILL 240012, ETC.

2 CERTIFICATE OF TRANSCRIPTIONIST

3

4 I, MARY KARANJA, 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 26th day of May, 2024.

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Mary Karanja

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