

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 29, 2013
10:15 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BILL GREEN
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILLS 130629, 130632, 130633, 130634, 130655,
130657, and 130695

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COUNCILMAN GREENLEE: Can I
have everybody's attention, please.

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Good morning, everyone. This
is the Committee on Rules. We have a
quorum with Councilman Kenney, the Vice
Chair of the Committee; Councilwoman
Tasco; Councilman Henon; and Councilman
Goode; and myself, Bill Greenlee.

Ms. Marconi, will you please
read the title of the first bill before
us today.

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THE CLERK: Bill No. 130629, an
ordinance to amend the Philadelphia
Zoning Maps by changing the zoning
designations of certain areas of land
located within an area bounded by
Aramingo Avenue, Wheatsheaf Lane,
Belgrade Street and Butler Street.

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COUNCILMAN GREENLEE: Thank
you.

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Mr. Kramer, before you start,
just for everybody that's here, I know a
lot of people here are for the last bill
that we're going to hear today, the

1 10/29/13 - RULES - BILL 130629, etc.
2 Registered Community Organization bill.
3 So we're going to try to get through the
4 other bills before as quickly as possible
5 so we can get to your bill.

6 Let me just tell everybody
7 ahead of time so you can practice, I'm
8 asking everybody to limit their testimony
9 to three minutes, three minutes. We did
10 that yesterday and it seemed to work very
11 well on another bill. So if you could
12 sort of be prepared to get through your
13 spoken remarks in three minutes. And
14 anybody that has written testimony on any
15 bill, that testimony will be made part of
16 the record.

17 With that, Mr. Kramer, I know
18 you thought everybody was here to hear
19 you, but sorry.

20 MR. KRAMER: Indeed.

21 Good morning, Chairman Greenlee
22 and members of the Rules Committee. I am
23 William Kramer, Division Director of the
24 Development Division of the Philadelphia
25 City Planning Commission. I am here

1 10/29/13 - RULES - BILL 130629, etc.
2 today to testify on Bill No. 130629,
3 which was introduced into City Council
4 September 19th, 2013 by Councilman Henon.

5 Bill No. 130629 amends the
6 Philadelphia Zoning Maps by rezoning a
7 parcel of ground located along the east
8 side of Aramingo Avenue between
9 Wheatsheaf Lane and Belgrade Street. The
10 site is currently zoned "I-2" Medium
11 Industrial and is being used as an
12 existing shopping center. The purpose of
13 the legislation is to correctively rezone
14 the property to "CA-2" Commercial Auto.
15 This has been requested by the Emcor
16 Limited Partnership, the owner of the
17 property. There is no proposal for any
18 new development on this site, but is
19 being requested in order to be able to
20 continue to utilize the property as a
21 shopping center.

22 The Philadelphia City Planning
23 Commission considered Bill No. 130629 at
24 its meeting of October 15th, 2013 and
25 recommended that it be approved.

1 10/29/13 - RULES - BILL 130629, etc.

2 I will be happy to answer any
3 questions you may have at this time.

4 COUNCILMAN GREENLEE: Thank
5 you, Mr. Kramer.

6 Any questions for Mr. Kramer on
7 this bill?

8 Councilman Kenney.

9 COUNCILMAN KENNEY: Mr. Kramer,
10 I'm sorry. I didn't understand the
11 testimony. The zoning now is eligible
12 for a shopping center or not?

13 MR. KRAMER: As a history
14 lesson, originally when this site was
15 developed, it was always zoned G-2, and
16 Aramingo Avenue back in the '70s allowed
17 industrial classified properties to be
18 used commercially. The old code used to
19 allow you, if you were already being used
20 commercially, to utilize or put uses on
21 this site that were under the Area
22 Shopping Center. Now under the new
23 classification, there's no such
24 provision, so if you're going to continue
25 to use it as a shopping center, which

1 10/29/13 - RULES - BILL 130629, etc.
2 essentially if you're going to have
3 companies come in or out or new tenants,
4 it will make it easier for them to do
5 that if they're zoned appropriately as
6 the Commercial Auto district.

7 COUNCILMAN KENNEY: So when it
8 was G-2 back in the olden days, you could
9 do anything underneath less than G-2?

10 MR. KRAMER: Originally --

11 COUNCILMAN KENNEY: Anything
12 under G-2 and up to G-2, right?

13 MR. KRAMER: Right. Well, in
14 other words, you added G-2. You went and
15 were able at that time to use it
16 commercially. There was an ordinance
17 that was passed, I believe, in '76 which
18 then said you can't use industrial land
19 for commercial uses. However, if you
20 already have used it, a provision to be
21 able to use it for other commercial uses.

22 COUNCILMAN KENNEY: So now
23 we're just bringing this --

24 MR. KRAMER: And we're rezoning
25 this property to make it commercial,

1 10/29/13 - RULES - BILL 130629, etc.
2 which is what it's being used for today.

3 COUNCILMAN KENNEY: I got it.
4 Thank you.

5 COUNCILMAN GREENLEE: And the
6 record will reflect that Councilwoman
7 Bass and Councilwoman Reynolds Brown are
8 present.

9 Any other questions for
10 Mr. Kramer?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, is there anyone else here to
14 testify on 130629?

15 (Witness approached witness
16 table.)

17 COUNCILMAN GREENLEE: I'm
18 asking everybody to be as brief as
19 possible.

20 Please identify yourself and
21 proceed. I know it's tough for
22 attorneys, but do your best.

23 MR. WARD: Good morning,
24 Mr. Chairman, members of the Committee.
25 My name is Shawn Ward. I'm the attorney

1 10/29/13 - RULES - BILL 130629, etc.
2 on behalf of the property owner,
3 applicant, and it was on behalf of my
4 client that we requested this change.

5 In a nutshell, the problem my
6 client has is, many retail uses that --
7 retail tenants that want to occupy space
8 in this shopping center are required to
9 get a variance for what would otherwise
10 be a permitted use. So we're just trying
11 to clean up the uses of the property,
12 zone it as it is, what it is, and so that
13 way, we can have continued use of the
14 property as a retail shopping center.

15 COUNCILMAN GREENLEE: Very
16 good. That was very brief. Thank you,
17 sir. Appreciate it.

18 MR. WARD: Thank you.

19 COUNCILMAN GREENLEE: Any
20 questions for Mr. Ward?

21 (No response.)

22 COUNCILMAN GREENLEE: Seeing
23 none, anyone else here to testify on Bill
24 130629?

25 (No response.)

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, Ms. Marconi, the next bill before
4 us, please.

5 THE CLERK: Bill No. 130632, an
6 ordinance to amend the Philadelphia
7 Zoning Maps by changing the zoning
8 designations of certain areas of land
9 located within an area bounded by
10 Hermitage Street, Henry Avenue, Dupont
11 Street, Ridge Avenue, Monastery Avenue,
12 Dexter Street, Lyceum Avenue, Manayunk
13 Avenue, Leverington Avenue, and Ridge
14 Avenue.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Mr. Kramer.

18 MR. KRAMER: Good morning,
19 Chairman Greenlee, members of the Rules
20 Committee. I am William Kramer, Division
21 Director of the Development Division of
22 the Philadelphia City Planning
23 Commission. I am here to testify on Bill
24 No. 130632, which was introduced into
25 City Council September 19th, 2013 by

1 10/29/13 - RULES - BILL 130629, etc.
2 Councilman Jones.

3 Bill No. 130632 is a zoning
4 remapping ordinance in the Roxborough
5 area of the City covering an area bounded
6 by Hermitage Street, Henry Avenue, Dupont
7 Street, Ridge Avenue, Monastery Avenue,
8 Dexter Street, Lyceum Avenue, Manayunk
9 Avenue, Leverington Avenue, and Ridge
10 Avenue. The area is currently zoned with
11 several zoning designations, including
12 "RSD" Residential Single Detached 3,
13 Residential Single Attached 2, 3, and 5,
14 along with Commercial Mixed Use
15 designations 1, 2, and 2.5 and some
16 properties zoned "ICMX" Industrial
17 Commercial Mixed Use. This bill proposes
18 to rezone the area to better reflect the
19 existing character and dwelling
20 classifications in the area. More
21 specifically, some of the property
22 currently zoned "RSA-2" Residential
23 Semi-Attached 2 will be rezoned to an
24 "RSD-1" Residential Semi-Detached
25 designation or an "RSD-3" designation.

1 10/29/13 - RULES - BILL 130629, etc.

2 Additionally, the property zoned "ICMX"
3 will be rezoned to an "IRMX" designation.

4 This proposal is the result of
5 a joint effort by the Central Roxborough
6 Civic Association and the City Planning
7 Commission staff which started in April
8 of 2013. There have been two community
9 meetings, each having in attendance of
10 approximately 75 people each.

11 Upon review of the bill by the
12 Law Department, several technical
13 amendments were requested, which I
14 respectfully submit for your
15 consideration.

16 The Philadelphia City Planning
17 Commission considered Bill No. 130632 at
18 its meeting of October 15th, 2013 and
19 recommended it be approved as amended.

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

22 COUNCILMAN GREENLEE: Thank
23 you, Mr. Kramer. And we have copies of
24 those amendments.

25 Any questions for Mr. Kramer on

1 10/29/13 - RULES - BILL 130629, etc.
2 this bill?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, anyone else here to testify on
6 130632?

7 Please approach.

8 The record will also reflect
9 Majority Leader Jones is present.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREENLEE: Whoever
13 would like to start. I would ask if you
14 have the same -- you're going to say the
15 same thing, just don't repeat it, but
16 please. Please identify yourself and
17 proceed.

18 MS. SYKORA: My name is Kay
19 Sykora. I live at 445 Green Lane and
20 I've been active both in Roxborough and
21 in Manayunk.

22 We want to thank City Council
23 for taking the time to consider this.
24 The Roxborough community is experiencing
25 significant developer attention, and

1 10/29/13 - RULES - BILL 130629, etc.

2 that's a good thing, except --

3 COUNCILMAN GREENLEE: If the
4 two behind could just sit down. Thank
5 you.

6 MS. SYKORA: The challenge is
7 that what we hadn't realized is our
8 wonderful single houses that really
9 defined some of the center core of
10 Roxborough are actually zoned for twins.
11 So the outcome has been that many of the
12 developers that are looking at our area
13 are simply dropping the old houses and
14 putting a series of twins in. So our
15 goal as a community is really to try and
16 preserve the characteristics that help
17 define the area. We do encourage
18 development, but we encourage folks to
19 consider this bill and to support us.
20 The neighborhood has been very solid
21 around this issue. The only question
22 that they have raised is why didn't we do
23 it sooner.

24 So thank you.

25 COUNCILMAN GREENLEE: Thank

1 10/29/13 - RULES - BILL 130629, etc.
2 you.

3 MR. SCAVUZZO: Good morning,
4 Mr. Councilman and the Board. My name is
5 Sam Scavuzzo. I'm a resident of 364
6 Lyceum Avenue in Roxborough, and I don't
7 want to take up too much of your time and
8 reiterate the things that Ms. Sykora has
9 already gone over. I just wanted to
10 mention that I worked as a reporter in
11 Roxborough for about three years, from
12 2010 to 2013, and probably attended about
13 125 civic association meetings over the
14 course of those years and have seen a lot
15 of issues where people would come in with
16 development projects, that the
17 neighborhood would oppose them, and it
18 would get passed or not get passed, but
19 the issue would go away.

20 What has happened here in
21 Roxborough over the past couple years is
22 people have started to realize that we
23 don't like the way that's happening, and
24 instead of digging their heels in against
25 one issue and being negative and

1 10/29/13 - RULES - BILL 130629, etc.
2 reactionary, residents of Roxborough have
3 collectively been proactive with the City
4 Planning Commission, with the Roxborough
5 Civic Association -- Central Roxborough
6 Civic Association, the State Rep, the
7 City Councilman's Office and have
8 collectively worked on a project that
9 will benefit the neighborhood, that it
10 comes from the neighborhood itself, that
11 has been negotiated and discussed, and
12 has really -- is a positive moment for
13 our neighborhood. And as the first
14 gentleman testified, 75 people coming out
15 to a meeting, one was in the middle of
16 July, in my experience is that's almost
17 unheard of. It's a testament to how much
18 the neighborhood is behind this project
19 and how much impact and input everyone
20 has put into it.

21 And I thank you for the time.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Please.

25 MS. MANGELSDORF: My name is

1 10/29/13 - RULES - BILL 130629, etc.
2 Helen Mangelsdorf and I'm a resident of
3 371 Lyceum. I've lived there for 27
4 years, and my testimony is essentially
5 how I have seen the neighborhood change
6 from a very stable, historically
7 interesting neighborhood to one that has
8 now turned greatly into development that
9 does not look attractive, to rental units
10 for many students, and my block in
11 particular is, if you read my testimony,
12 which I'm submitting, will give you a
13 full story of the way I've seen the
14 neighborhood be destroyed. And I never
15 thought it was possible for us to do
16 anything to change that. I just thought,
17 Well, you know, we live in the City,
18 there's nothing we can do. And when we
19 all gathered around the issue of the
20 Bunting house, suddenly we began to
21 realize that maybe we could do something.
22 And a lot of us have worked many hours,
23 and I'm really the least person in terms
24 of what I've done for this, but I feel
25 strongly that if you want to see

1 10/29/13 - RULES - BILL 130629, etc.
2 Roxborough continue to be a stable
3 neighborhood where younger people like
4 Sam want to come and raise their
5 families, we really need your support.

6 COUNCILMAN GREENLEE: Thank
7 you. And we'll make -- if you want to
8 turn that in, we'll make it part of the
9 record.

10 I'm just asking everybody -- is
11 everybody here that wants to testify in
12 support of the bill? No? Okay. All
13 right.

14 Sir, go ahead. I'm just
15 asking. Go ahead.

16 MR. HOTHAM: My name is Leonard
17 Hotham. I'm President of the Central
18 Roxborough Civic. I just want to say
19 that Central Roxborough Civic Association
20 supports the bill, along with the
21 neighbors.

22 Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you. I love brief testimony. Very good.
25 Thank you.

1 10/29/13 - RULES - BILL 130629, etc.

2 Ma'am, please identify yourself
3 and proceed.

4 MS. BUHL: My name is Jillian
5 Buhl. I live at 530 Leverington Avenue.
6 I've lived in that property for 20 years,
7 and our block was added to the rezoning
8 mapping at the end. We don't have the
9 same concerns as some of the other areas.
10 We're not a situation where they're
11 putting up sections of modern town homes
12 and things.

13 I have a very deep lot, and we
14 have lived and maintained and been good
15 stewards of our land for 20 years there
16 and I'd like to keep it zoned as it is.
17 I look at it as opportunity and legacy
18 for my children. And right now I would
19 like to see that that last-minute block
20 be taken off of the proposal.

21 COUNCILMAN GREENLEE: Okay.
22 Were you at the meetings that they talked
23 about?

24 MS. BUHL: I was at several of
25 the meetings, yes.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: If I'm
3 right, I believe that you would still be
4 able to maintain what you have, right?
5 It would be if the property is sold, it
6 would change; am I right?

7 MS. BUHL: What it's saying is
8 that I am zoned right now as
9 semi-detached. It would be detached. So
10 say if one of my daughters wanted to
11 build a home behind our barn, we have a
12 very large piece right behind there.
13 It's not a pristine, beautiful suburban
14 situation. I actually share a property
15 line with commercial property. So I
16 don't feel that -- all I'm asking is just
17 that our block be pulled off of that.

18 I do support the other areas.
19 There have been situations there, I
20 understand, but I'd like to see our block
21 pulled off that was added at the end.

22 COUNCILMAN GREENLEE: I
23 understand.

24 Sir, or whoever would like to
25 go next, please identify yourself and

1 10/29/13 - RULES - BILL 130629, etc.
2 proceed.

3 MR. BUCKLEY: Good morning,
4 Committee. My name is Vaughn Buckley.
5 I'm a resident at 538 Leverington Avenue
6 in Philadelphia. I am here today just to
7 discuss a potentially unintended
8 consequence of the remapping on our
9 particular block. We are currently zoned
10 RSA-3, and it's proposed that we will go
11 to RSD-3 -- or I'm sorry; RSA-2.

12 The issue that I wanted to
13 bring up is just that on our block, we
14 have particularly deep lots, as one of my
15 neighbors has just mentioned, and the
16 unintended consequence here is that we
17 change our street frontage requirement
18 which will, in a sense, disqualify all of
19 the reapportion of the lot from
20 construction.

21 While I am completely in
22 support of the preservation of all of the
23 homes in our area and the goals of the
24 Committee, I'm simply here to urge both
25 the CRCA and everybody else to consider

1 10/29/13 - RULES - BILL 130629, etc.
2 the hardship that this creates. By
3 changing the street frontage
4 characteristics, it may, in essence,
5 cause people to demolish single-family
6 homes simply because it's the only way
7 that they can secure the street frontage
8 they need to develop, whereas currently
9 they can do that without demolishing the
10 home, just on this particular block where
11 the lots are in excess of 300 feet deep
12 and the Zoning Code does not properly
13 address that.

14 COUNCILMAN GREENLEE: Thank
15 you. Thank you.

16 Sir, please identify yourself
17 and proceed.

18 MR. FITZPATRICK: My name is
19 Joseph Fitzpatrick. I live on
20 Leverington Avenue, but I have two
21 concerns here. One, Leverington Avenue
22 has been rezoned. For what reason, I
23 don't know, but if we look at the
24 rezoning of what they're doing, it looks
25 like they're trying to make the

1 10/29/13 - RULES - BILL 130629, etc.
2 Roxborough Home for Women across the
3 street able to be built on. All these
4 people that this bill is supposed to be
5 helping for not building on properties
6 seems unique to me.

7 Few concerns would be also on
8 Lyceum Avenue, the block between Mitchell
9 and Pechin has been redesignated to where
10 only one family dwelling can be built,
11 but yet the block above there on Lyceum
12 Avenue between Ridge and Mitchell Street,
13 two properties were omitted from
14 re-designation of zoning. Also, another
15 part, on Martin Street on the block
16 between Pechin and Manayunk Avenue, there
17 is a cemetery which is being redesignated
18 as a multi-family designation. So what
19 are they going to do, dig up bodies?

20 So before you consider this --
21 and another thing, on Lyceum Avenue, I
22 couldn't figure out -- there was a
23 re-designation just for one area on the
24 block between Lyceum and Ridge as RSA-1.
25 I couldn't figure that out and it's not

1 10/29/13 - RULES - BILL 130629, etc.
2 listed in your legend for what it means.
3 So if I could have some clarification, I
4 would appreciate it.

5 Thank you.

6 COUNCILMAN GREENLEE: Thank
7 you. Just so I'm clear, the three
8 speakers in opposition all are on
9 Leverington; is that right?

10 MR. FITZPATRICK: Yes.

11 COUNCILMAN GREENLEE: All
12 right.

13 Anybody else here to testify on
14 this bill, 130632?

15 (No response.)

16 COUNCILMAN GREENLEE: So I'm
17 going to recognize Councilman Jones, the
18 District Councilperson, the sponsor of
19 this bill.

20 Councilman.

21 COUNCILMAN JONES: Thank you,
22 Mr. Chairman, and thank you, Committee,
23 for considering this. I'll be brief
24 because I know we have a long agenda
25 today.

1 10/29/13 - RULES - BILL 130629, etc.

2 I want to say first of all that
3 this is a result of prosperity in a
4 neighborhood like many neighborhoods in
5 Philadelphia are experiencing. But the
6 character of a neighborhood should be
7 considered when we start to look at
8 single-family dwellings, whether you're
9 talking about in Roxborough, Wynnefield,
10 Overbrook Farms, that have high value,
11 that have greater value if you subdivide,
12 and what happens is it truly changes the
13 character of a neighborhood that has been
14 longstanding.

15 One building was a historic
16 building, and, yes, on one hand, property
17 owners have a right to experience value
18 in their property, but not at the expense
19 of surrounding neighborhoods where
20 infrastructure is not designed for such
21 volumes. All you have to do is go into
22 certain parts of Roxborough during rush
23 hour or Friday with adjacent
24 neighborhoods like Manayunk and East
25 Falls to experience that overflow of

1 10/29/13 - RULES - BILL 130629, etc.
2 volume based on the density.

3 So to one degree, we're proud
4 that everyone is discovering one of the
5 best small towns in the City of
6 Philadelphia, but we have to be
7 responsible to not change the character
8 of those people who have lived there for
9 decades, and you have to be there 20
10 years to kind of even understand half of
11 the history of that neighborhood.

12 So with that, I support the
13 legislation and would like it passed out
14 of Committee with a favorable
15 recommendation.

16 COUNCILMAN GREENLEE: Thank
17 you, Councilman.

18 COUNCILMAN JONES: Thank you.

19 COUNCILMAN GREENLEE: Any other
20 questions or comments?

21 (No response.)

22 COUNCILMAN GREENLEE: Again, no
23 one else here to testify on 130632?

24 (No response.)

25 COUNCILMAN GREENLEE: Seeing

1 10/29/13 - RULES - BILL 130629, etc.

2 none, thanks to everybody for testifying.

3 Ms. Marconi, the next bill

4 before us, please.

5 THE CLERK: Bill No. 130633, an

6 ordinance to amend the Philadelphia

7 Zoning Maps by changing the zoning

8 designations of certain areas of land

9 located within an area bounded generally

10 by Station Road, Edison Avenue, Trevoise

11 Road, and Maple Avenue and including the

12 south side of Maple Avenue.

13 COUNCILMAN GREENLEE: Thank

14 you.

15 Mr. Kramer.

16 MR. KRAMER: Good morning,

17 Chairman Greenlee, members of the Rules

18 Committee. I am William Kramer, Division

19 Director of the Development Division of

20 the Philadelphia City Planning

21 Commission. I am here today to testify

22 on Bill No. 130633, which was introduced

23 into City Council September 19th, 2013 by

24 Councilman O'Neill.

25 Bill No. 130633 amends the

1 10/29/13 - RULES - BILL 130629, etc.
2 Philadelphia Zoning Maps by rezoning an
3 area bounded generally by Station Road,
4 Edison Avenue, Trevoise Road, and Maple
5 Avenue, including the south side of Maple
6 Avenue. The proposed map changes are to
7 take the zoning from a "CA-2" Commercial
8 Auto district and "RSD" Residential
9 Semi-Detached 3 district to correctively
10 zone the existing residential properties
11 to "RSD-2" Residential Single Detached
12 district for the single-family homes and
13 "RSA-2" Residential Single Attached
14 district for the existing twin properties
15 within this mapped area. This has been
16 requested by the Councilman.

17 As originally introduced, Bill
18 No. 130633 did not have Zoning Maps
19 attached. These have since been
20 completed and are respectively submitted
21 so the bill can be amended to include
22 them.

23 The Philadelphia City Planning
24 Commission considered Bill No. 130633 at
25 its meeting of October 15th, 2013 and

1 10/29/13 - RULES - BILL 130629, etc.
2 recommended that it be approved.

3 I'd be happy to answer any
4 questions you may have.

5 COUNCILMAN GREENLEE: Thank
6 you, Mr. Kramer. And, again, we have
7 those amendments.

8 Any questions for Mr. Kramer on
9 this bill?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, is there anyone else here to
13 testify on Bill No. 130633?

14 (No response.)

15 COUNCILMAN GREENLEE: Seeing
16 none, Ms. Marconi, our next bill.

17 THE CLERK: Bill No. 130634, an
18 ordinance amending Title 14 of The
19 Philadelphia Code, entitled "Zoning and
20 Planning," by revising use regulations,
21 pertaining to vehicle and vehicular
22 equipment sales and services in certain
23 areas of the City, and making technical
24 changes, all under certain terms and
25 conditions.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Mr. Kramer.

5 MR. KRAMER: Good morning,
6 Chairman Greenlee, members of the Rules
7 Committee. I am William Kramer, Division
8 Director of the Development Division of
9 the Philadelphia City Planning
10 Commission. I am here today to testify
11 on Bill No. 130634, which was introduced
12 into City Council September 19th, 2013 by
13 Councilman O'Neill.

14 Bill No. 130634 amends the
15 Philadelphia Zoning Code in order to
16 prohibit certain auto-related uses in
17 properties zoned "I-2" and "I-1"
18 Industrial located in the 56th Ward, 58th
19 Ward, 63rd Ward, and 66th Ward. The uses
20 prohibited are specifically commercial
21 vehicle repair and maintenance,
22 commercial vehicle sales and rentals,
23 gasoline stations, personal vehicle sales
24 and rentals, and vehicle paint finishing
25 shops.

1 10/29/13 - RULES - BILL 130629, etc.

2 This bill was to have been
3 amended by the Councilman to basically
4 change the format of how the bill was
5 originally introduced. There was no
6 substantive change to what it was. It
7 was more formatting to place it better
8 within the code.

9 The Philadelphia City Planning
10 Commission has not considered Bill No.
11 130634 at this time.

12 I'd be happy to answer any
13 questions you may have.

14 COUNCILMAN GREENLEE:

15 Mr. Kramer, the amendment has not been --
16 we do not have that yet, correct?

17 MR. KRAMER: I know that my
18 staff had worked with the Councilman --

19 COUNCILMAN GREENLEE: Oh, okay.
20 I understand we do have it. It is in
21 there. And the Planning Commission has
22 not taken a position?

23 MR. KRAMER: No, sir, they have
24 not.

25 COUNCILMAN GREENLEE: All

1 10/29/13 - RULES - BILL 130629, etc.
2 right. Thank you. And we do have a
3 letter from Ms. Linda Hill, who is in
4 support of this bill. That will be made
5 part of the record.

6 Anyone else here to testify on
7 130 -- I'm sorry. Any questions for
8 Mr. Kramer?

9 (No response.)

10 COUNCILMAN GREENLEE: Seeing
11 none, anyone else here to testify on
12 130634?

13 COUNCILWOMAN TASC0: Could I
14 ask a question?

15 COUNCILMAN GREENLEE: Sure.
16 Councilwoman Tasco.

17 COUNCILWOMAN TASC0: Is there
18 any reason why the Planning Commission
19 did not take a position on this?

20 MR. KRAMER: No, ma'am, there
21 really wasn't necessarily. We didn't
22 want to oppose this bill per se, because
23 we felt in discussions with the Council
24 office, what we wanted to do was change
25 the way it was formatted within the code,

1 10/29/13 - RULES - BILL 130629, etc.
2 but from a structural point of -- that
3 the amendment was for the structure
4 within the code, but in terms of the use
5 and in terms of what we're proposing as a
6 change within the code, it was not
7 certain that the Commission would support
8 such changes. Rather than have that
9 derailed, for lack of a better term, the
10 amendment, we felt it was more important
11 to have the code format stay protected
12 rather than mess with it in terms of
13 having -- in other words, the Commission
14 didn't want to say in industrial
15 districts, you can't have auto uses, but
16 in that the Councilman wanted to do that
17 within his district -- and this is
18 limited to his district -- we were --
19 what we would prefer to do is if we're
20 going to do that, create it as an
21 overlay. So what it was originally was
22 placed in the code within the service
23 charts and what the amendment does is
24 change it from being in the service
25 charts to creating it as an overlay.

1 10/29/13 - RULES - BILL 130629, etc.

2 Essentially it does the same thing. It's
3 just how you put it within the code. And
4 because it wasn't certain that the
5 Commission would support such changes, it
6 was not taken. If necessary, we can take
7 it to the Commission at the November
8 meeting, but by that time, I would
9 imagine that the Council will have
10 approved it.

11 COUNCILWOMAN TASCO: Thank you.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you.

16 Mr. Kramer, I assume this is an
17 example of the ongoing evolution or
18 tweaking of the new code --

19 MR. KRAMER: Yes, sir.

20 COUNCILMAN KENNEY: -- so that
21 we don't go back to the overlay
22 situation.

23 MR. KRAMER: Correct.

24 COUNCILMAN KENNEY: I think
25 even while the code was being debated and

1 10/29/13 - RULES - BILL 130629, etc.
2 as we passed the code, it was always made
3 clear that there would be these kinds of
4 things that would pop out that we needed
5 to correct, but as long as we're not
6 correcting them with an overlay, I think
7 that's really good news.

8 MR. KRAMER: Okay.

9 COUNCILMAN KENNEY: Thank you.

10 MR. KRAMER: Thank you.

11 COUNCILMAN GREENLEE: Thank
12 you, Councilman.

13 Any other questions?

14 (No response.)

15 COUNCILMAN GREENLEE: Seeing
16 none, Ms. Marconi, if we could hear the
17 title of the next bill, please.

18 THE CLERK: Bill No. 130655, an
19 ordinance amending Chapter 14 of The
20 Philadelphia Code, entitled "Zoning and
21 Planning," by adding special provisions
22 regulating temporary real estate and wall
23 signs in certain districts; all under
24 certain terms and conditions.

25 COUNCILMAN GREENLEE: Thank

1 10/29/13 - RULES - BILL 130629, etc.

2 you.

3 Mr. Kramer.

4 MR. KRAMER: Good morning,
5 Chairman Greenlee, members of the Rules
6 Committee. I am William Kramer, Division
7 Director of the Development Division of
8 the Philadelphia City Planning
9 Commission. I am here today to testify
10 on Bill No. 130655, which was introduced
11 into City Council September 26th, 2013 by
12 Councilman Greenlee for Council President
13 Clarke.

14 Bill No. 130655 amends the
15 Philadelphia Zoning Code by adding
16 provisions regulating real estate and
17 wall signs in an area bounded by 20th
18 Street, Margie Street, Glenwood Street,
19 20th Street, Ridge Avenue, College
20 Avenue, 20th Street, Girard Avenue, Ninth
21 Street, and Lehigh Avenue. The bill
22 would require real estate signs to be
23 removed from the property within seven
24 days following the rental, lease or
25 occupancy of the last available unit in

1 10/29/13 - RULES - BILL 130629, etc.
2 the property. No temporary real estate
3 signs will be permitted to be
4 artificially illuminated and no real
5 estate signs would be permitted on
6 properties with no vacancies. The same
7 provisions would be applicable to wall
8 signs in the area, with the additional
9 limitation of a maximum gross area of 25
10 square feet for such sign.

11 This is an attempt to address
12 an ongoing problem with rental problems
13 surrounding Temple University.

14 The Philadelphia City Planning
15 Commission considered Bill No. 130655 at
16 its meeting of October 15th, 2013 and
17 recommended that it be approved. The
18 Commission has directed staff to clarify
19 this issue citywide within the parameters
20 of the Zoning Code.

21 I will be happy to answer any
22 questions you may have.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Kramer. And I believe there is
25 an amendment also to this we were just

1 10/29/13 - RULES - BILL 130629, etc.
2 given by Council President's Office. Are
3 you aware of that?

4 MR. KRAMER: No, sir, I was
5 not.

6 COUNCILMAN GREENLEE: I
7 understand it, just for the record, it
8 looks like the main thing is no such
9 signs shall exceed a maximum gross area
10 of 25 square feet.

11 MR. KRAMER: That's fine, sir.

12 COUNCILMAN GREENLEE: All
13 right. Thank you.

14 Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you.

16 Mr. Kramer, I know this is a
17 peculiar problem around Temple
18 University, but are there other areas of
19 the City that experience this type of
20 temporary signage around other
21 universities, say, Penn or Drexel or
22 LaSalle? I know Temple is an intensive
23 apartment -- has become an intensive
24 apartment area around the University, but
25 I'm wondering why -- and you said in your

1 10/29/13 - RULES - BILL 130629, etc.
2 testimony you're going to try to address
3 this citywide?

4 MR. KRAMER: We are going to
5 investigate it to determine whether or
6 not such action needs to be taken and so
7 forth. So at this point, it's premature
8 to say that it actually is occurring
9 around the other universities. I don't
10 have that information yet. We are just
11 beginning to look into that.

12 COUNCILMAN KENNEY: Would it
13 make sense just to do it citywide? I
14 mean, there's no reason to have a "for
15 rent" sign on a property that doesn't
16 have any rental properties.

17 MR. KRAMER: You certainly
18 could, but I haven't researched it enough
19 to say that with certainty.

20 COUNCILMAN KENNEY: But you'll
21 get back to us?

22 MR. KRAMER: Yes, sir, I will.

23 COUNCILMAN KENNEY: Thank you.

24 COUNCILMAN GREENLEE: Thank you
25 very much. And the record will reflect

1 10/29/13 - RULES - BILL 130629, etc.
2 that Councilman O'Brien, a member of the
3 Committee, is also present.

4 Any other questions for
5 Mr. Kramer on this bill?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, is there anyone else here to
9 testify on Bill No. 130655?

10 (No response.)

11 COUNCILMAN GREENLEE: Seeing
12 none, Ms. Marconi, our next bill.

13 THE CLERK: Bill No. 130695, an
14 ordinance to amend the Philadelphia
15 Zoning Maps by changing the zoning
16 designations of certain areas of land
17 located within an area bounded by 54th
18 Street, Lebanon Avenue, Georges Lane, and
19 Arlington Street.

20 COUNCILMAN GREENLEE: Thank
21 you.

22 Mr. Kramer.

23 MR. KRAMER: Good morning,
24 Chairman Greenlee and members of the
25 Rules Committee. I am William Kramer,

1 10/29/13 - RULES - BILL 130629, etc.
2 Division Director of the Development
3 Division of the Philadelphia City
4 Planning Commission. I am here to
5 testify on Bill No. 130695, which was
6 introduced into City Council on October
7 3rd, 2013 by Councilman Jones.

8 Bill No. 130695 amends the
9 Philadelphia Zoning Maps by rezoning the
10 property at the corner of 54th and
11 Arlington Streets, also known as the
12 former Wynne Theater property, from a
13 split zoning coverage of "CMX-2"
14 Commercial Mixed Use district and "RSA-5"
15 Residential Single Family Attached
16 district to a single designation of
17 "CMX-3" Commercial Mixed Use district.
18 The purpose of the rezoning is to allow
19 the Penrose Properties to demolish the
20 existing building and construct a 60,000
21 square foot new building that will
22 contain 54 senior apartments, 11 parking
23 spaces, and 1,200 square feet of
24 commercial space.

25 The Philadelphia City Planning

1 10/29/13 - RULES - BILL 130629, etc.
2 Commission considered Bill No. 130695 at
3 its meeting of October 15th, 2013 and
4 recommended that it be approved.

5 I'd be happy to answer any
6 questions at this time.

7 COUNCILMAN GREENLEE: Thank
8 you, Mr. Kramer. And just to let you
9 know, there will be an amendment, which
10 is the EOP, a signed EOP that will be
11 submitted as an amendment to the bill.

12 Councilman Jones.

13 COUNCILMAN JONES: I apologize,
14 Mr. Chairman. I was out healing wounds
15 of people who were --

16 COUNCILMAN GREENLEE: That's
17 what we do, Councilman.

18 COUNCILMAN JONES: That's what
19 we do. In the hallway. But I think at
20 the end of the day, that's going to be
21 okay as well.

22 The Wynne Ballroom is
23 particularly important to the commercial
24 viability of 54th Street. At the other
25 end we put in a 48-unit senior citizen

1 10/29/13 - RULES - BILL 130629, etc.
2 complex, which has Wissahickon shese (ph)
3 brick facade, which is going to bring
4 back that corridor. Across the street we
5 put in 400,000 for a passive walking
6 track for those seniors to do, another \$2
7 million up to the top of the corridor
8 where the Wynne Ballroom is.

9 That Wynne Ballroom is a
10 historic site. I went to my 6th grade
11 graduation dinner there, and a lot of
12 families have gone through there for
13 weddings and other things. If we bring
14 that back to a 52-unit structure, we will
15 cap off that corridor and have made it a
16 better place than when we found it. And
17 I just thank you for your positive
18 consideration of this bill.

19 COUNCILMAN GREENLEE: You're
20 showing your age, Councilman, when you
21 say about graduating from 6th grade, you
22 know. I don't think we do that anymore,
23 do we? But that's okay.

24 Any other questions on this
25 bill?

1 10/29/13 - RULES - BILL 130629, etc.

2 Councilwoman Reynolds Brown.

3 COUNCILWOMAN BROWN: Thank you.

4 Good morning. I would be
5 remiss to at least not to acknowledge the
6 joy that many of the residents will be
7 feeling to see that building come back to
8 life.

9 For clarity purposes, has the
10 target population been identified or is
11 there a special population that will
12 benefit from the revitalization?

13 COUNCILMAN JONES: Yeah. One
14 of the things in many communities -- and
15 I don't have to tell you this -- we are a
16 naturally occurring retirement community,
17 that many people who had single-family
18 houses in Wynnefield no longer can
19 support or sustain them on fixed income,
20 and when we did the groundbreaking for
21 the Presby location for 48 units, we had
22 over 200 people qualify and waiting lists
23 for them. We anticipate the senior
24 citizen complex with mixed-use commercial
25 on the bottom and a community room --

1 10/29/13 - RULES - BILL 130629, etc.
2 we'll never see the days of the cabarets
3 back at the Wynne, but we would like to
4 see weddings and recitals and other kind
5 of family-oriented activities.

6 So the population is senior, so
7 if you put 48 units at the three blocks
8 away at the lower end, you put another 52
9 units, on average two people per, you
10 create viability and shopping
11 opportunities for the merchants that
12 occupy that corridor.

13 COUNCILWOMAN BROWN: Very well.
14 Thank you.

15 Thank you.

16 COUNCILMAN GREENLEE: Thank
17 you, Councilwoman.

18 Sir, did you want to --

19 MR. MOODY: Yes. My name is
20 Harry Moody. I'm with Penrose
21 Properties. Good morning, Chairman and
22 members of the Committee. I'm just here
23 to answer any questions that you might
24 have.

25 COUNCILMAN GREENLEE: All

1 10/29/13 - RULES - BILL 130629, etc.

2 right. Thank you.

3 Any questions?

4 COUNCILWOMAN TASC0: What's the
5 height of the building?

6 MR. MOODY: Excuse me?

7 COUNCILWOMAN TASC0: What's the
8 height of the building?

9 MR. MOODY: Forty-six feet.

10 COUNCILWOMAN TASC0: How many
11 floors?

12 MR. MOODY: Four floors.

13 COUNCILWOMAN TASC0: Four
14 floors?

15 MR. MOODY: Yes.

16 COUNCILWOMAN TASC0: Thank you.

17 COUNCILMAN GREENLEE: Any other
18 questions?

19 COUNCILWOMAN BROWN: And it,
20 therefore, captures all of what a
21 retiring community needs, wheelchair
22 accessibility.

23 MR. MOODY: Yes. There are
24 completely accessible units. All the
25 units will be adaptable for any of the

1 10/29/13 - RULES - BILL 130629, etc.
2 residents there. It will be comprised of
3 47 one-bedroom units, seven two-bedroom
4 units, and as the Councilman mentioned,
5 the community room space as well as the
6 commercial space.

7 COUNCILWOMAN BROWN: What are
8 the protocols that Penrose uses for, I
9 guess, recruitment, which will not be
10 hard to do, but for applicants who win
11 the opportunity to be residents there?

12 MR. MOODY: Well, we do a
13 public notification for anybody that
14 would be eligible to occupy the space.
15 So there will be public notifications in
16 the newspapers, probably brochures. We
17 have a whole marketing department that
18 puts out a marketing effort for that
19 particular facility. We already notified
20 the Philadelphia Housing Authority that
21 we're developing this project in case
22 they have folks that have been on their
23 list for quite some time that haven't
24 been able to find housing also. So we
25 typically will go out and notify the

1 10/29/13 - RULES - BILL 130629, etc.
2 different organizations in the City as
3 well as any publications that we --

4 COUNCILWOMAN BROWN: So
5 priority will not go to Wynnefield
6 residents?

7 MR. MOODY: We haven't
8 determined that yet. We're, again, in
9 the early stages here and we've been
10 working closely with the Councilman's
11 office, but we can continue to work
12 closely there on that issue. That hasn't
13 been determined. There are some specific
14 requirements from a law perspective as to
15 what you can --

16 COUNCILWOMAN BROWN: Talk into
17 the mike. It would be helpful.

18 MR. MOODY: I'm sorry. There
19 are always specific requirements that you
20 have to do, fair housing marketing to
21 everyone. So we'll be abiding by those,
22 but there may be some opportunities to
23 offer some preference to those residents,
24 and we'll work closely with the
25 Councilman's office to try to achieve

1 10/29/13 - RULES - BILL 130629, etc.

2 what the neighborhood wants.

3 COUNCILWOMAN BROWN: Thank you.

4 COUNCILMAN GREENLEE: Thank

5 you.

6 Any other questions?

7 Councilman Jones.

8 COUNCILMAN JONES: Just as a

9 comment, Councilwoman Brown, when they

10 made their presentation to the Wynnefield

11 Residents Association, the word went out,

12 the drums started to beat, and the

13 applications started to flow. So without

14 violating any federal laws or of that

15 nature, the advertising has hit the

16 ground and people know about it and have

17 responded to it.

18 COUNCILWOMAN BROWN: Thank you.

19 COUNCILMAN GREENLEE: Any other

20 questions?

21 (No response.)

22 COUNCILMAN GREENLEE: Thank you

23 both very much. Good luck to you, sir.

24 MR. MOODY: Thank you.

25 COUNCILMAN GREENLEE: Anyone

1 10/29/13 - RULES - BILL 130629, etc.
2 else here to testify on 130695?

3 (No response.)

4 COUNCILMAN GREENLEE: Seeing
5 none, here we go.

6 Ms. Marconi, please read the
7 title of our final bill today.

8 THE CLERK: Bill No. 130657, an
9 ordinance amending Title 14 of The
10 Philadelphia Code, entitled "Zoning and
11 Planning," by revising Section
12 14-303(12), entitled "Neighborhood Notice
13 and Meetings," by establishing new
14 minimum qualifications for Registered
15 Community Organizations, adjusting the
16 requirements for notification and
17 meetings, and amending the procedures
18 regarding re-registration of Registered
19 Community Organizations, and Section
20 14-304(5), entitled "Civic Design
21 Review," by changing the composition of
22 the Civic Design Review Committee; all
23 under certain terms and conditions.

24 COUNCILMAN GREENLEE: Thank you
25 very much.

1 10/29/13 - RULES - BILL 130629, etc.

2 Before I recognize Councilman
3 Henon, just for the record, Councilman
4 Squilla and Councilwoman Blackwell are
5 also present.

6 Mr. Jastrzab, you can come to
7 the table, but first I want to recognize
8 Councilman Henon, the sponsor of this
9 bill.

10 COUNCILMAN HENON: Good
11 morning, Chairman Greenlee, Vice Chairman
12 Kenney, and my fellow Committee members
13 and everybody else who has joined us here
14 today and who has worked very hard on the
15 creation of this bill.

16 In September, I introduced Bill
17 No. 130657 to help formalize the process
18 for Registered Community Organizations.
19 I did it after hearing many concerns from
20 the community groups and zoning
21 applicants that the current process was
22 confusing and burdensome, a process that
23 didn't work for anyone.

24 Since its introduction, I
25 convened and continued to speak with

1 10/29/13 - RULES - BILL 130629, etc.
2 community leaders, both in my district
3 and across the City, along with the
4 Planning Commission and members of this
5 City Council to craft amendments that
6 would ensure a workable bill that is
7 reported from this committee.

8 The compromise -- we made 13
9 changes to this -- we arrived here today
10 is the best way for Philadelphia to
11 define the process that ensures a smart
12 development can be proceeded on a timely
13 fashion while providing those of our
14 communities to have a clear and
15 legitimate voice of these decisions.

16 This bill will establish
17 additional basic requirements for RCOs,
18 alleviate burdensome notification
19 requirements for RCOs while keeping the
20 current notification requirements for the
21 applicants; change the RCO
22 re-registration for once every three
23 years to annually to ensure that most
24 up-to-date information on RCOs and
25 leadership is available; require that

1 10/29/13 - RULES - BILL 130629, etc.

2 RCOs convene a singular meeting to
3 discuss the proposed project.

4 Some of these groups expressed
5 concerns that one meeting isn't enough.
6 That's why I'm proposing to allow the
7 District Councilperson to convene a
8 second public meeting if they determine
9 that a single meeting between the
10 applicant and the RCOs for a particular
11 project is not enough. This provides an
12 important framework to ensure that the
13 meeting happens smoothly and indicates
14 that it is an important backstop. The
15 District Councilperson is a fall and a
16 safe bet to ensure that another meeting
17 is heard, if necessary.

18 For the record, I'd like to
19 recognize all the community leaders who
20 have expressed their opinions and offered
21 advice to this bill that has come
22 together and for those who are joining us
23 here today to testify before this
24 Committee.

25 Finally, I believe that this

1 10/29/13 - RULES - BILL 130629, etc.
2 bill represents the best possible
3 solution, the best possible solution to
4 some of the challenges associated with
5 these issues, but I want to make clear to
6 everyone that's in this room here today
7 and every member of this Committee that I
8 want a bill to work for the people. I
9 understand that there are some members
10 who won't be happy with the proposed
11 changes, no matter what I do, but I still
12 value and respect their opinions and I
13 want to find solutions that work for
14 everybody.

15 I worked with my staff to draft
16 eight different variations of this bill
17 over the course of the past several weeks
18 trying to solve the issues caused by RCO
19 overlap, eight different scenarios and
20 variations caused by overlap. Some RCOs
21 don't get along and they don't want to
22 work together. I understand that. But
23 unless this body wants to eliminate RCO
24 overlap altogether, the solution is not
25 going to be easy. At the end of the day,

1 10/29/13 - RULES - BILL 130629, etc.

2 I believe that we have a responsibility
3 to create a fair and consistent process
4 that balances the variations and the
5 various perspectives and interests
6 involved. That means sometimes we have
7 to make tough decisions. And I look
8 forward to hearing the conversations
9 today, not only with the RCOs and
10 community groups that are here, but also
11 members of this body.

12 So I thank you for your time.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilman. And I can say no matter
15 what people's position is on this bill,
16 you and your staff put in a tremendous
17 amount of work, so we appreciate that.

18 Any other comments from the
19 members of the Committee first?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, again, before we get to the
23 witnesses, Councilwoman Blackwell.

24 COUNCILWOMAN BLACKWELL: Thank
25 you, Mr. Chairman, Vice Chair, Councilman

1 10/29/13 - RULES - BILL 130629, etc.
2 Henon, and all members of the Rules
3 Committee. The basis for this hearing is
4 to discuss Registered Community
5 Organizations. Registered Community
6 Organizations in Philadelphia were
7 created by the City Planning Commission
8 in the new Zoning Code, which went into
9 effect earlier in the year. Prior to the
10 creation of RCOs, every citizen had the
11 same rights with regard to zoning. Every
12 citizen had the same rights as every
13 community organization. Each community
14 organization in a specific area had
15 rights without regard as to how any
16 organization was structured or how they
17 conducted any of their meetings. Bill
18 130657 is an attempt to restore the new
19 Zoning Code back to what it was before we
20 passed the legislation I introduced
21 without regard to its impact on the
22 community.

23 (Applause.)

24 COUNCILWOMAN BLACKWELL:

25 Changes such as removing the requirement

1 10/29/13 - RULES - BILL 130629, etc.
2 that the RCO hosts a public meeting, to
3 submit a meeting summary, and remove near
4 neighbors from notification of a project
5 are examples of changes made in this
6 bill. Further, abolishing issue-based
7 organizations, which still didn't have a
8 vote, issue-based organizations does not
9 respond to any of the feedback provided
10 at the Zoning Code Commission year review
11 meetings. Even the Zoning Code
12 Commission didn't agree to remove
13 issue-based organizations, who don't have
14 a vote either.

15 On the issue of notification,
16 it is important to keep stakeholders in
17 the loops in dealing with the community
18 development and zoning. Therefore, it is
19 necessary that near neighbors be notified
20 just as Registered Community
21 Organizations. As the homeowners who are
22 individuals who will have to live with
23 changes made to their neighborhoods, Bill
24 130657 has removed the ability of the
25 near neighbor to be informed. This means

1 10/29/13 - RULES - BILL 130629, etc.
2 that the 80-year-old woman living in
3 close proximity to a project right across
4 the street, if she's not part of an
5 RCO -- I talked about this initially --
6 if she's not part of a community
7 organization, she won't even be notified.
8 Her rights will be abridged. This means
9 that longstanding community organizations
10 who do not meet requirements set forth in
11 this bill but have been in community
12 development and have played an integral
13 part in shaping the community are left
14 out. This bill calls, for example, for
15 the developer, called here the applicant,
16 the developer has a right to choose the
17 RCO they choose to deal with. Who is any
18 developer, who is any applicant to choose
19 who our community representatives are?

20 (Applause.)

21 COUNCILWOMAN BLACKWELL: With
22 regard to the developed meetings with the
23 community, Bill 130657 states that a
24 developer is only required to meet with
25 the community once. It says that

1 10/29/13 - RULES - BILL 130629, etc.

2 Councilpeople can determine if there's
3 one meeting, one more meeting other than
4 that which the developer chose to have --
5 after they choose the Registered
6 Community Organization, then they have
7 the right to choose -- have one meeting
8 and we are only allowed to call one more
9 meeting if we're lucky. I mean, who are
10 these people who are not elected to tell
11 us how many meetings we can have and who
12 should be included?

13 (Applause.)

14 COUNCILWOMAN BLACKWELL: What
15 if community groups need more
16 clarification? What if they have more
17 questions? What if they need information
18 about the aspects of any project? Well,
19 according to this, there can only be one
20 additional meeting. It doesn't matter
21 how many RCOs are involved or who's a
22 member of that community.

23 It is often said that we are a
24 city of neighborhoods. As a city of
25 neighborhoods, neighborhood people elect

1 10/29/13 - RULES - BILL 130629, etc.
2 us. Voters elect us. Residents elect
3 us. Who are the City Planning Commission
4 people? Who are people who have written
5 such a bill to undermine the rights of
6 elected officials and to undermine the
7 rights of the community who elected us in
8 the first place?

9 (Applause.)

10 COUNCILWOMAN BLACKWELL:

11 Mr. Chairman, we will have many questions
12 as we go through this hearing, and we
13 will expect answers to all of these
14 issues that deal with communities and
15 what their rights are.

16 Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilwoman.

19 (Applause.)

20 COUNCILMAN GREENLEE: Just for
21 the record, there will be some amendments
22 submitted which will be discussed during
23 the course of the hearing that may
24 address some of those issues. So we'll
25 get into that.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILWOMAN BLACKWELL: Yes.

3 It's changed every day. It changed
4 Friday. It changed Monday. We've had so
5 many changes to this legislation, if we
6 didn't believe in being prepared, we
7 wouldn't know what they are.

8 COUNCILMAN GREENLEE: I
9 understand. Sometimes as the sponsor of
10 the sick leave bill, I could certainly
11 sympathize with having to change every
12 day, but in any event, I don't want to
13 have a back and forth with the
14 Councilmembers, but I'll recognize
15 Councilman Henon and I'd like to leave it
16 at that and then start hearing the
17 testimony.

18 Councilman Henon.

19 COUNCILMAN HENON: Thank you
20 for your statement, Councilwoman, and I
21 respect your opinion. I wish and I hope
22 you have taken a look at the amendments,
23 because 75 percent of the changes
24 actually came from you and your office,
25 so --

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2 COUNCILWOMAN BLACKWELL: That's
3 not true. Not true.

4 COUNCILMAN GREENLEE: Let's not
5 have back and forth. Come on.

6 COUNCILMAN HENON: If you take
7 a little time to read through the
8 amendments and there's some outstanding
9 issues --

10 COUNCILWOMAN BLACKWELL: I did.

11 COUNCILMAN HENON: -- I still
12 would love to discuss them openly here at
13 this meeting.

14 So I look forward to hearing
15 everybody today and continued input from
16 everybody on this Committee.

17 Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you. Thank you.

20 Let's get to the testimony.
21 Mr. Jastrzab and whoever else would like
22 to testify. We have your written
23 testimony. If you can just go through it
24 quickly.

25 MR. JASTRZAB: Sure.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: I have a
3 feeling there will be a few questions.
4 So please identify yourself.

5 MR. JASTRZAB: Good morning,
6 Councilman Greenlee and members of the
7 Rules Committee. My name is Gary
8 Jastrzab. I'm the Executive Director of
9 the City Planning Commission. I'm also a
10 former member of the Zoning Code
11 Commission. I'm here today to testify on
12 Bill 130657 introduced by Councilmembers
13 Henon, Greenlee, Tasco, Johnson, Green,
14 O'Neill, and Council President Clarke on
15 September 26th. I'm joined today also by
16 Eleanor Sharpe, who is the City Planning
17 Commission's Director of Legislative and
18 Intergovernmental Affairs.

19 Bill 657 makes substantive
20 changes to the new Zoning Code's system
21 of Registered Community Organizations, as
22 previously amended. The RCO system is
23 all about community notification for
24 proposed development projects requiring
25 Zoning Board of Adjustment action or

1 10/29/13 - RULES - BILL 130629, etc.
2 Civic Design Review. The RCO system
3 supplements the City's traditional and
4 longstanding form of "orange sign"
5 postings and more recently added online
6 notices about these proposals. It
7 provides the benefit of early notice for
8 proposed zoning actions and requires a
9 developer to meet with citizen groups
10 representing their communities in matters
11 concerning zoning and land use.

12 For developers, the RCO system
13 provides a reliable, predictable 45-day
14 timeframe for receiving community input
15 and feedback and an easy way to identify
16 and contact community organizations. For
17 communities, the RCO system provides a
18 mechanism to be notified about changes
19 proposed for properties located in their
20 areas.

21 It's the view of the City
22 Planning Commission that the changes
23 proposed in this bill will bring the RCO
24 system closer to the model of organized
25 community input on development projects

1 10/29/13 - RULES - BILL 130629, etc.
2 that was intended by the Zoning Code
3 Commission. It will strike a fair and
4 reasonable balance between the
5 developer's need for a predictable and
6 efficient process and the community's
7 need for early notification and project
8 information.

9 The bill enhances the criteria
10 for RCO qualification to ensure that
11 Registered Community Organizations have
12 the capacity to convene open, public
13 meetings on zoning proposals and
14 represent the outcomes of those meetings
15 on behalf of all of their members to the
16 ZBA or the Civic Design Review Committee.
17 Under these proposed qualifications, an
18 RCO must have a purpose specifically
19 concerning land use, zoning or similar
20 planning and development-related issues;
21 have a geographic area of concern that
22 reasonably reflects their neighborhood;
23 conduct publicly announced open and
24 participatory community meetings; and has
25 organizational leadership that is chosen

1 10/29/13 - RULES - BILL 130629, etc.
2 by its members. The proposed
3 qualifications do not require RCOs to be
4 incorporated. They may continue to be
5 volunteer organizations, as many of them
6 are today.

7 It also -- the bill also
8 streamlines the process for notifying the
9 community about proposed development
10 projects. Under the bill, the applicant
11 must provide written notice to each
12 affected RCO, the City Planning
13 Commission, and the Councilmember within
14 seven days of filing an appeal to the ZBA
15 or receiving CDR notification from L&I.
16 Under the bill, applicants and individual
17 RCOs will no longer be required to
18 provide additional notice to multiple
19 adjacent properties closest to the
20 development site. The requirement to
21 post a highly visible orange sign at the
22 affected property for 21 days in advance
23 of a special exception or variance
24 hearing continues and will remain the
25 primary form of notification for near

1 10/29/13 - RULES - BILL 130629, etc.
2 neighbors.

3 The bill further simplifies the
4 process for convening and conducting RCO
5 meetings. If a zoning proposal affects
6 multiple RCOs with overlapping
7 boundaries, those RCOs shall coordinate
8 to convene a single meeting with the
9 zoning applicant. The bill does not in
10 any way prohibit additional meetings
11 between RCOs and the applicant should
12 they be desired. RCOs do not have to
13 agree on the support or opposition of
14 projects, and each is given the
15 opportunity to submit their own positions
16 on a proposed project. However, they
17 must work together to create a system
18 that's open, transparent, and less
19 onerous for all parties involved.

20 Bill 657 also increases the
21 frequency for RCO re-registration from
22 once every three years to annually. At
23 the time of re-registration, RCOs will be
24 required to document their meetings with
25 zoning applicants to demonstrate that

1 10/29/13 - RULES - BILL 130629, etc.
2 they're fulfilling their responsibilities
3 to convene open, public, and accessible
4 meetings where the membership can review
5 and comment on zoning proposals. RCOs
6 that can't make that demonstration would
7 forfeit their status for one year, at
8 which time they'd be encouraged to
9 reapply with provisions in place to be
10 more inclusive, and the City Planning
11 Commission staff is always available to
12 help those RCOs in that reapplication
13 process. It also helps us to keep
14 contact information and other information
15 about the RCO current, because as
16 everybody knows, community organizations
17 often change officers and participants.

18 The bill also reinstates the
19 original composition of the Civic Design
20 Review Committee by reserving one
21 rotating seat for an RCO representative
22 and removing extra seats that were added.

23 Finally, the bill discontinues
24 the category of issue-based RCOs.
25 Currently, zoning applicants are required

1 10/29/13 - RULES - BILL 130629, etc.
2 to send notice, but not meet with
3 issue-based RCOs. Discontinuing the
4 issue-based categories will not
5 significantly impact the ability of these
6 organizations to remain informed on
7 proposed zoning actions. Issue-based
8 organizations can still rely on the
9 existing public orange sign notification
10 system for ZBA hearings and the publicly
11 available online appeals calendar, the
12 Civic Design Review calendar, and other
13 media sources.

14 So at its meeting of October
15 15th, the City Planning Commission
16 considered Bill 130657 as required under
17 the Home Rule Charter. At that meeting,
18 there was public testimony given in favor
19 of Bill 657 but opposed to the specific
20 provision to eliminate the issue-based
21 categories of RCOs. The City Planning
22 Commission voted to recommend that the
23 bill be approved but with an amendment
24 that would preserve issue-based RCOs.

25 Before I conclude my testimony,

1 10/29/13 - RULES - BILL 130629, etc.

2 I would like to again emphasize that the
3 RCO system is a form of community
4 notification that reinforces and is in
5 addition to the City's standard of orange
6 sign postings and the Zoning Board of
7 Adjustment online appeals calendar. The
8 ability of any individual citizen or
9 community group to provide input on a
10 project remains unchanged, in that any
11 member of the public may send a letter,
12 attend and testify at a public hearing of
13 the Zoning Board of Adjustment or a
14 meeting of the Civic Design Review
15 Committee. The City Planning Commission
16 welcomes such testimony at its meetings,
17 and our record bears that out.

18 The purpose for creating RCOs
19 was to further assist in the notification
20 process for local organizations and to
21 disseminate information to as many
22 residents and other stakeholders as
23 possible. The right of any and all
24 citizens to participate in the
25 development process is unchanged and I

1 10/29/13 - RULES - BILL 130629, etc.
2 believe remains as active as ever.
3 Creating an organized and equitable
4 system that enables effective community
5 input and dialogue is the overarching
6 goal of registering community
7 organizations, and this bill streamlines
8 and encourages more active communities
9 and positive development.

10 This concludes my testimony,
11 and I'd be happy to answer any questions
12 that you may have.

13 COUNCILMAN GREENLEE: Thank
14 you, Mr. Jastrzab.

15 You're here to answer
16 questions, I assume, right?

17 MS. SHARPE: Yes.

18 COUNCILMAN GREENLEE: And just
19 for the record for everybody, we let the
20 Planning Commission go a little longer,
21 but I will reiterate I'm asking everybody
22 else when they testify to please limit
23 their comments to three minutes so we can
24 get through this hearing.

25 Mr. Jastrzab, let me start out

1 10/29/13 - RULES - BILL 130629, etc.
2 with a question on the one issue that the
3 Planning Commission says should come out
4 of here, but personally I feel should
5 stay in, is the issue-based groups. And
6 let me just give you an example just in
7 my neighborhood twice where it just
8 seemed an overburden to an applicant on a
9 very relatively minor issue. For
10 example, a couple moved in a house,
11 wanted to add a very small deck to their
12 property. The way the building is
13 constructed, they had to -- it would
14 probably affect four residents. But they
15 went through the process. They dealt
16 with the community organization. They
17 got their petition. But what they also
18 had to do was notify 17 issue-based
19 groups. And a lot of those groups are
20 very good groups. I think we'd all agree
21 Project HOME is a terrific group, but why
22 should they -- what does a deck at 29th
23 and Poplar have to do with Project HOME?
24 You know what I'm saying?

25 MR. JASTRZAB: Yes.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: I mean,
3 we want people involved, but just before
4 I came down here, my office went on the
5 computer and could find out all the
6 zoning cases within about 30 seconds.
7 And I got to think if you're an
8 issue-based group, you must have the
9 wherewithal to be able to do that. It
10 doesn't seem that difficult. And it
11 seemed like a real burden -- like this
12 person asked me because I live in that
13 neighborhood, why am I notifying all
14 these groups? I don't mind dealing with
15 my neighbors. I understand I have to
16 answer to them, but why does some of
17 these groups -- I mean, they wouldn't
18 have anything to do with a deck or a
19 minor extension.

20 And the bigger issues, to give
21 another example, when they were doing
22 the -- moving the Whole Foods building to
23 22nd and Spring Garden, I think everybody
24 that needed to know that knew it, you
25 know, these issue-based groups. It was

1 10/29/13 - RULES - BILL 130629, etc.
2 in the paper. And, again, they could
3 certainly go online very easily and get
4 it.

5 So I just was wondering why do
6 you think that -- doesn't this seem like
7 a little bit of an unnecessary burden to
8 applicants, to have to notify -- I'm all
9 for notifying community people, but
10 issue-based groups.

11 MR. JASTRZAB: You are correct
12 that there are multiple sources of
13 information about these various projects
14 that are available to anybody, any
15 citizen, any issue-based group, any RCO
16 that wants to pursue gathering
17 information about a particular project.
18 I think the City Planning Commission in
19 its vote did not want to disqualify any
20 particular group from being notified, and
21 in this day and age when most of the
22 issue-based RCOs are notified via e-mail,
23 it's essentially the push of a button to
24 notify them. So it was not considered by
25 the Commission to be an undue burden to

1 10/29/13 - RULES - BILL 130629, etc.

2 an applicant to provide that additional
3 notification.

4 COUNCILMAN GREENLEE: Okay.

5 But a couple that just moved in and have
6 to put on a small deck. I mean, they
7 don't have a lawyer. They're trying to
8 do what they could do. They have limited
9 time. I'm just using that as an example,
10 but I think there's tons of those around.
11 It just seems --

12 COUNCILWOMAN BLACKWELL: One
13 question, Mr. President.

14 COUNCILMAN GREENLEE: Okay.
15 You're making me Mr. President? Thank
16 you, Councilwoman. Just one -- let me
17 just finish and then I'll recognize you.

18 I'm just trying to think -- and
19 let me just ask one more question and
20 then I'll recognize Councilwoman
21 Blackwell as a followup to this.

22 What exactly do you have to do
23 to be an issue-based organization?
24 What's the qualifications to do that?

25 MR. JASTRZAB: An issue-based

1 10/29/13 - RULES - BILL 130629, etc.
2 organization primarily is citywide in
3 scope, although not necessarily, and the
4 application process is very similar.
5 Notifying an applicant doesn't have to
6 meet with issue-based RCOs, just provide
7 the notification. So it's really
8 strictly through the application process
9 that an RCO would identify themselves as
10 being neighborhood based or issue based.

11 COUNCILMAN GREENLEE: Okay.
12 All right. Let me recognize the
13 Committee first, in all fairness,
14 Councilwoman.

15 COUNCILWOMAN BLACKWELL: Then
16 we're not going by the rules, not on that
17 question with regard --

18 COUNCILMAN GREENLEE: You want
19 a followup?

20 COUNCILWOMAN BLACKWELL: All I
21 was saying -- that's right.

22 COUNCILMAN GREENLEE: Okay. Go
23 ahead.

24 COUNCILWOMAN BLACKWELL: My
25 point was for notification of RCOs and

1 10/29/13 - RULES - BILL 130629, etc.
2 notification of issue-based
3 organizations, all those issue-based
4 organizations are not interested in
5 all -- they don't care if somebody puts a
6 deck. They get notification. If it's
7 their issue, they attend the meeting. If
8 it isn't, they don't go. It's that
9 simple.

10 COUNCILMAN GREENLEE: Right.
11 And, again, I don't want to get into a
12 debate back and forth, but just for the
13 record, I think that is the point of
14 those of us who question the issue-based
15 organization's involvement, is that they,
16 I would say the majority of times, do not
17 have an interest in that. And for a
18 bigger applicant that has lawyers, it's
19 probably not that big a deal, but for the
20 example I used, and I think there's lots
21 of them, it's another burden of somebody
22 trying to do something very simple. But
23 anyway, we can disagree on that.

24 Councilwoman Tasco.

25 COUNCILWOMAN TASCO: What

1 10/29/13 - RULES - BILL 130629, etc.
2 prevents the Commission or some office in
3 the department to notify these issue
4 groups? Because how are we to know who
5 they are? Do you all give us a list and
6 someone has to maintain that list? It
7 seems to me that that should be your
8 responsibility. When the applicant
9 applies, then you notify the issue
10 groups.

11 MR. JASTRZAB: We do -- we are
12 the registrars of the RCOs and we do
13 maintain a list of those groups with
14 their contact information and other
15 relevant information. That information
16 is publicly available on the City's
17 website through L&I.

18 COUNCILWOMAN TASCO: It's like
19 this couple here, they don't -- the issue
20 is not relevant to a citywide group.

21 MR. JASTRZAB: In many cases
22 it's not. I agree.

23 COUNCILWOMAN TASCO: In 99
24 percent of the cases it's not.

25 MR. JASTRZAB: Yeah.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILWOMAN TASCO: So I'm
3 saying you're putting a burden on a
4 community organization, who may have
5 limited capacity to go out and try and
6 notify all of these groups about an issue
7 that doesn't pertain to them.

8 COUNCILMAN GREENLEE:
9 Councilman Kenney.

10 COUNCILMAN KENNEY: I just want
11 to add on. You stated earlier in your
12 testimony it's just a push of a button.
13 Well, why don't you push the button as
14 opposed to making the applicant push the
15 button? The information is still going
16 to get out to the people who you think
17 need to be notified, but why put the
18 burden on the applicant when you said
19 it's just a push of a button? Push the
20 button and send it.

21 MR. JASTRZAB: Well, if the
22 applicant is notifying the local RCOs
23 and --

24 COUNCILMAN KENNEY: I'm talking
25 about the issue-based groups. Why don't

1 10/29/13 - RULES - BILL 130629, etc.

2 you notify them.

3 MR. JASTRZAB: If the applicant
4 is also notifying local RCOs, I think the
5 Commission believed it was not
6 necessarily an undue burden for them to
7 add --

8 COUNCILMAN KENNEY: Well, then
9 it wouldn't be an undue burden for you.

10 MR. JASTRZAB: It would not.

11 COUNCILMAN KENNEY: If it's not
12 an undue burden for the applicant, it
13 wouldn't be an undue burden for you.

14 MR. JASTRZAB: That's true.

15 COUNCILMAN KENNEY: I mean, the
16 government has more wherewithal than the
17 applicant.

18 MR. JASTRZAB: And that's an
19 option.

20 COUNCILMAN KENNEY: Especially
21 the people that Councilman Greenlee is
22 talking about. I have no problem with
23 the applicant giving information to the
24 RCO, but the interest-based groups, if
25 you think they need to be involved, then

1 10/29/13 - RULES - BILL 130629, etc.
2 you involve them.

3 MR. JASTRZAB: That's certainly
4 an option.

5 COUNCILMAN GREENLEE: Thank
6 you, Councilman.

7 Councilman Henon.

8 COUNCILMAN HENON: Thank you,
9 Chairman.

10 In regards to issue-based RCOs,
11 and I certainly recognize their passion
12 and concern over certain interests, but
13 RCOs should focus specifically on
14 block-by-block issues and perspectives
15 when it comes to land use and land
16 development. It doesn't prevent any
17 issue-based group RCOs from testifying
18 and having standing in front of the
19 Zoning Board. It doesn't prevent them
20 and their rights and their voices to be
21 heard at any public hearing that the
22 local-based RCOs have, and they publicly
23 advertise and all the other community
24 meetings. So their voices will continue
25 to be heard in this legislative body, in

1 10/29/13 - RULES - BILL 130629, etc.
2 the community groups, and at the Zoning
3 Board of Adjustment, which is all open
4 and transparent, open to the public,
5 where their voices do have weight and
6 their concerns are heard.

7 So my belief is because of many
8 of the overlapping problems and issues
9 that we're not ready to tackle yet
10 because it's a very difficult one is that
11 we should concentrate on more of the
12 local and parochial RCOs that have
13 immediate impact on land development and
14 zoning use and regulations.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman.

17 And the record will reflect
18 Councilman Green, a member of the
19 Committee, is also present.

20 Councilman Goode.

21 COUNCILMAN GOODE: Thank you,
22 Mr. Chairman.

23 Good morning, Mr. Jastrzab.

24 MR. JASTRZAB: Good morning.

25 COUNCILMAN GOODE: In your

1 10/29/13 - RULES - BILL 130629, etc.
2 testimony you say it's the view of the
3 City Planning Commission that the changes
4 proposed in this bill will bring the RCO
5 system close to that model of organized
6 community input on development projects
7 that was intended by the Zoning Code
8 Commission.

9 What authority did the Zoning
10 Code Commission have and what authority
11 does it have now with regard to RCOs?

12 MR. JASTRZAB: Well, the Zoning
13 Code Commission was created to review and
14 analyze the old code and to make
15 recommendations for either modifying the
16 old code or creating a new code. So with
17 the help of nationally recognized
18 consultants, that Commission prepared a
19 new code, which was then enacted by City
20 Council and signed by the Mayor. It went
21 into effect in August of last year.

22 COUNCILMAN GOODE: The question
23 was one of authority.

24 MR. JASTRZAB: Yes. The Zoning
25 Code Commission was established through a

1 10/29/13 - RULES - BILL 130629, etc.
2 Charter amendment.

3 COUNCILMAN GOODE: To make
4 recommendations.

5 MR. JASTRZAB: And that
6 specific authority was to create RCOs.
7 It was implied, I think, in the Zoning
8 Code Commission's work.

9 COUNCILMAN GOODE: It had the
10 authority to make recommendations.

11 MR. JASTRZAB: Correct.

12 COUNCILMAN GOODE: That's it.

13 MR. JASTRZAB: Yes; to City
14 Council, correct.

15 COUNCILMAN GOODE: So it had no
16 real authority other than to make
17 recommendations.

18 MR. JASTRZAB: Yes.

19 COUNCILMAN GOODE: In the
20 next-to-last paragraph, you say the
21 purpose for creating registered community
22 organizations was to further assist in
23 the notification process for local
24 organizations. Whose purpose?

25 MR. JASTRZAB: I'm sorry.

1 10/29/13 - RULES - BILL 130629, etc.

2 Could you repeat the question.

3 COUNCILMAN GOODE: Whose
4 purpose?

5 MR. JASTRZAB: Whose purpose?

6 COUNCILMAN GOODE: Yes.

7 MR. JASTRZAB: I'll try to
8 answer your question. The purpose is to
9 involve -- to have an open and
10 transparent and very inclusive process
11 in --

12 COUNCILMAN GOODE: The question
13 was whose purpose.

14 MR. JASTRZAB: Whose purpose.
15 The City of Philadelphia's purpose.

16 COUNCILMAN GOODE: So you speak
17 for the City of Philadelphia.

18 MR. JASTRZAB: Well, I can
19 speak for the City Planning Commission.
20 I can't speak for the entire City, but I
21 think it's in the City's interest to have
22 an open and transparent process.

23 COUNCILMAN GOODE: And the City
24 Planning Commission makes recommendations
25 to the Mayor on legislative matters.

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. JASTRZAB: That is correct.

3 COUNCILMAN GOODE: Not to City
4 Council.

5 MR. JASTRZAB: Correct.

6 COUNCILMAN GOODE: So you're
7 speaking on behalf of the executive
8 branch.

9 MR. JASTRZAB: Correct.

10 COUNCILMAN GOODE: Thank you.
11 Thank you, Mr. Chairman.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 COUNCILWOMAN BLACKWELL:
15 Mr. Chairman?

16 COUNCILMAN GREENLEE:
17 Councilwoman Reynolds Brown.

18 (Appause.)

19 COUNCILWOMAN BROWN: Having
20 started my involvement in the community
21 right there in Mantua as a member of
22 Mantua Community Planners, I bring that
23 experience to this discussion, and what I
24 learned early on as a block captain is
25 one notice doesn't get you there. And so

1 10/29/13 - RULES - BILL 130629, etc.
2 when we consider -- and I shared this
3 particular concern with the sponsor of
4 the bill. When you consider concerned
5 citizens who are trying to put food on
6 the table, who want to be actively
7 engaged in the lives of their kids, who
8 are working hard, who care about the
9 community, who miss notices, what do we
10 do for families, what do we do for
11 grandmothers who are living alone who
12 care about what's happening on their
13 block and don't have a computer to be
14 connected to the important work that's
15 happening at the Planning Commission?

16 And so my voice is for those
17 citizens who care but, for reasons beyond
18 their control, are disconnected to
19 wanting to be involved in the improvement
20 of their block or their community or
21 their neighborhood.

22 And so whose recommendation was
23 it that it be one meeting? Was that the
24 Administration? Was that the Planning
25 Commission? Help me understand.

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. JASTRZAB: That was
3 originally a recommendation of the Zoning
4 Code Commission as part of the ordinance
5 that was submitted to City Council. It
6 required RCOs -- the meeting between an
7 applicant and RCOs only required one
8 meeting. It did not prohibit any
9 additional meetings from happening. And,
10 in fact, I think the staff of the
11 Commission would encourage --

12 COUNCILWOMAN BROWN: As many
13 meetings as necessary.

14 MR. JASTRZAB: -- a dialogue,
15 as many meetings as would be necessary,
16 but this was just a requirement that --

17 COUNCILWOMAN BROWN: Oh, at
18 least one meeting?

19 MR. JASTRZAB: At least one
20 meeting.

21 COUNCILWOMAN BROWN: Okay.
22 That clarity is very, very important.
23 And so the language says at least one
24 meeting, which suggests you can have 15
25 if it takes 15 to move to some type of

1 10/29/13 - RULES - BILL 130629, etc.
2 mutual resolution.

3 MR. JASTRZAB: Exactly.

4 COUNCILWOMAN BROWN: All right.
5 That clarity is important.

6 And you mention in your
7 testimony that -- how does -- what
8 protocols do you use to make yourself
9 available to RCOs? You go to their --
10 just walk me through that.

11 MR. JASTRZAB: We oftentimes
12 will have -- well, there are many, many
13 meetings that are occurring, but we will
14 oftentimes for large, somewhat
15 controversial kinds of projects, we will
16 often send a staff member to attend RCO
17 meetings. Our staff is also always
18 available via telephone call or e-mail to
19 discuss issues with community
20 organizations. I mean, as Councilmembers
21 know and members of the community should
22 know, we often bend over backwards to
23 work to help mediate disputes between
24 developers and community groups to try to
25 get the best development decisions

1 10/29/13 - RULES - BILL 130629, etc.
2 possible for the City. So we will send
3 staff members to RCO meetings and we're
4 always available to discuss.

5 COUNCILWOMAN BROWN: And where
6 is the involvement, engagement, awareness
7 of the District Councilperson?

8 MR. JASTRZAB: We're also in
9 very close consultation with the staffs
10 of the various Council offices on issues
11 like this. Eleanor Sharpe sitting here
12 with me today is the person on our staff
13 who is designated to help in that
14 process.

15 COUNCILWOMAN BROWN: And then,
16 finally, we know in the City that we have
17 X number of neighborhoods. You have some
18 very highly sophisticated RCOs who are
19 very savvy about what that world means
20 and then you have emerging RCOs and those
21 who have been around for a minute who are
22 learning to be engaged in the process in
23 the way that you have prescribed.

24 So what technical assistance do
25 you provide to RCOs who may not be as,

1 10/29/13 - RULES - BILL 130629, etc.
2 quote, sophisticated as others across the
3 City?

4 MR. JASTRZAB: Well, when we
5 were originally registering RCOs, the
6 process was a little bit daunting and
7 maybe confusing to some groups, and our
8 staff worked very closely with groups to
9 help them in the registration process.
10 As I mentioned before, we're always
11 available by telephone or e-mail to talk
12 to organizations. So if an organization
13 is just starting up, maybe not very
14 experienced in dealing with issues of
15 this manner, doesn't understand the
16 Zoning Code, they just need to give us a
17 call, and we're more than happy to work
18 with them to educate.

19 COUNCILWOMAN BROWN: Move them
20 along.

21 MR. JASTRZAB: To move them
22 along, yes.

23 COUNCILWOMAN BROWN: So what
24 that answer suggests to me is there's no
25 uniform checklist, if you will, that you

1 10/29/13 - RULES - BILL 130629, etc.
2 can give to any RCO across the City and
3 say at the minimum these particular
4 criteria need to be met or at least help
5 you move to a place where you can be a
6 part of the new legislation that's put
7 before us. Is that fair to say? Is
8 there a uniform packet that you give to
9 an RCO and say, Go through these
10 particular steps?

11 MR. JASTRZAB: I wouldn't
12 say -- I would say not yet. It's not in
13 a form that's probably as user friendly
14 as it could be. We have agency
15 regulations that kind of describe what
16 materials a developer must submit to the
17 City Planning Commission staff in
18 reviewing an application. Those
19 regulations are publicly available,
20 but --

21 COUNCILWOMAN BROWN: But that's
22 for developers. I'm more concerned about
23 the constituency that's going to be
24 potentially most impacted, RCOs, emerging
25 RCOs. Is there a uniform application,

1 10/29/13 - RULES - BILL 130629, etc.
2 for lack of a better word, that says A,
3 B, C, D, E, F, G, X, Y, Z must be done,
4 period?

5 MR. JASTRZAB: We can certainly
6 help to --

7 MS. SHARPE: To register as a
8 current RCO, we have an application
9 process that -- and there's staff
10 available always to walk an applicant
11 through what the process is. So there
12 is -- we don't have a handout for it, but
13 there is requirements on our website --
14 again, on our website -- of what those
15 applications and what the criteria is to
16 qualify as a Registered Community
17 Organization.

18 COUNCILWOMAN BROWN: So the
19 technical assistance is provided as
20 needed; it's not provided as a
21 requirement?

22 MR. JASTRZAB: But I think what
23 you're suggesting is a good idea, though.
24 We could probably prepare a user-friendly
25 one-sheet handout that we could provide

1 10/29/13 - RULES - BILL 130629, etc.
2 to RCOs kind of describing the process in
3 more detail and all of the critical
4 points in the development process so they
5 would understand that better.

6 COUNCILWOMAN BROWN: My final
7 comment would be, given the apprehension
8 that is clear in this room and even with
9 some members of this Committee, if you
10 want to minimize apprehension, then
11 ensure by way of some, what I call,
12 standard operating procedures are in
13 place so that at least there is an effort
14 for an even playing field.

15 MR. JASTRZAB: Yes.

16 COUNCILWOMAN BROWN: Thank you
17 for your testimony.

18 COUNCILMAN GREENLEE: Thank
19 you, Councilwoman.

20 Councilman Green.

21 COUNCILMAN GREEN: Thank you,
22 Mr. Chairman.

23 Let's go back in time a little
24 bit before the Zoning Code Commission, on
25 which I served, provided its

1 10/29/13 - RULES - BILL 130629, etc.
2 recommendations to City Council in terms
3 of this particular issue. There was --
4 so a few short years ago, there was no
5 requirement in the law that RCOs be met
6 with by a developer. It was practice to
7 suggest it, to ask the question, but we
8 in the law put in place a requirement
9 that they meet with RCOs. What this
10 amendment amending the previous amendment
11 on this point does, in my view -- and I'd
12 like you to talk about this -- it creates
13 the very thing that we are trying -- that
14 the Zoning Code Commission was put in
15 place to create, which is an efficient,
16 transparent process. Every RCO gets
17 notice. Every RCO gets a meeting. It's
18 one meeting. And every RCO is then on
19 notice that they come to the Planning
20 Commission. They're aware of the issue.
21 They've been briefed by the developer.

22 Why did we put in place this --
23 could you talk about the policy behind
24 putting this in the law in the first
25 place to make sure everything is being

1 10/29/13 - RULES - BILL 130629, etc.
2 done is transparent and known by the
3 community and then, secondly, why we said
4 one meeting. What were the policy
5 rationales behind all this?

6 MR. JASTRZAB: I think you're
7 correct, Councilman. Prior to the new
8 Zoning Code being enacted, there was no
9 requirement in law for applicants to meet
10 with community organizations, although
11 that was practice. That was the culture.
12 And what this new code does with the RCO
13 requirement and the requirement for at
14 least one required meeting is to really
15 formalize the process that had existed
16 but was not mandated. And I think that
17 in the past, for sophisticated community
18 organizations, they would demand that
19 developers meet with them, and they would
20 usually get those meetings and there
21 would be a negotiation process. For
22 other groups that may be just starting up
23 or less sophisticated, there was no such
24 requirement, and sometimes they would be
25 passed by when a big development project

1 10/29/13 - RULES - BILL 130629, etc.
2 was proposed for their neighborhood.

3 This requirement of the code
4 requires that Registered Community
5 Organizations be notified that something
6 is happening in their neighborhood, and
7 we regarded that as a very good thing for
8 the development process in this city.

9 COUNCILMAN GREEN: But from
10 the -- that is true from the transparency
11 side and inclusiveness side in terms of
12 getting everybody's viewpoint. What was
13 the policy rationale behind having one
14 meeting and have it be 30 days?

15 MR. JASTRZAB: To provide some
16 predictability and efficiency for the
17 developer's side of the table as well.
18 So they could -- requiring at least one
19 meeting would give them the ability to
20 say to a community organization, The law
21 is requiring us to meet within this
22 certain period, so I can get on with my
23 process just as you want information
24 about a particular development.

25 COUNCILMAN GREEN: Thank you.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Councilman.

4 Councilwoman Tasco.

5 COUNCILWOMAN TASCO: Does the
6 law say that the requirement is that you
7 have at least one meeting?

8 MR. JASTRZAB: One meeting is
9 required, but it does not prohibit
10 additional meetings if both parties
11 desire to meet.

12 COUNCILWOMAN TASCO: Well, I
13 think that if you said at least one
14 meeting, because it leaves the door open,
15 because some of the developers don't want
16 to meet with them again. At least so if
17 the issue is not resolved, it doesn't
18 mean that they can't have another
19 meeting, because some of these people
20 interpret that as I only have to have one
21 meeting with you.

22 MR. JASTRZAB: There is -- the
23 code requires one meeting between the
24 parties.

25 COUNCILWOMAN TASCO: Couldn't

1 10/29/13 - RULES - BILL 130629, etc.
2 you change it and say at least one
3 meeting?

4 MR. JASTRZAB: Well, I mean,
5 that would have to be an amendment to the
6 bill.

7 COUNCILWOMAN TASCO: See, you
8 all -- and I appreciate what you do. You
9 make these decisions based on where you
10 sit. We look at this stuff as we deal
11 with it every day and some of these
12 applicants we deal with every day, and
13 some of them are hostile, especially in
14 the neighborhoods, and as you said, we
15 may not be as sophisticated as folks
16 downtown, but we know what we want in our
17 neighborhood. And so at least one
18 meeting, and if they require more, they
19 have to come to the meeting.

20 MR. JASTRZAB: Well, one of the
21 other reasons for requiring one meeting
22 is because in order for a Zoning Board of
23 Adjustment hearing to proceed or in order
24 for a Civic Design Committee meeting to
25 proceed, that meeting has to occur in

1 10/29/13 - RULES - BILL 130629, etc.
2 advance of the ZBA hearing or the CDR
3 committee meeting, and those
4 organizations -- those bodies as well as
5 the developer needs to know that they can
6 proceed with the application by
7 satisfying the requirement for one
8 meeting. It does not prohibit additional
9 meetings, additional dialogue, but it
10 does not require that.

11 COUNCILWOMAN TASCO: All I'm
12 saying to you in all practicality, the
13 interpretation will be that they'll only
14 have to meet with the community one time,
15 and in some instances, more time, we've
16 had in my neighborhood we had to meet
17 again. We were able to do that, but what
18 if I had an obstinate developer who said,
19 Well, I met with you, I met my
20 requirement, I'm going down to the Zoning
21 Board, we'll kick it out down there,
22 instead of trying to resolve the issue
23 with the community and go there either to
24 oppose or -- so I think the word "at
25 least" softens it, opens the door for the

1 10/29/13 - RULES - BILL 130629, etc.
2 RCO to say, Look, we weren't really
3 satisfied with what you presented. I
4 think we need to have another discussion
5 and blah, blah, blah. For some reason,
6 it snowed and I got ten, five people and
7 I know that there are 50 people who need
8 to be here.

9 MR. JASTRZAB: Developers that
10 are more sophisticated, more enlightened,
11 in a sense, will meet with community
12 organizations more than one time to
13 resolve issues like that. I'm aware of a
14 few developers of major projects that
15 have been proposed that are engaging in
16 very intensive and inclusive neighborhood
17 processes to help them do the best
18 developments they can.

19 COUNCILWOMAN TASCO: Well, I
20 understand that, and that's in those
21 areas particularly downtown near Center
22 City, but you get into a neighborhood
23 where there's a project being proposed
24 for somebody who wants to convert a
25 single house to a duplex and there's

1 10/29/13 - RULES - BILL 130629, etc.
2 opposition and the same attitude towards
3 the concern of the neighbors is not
4 respected like you have in some other
5 neighborhoods, because those folks in
6 other neighborhoods know they're not
7 going to get their project if they don't
8 satisfy that group. Same thing in the
9 neighborhoods. We just have to fight
10 harder. I got Marion Johnson.

11 But in any case, I think that
12 we ought to not leave them off the hook,
13 because we run into some with attitudes
14 and when they get to the Zoning Board,
15 they understand why we asked for another
16 meeting when they lose and don't feel
17 like working out the issue with the
18 community. So I hope you take that into
19 consideration.

20 COUNCILWOMAN BLACKWELL:

21 Mr. Chairman --

22 COUNCILMAN KENNEY: I just have
23 a followup.

24 COUNCILMAN GREENLEE:

25 Councilman Kenney first asked for a

1 10/29/13 - RULES - BILL 130629, etc.
2 followup.

3 COUNCILMAN KENNEY: I just have
4 a followup. This affects the entire
5 City. As an at-large member, it doesn't
6 impact me directly on an everyday basis,
7 but for the ten District Councilpeople,
8 it is something that is their kind of
9 bread and butter, lifeblood of what goes
10 on in their districts. So all of them
11 are pretty much aware of any application
12 or any desire for a zoning change, a
13 variance or some project approval. Is
14 that fair to say?

15 MR. JASTRZAB: Yes.

16 COUNCILMAN KENNEY: I don't
17 know one in all the years I've been there
18 that didn't care about it, didn't pay
19 attention to it.

20 You have a list, I assume, of
21 all the RCOs, correct?

22 MR. JASTRZAB: Correct.

23 COUNCILMAN KENNEY: And you
24 have a list of all the issue-based
25 organizations?

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. JASTRZAB: Correct.

3 COUNCILMAN KENNEY: So why

4 don't you just notify all of them? If

5 you're looking -- part of this whole

6 procedure we're going through now is to

7 make it more predictable and more

8 streamlined and more dependable for the

9 developer, which we understand.

10 Development is hard to do in a city like

11 this because of lots of issues. So if

12 you're concerned about making it easier

13 or -- not easier; more streamlined, more

14 dependable for them, take it away from

15 them and you do it. The Planning

16 Commission --

17 (Applause.)

18 COUNCILMAN KENNEY: What we're

19 doing here is, internally in this body,

20 we're starting to pit members against

21 each other based on a desire to get

22 development done as streamlined and

23 effective and transparent as possible,

24 people who are concerned about protecting

25 their particular districts and

1 10/29/13 - RULES - BILL 130629, etc.
2 neighborhoods that sometimes -- a lot of
3 times don't get the attention that they
4 get in Northern Liberties or in South
5 Philly or other places. So why don't you
6 just take the responsibility of notifying
7 everybody you think you need to notify
8 and then the notification is done.

9 MR. JASTRZAB: Well, I think
10 the point of the code is to place the
11 burden on the applicant.

12 COUNCILMAN KENNEY: But you're
13 trying to put -- that's not what you're
14 saying here. What you're saying here is
15 you're trying to make the applicant's
16 life or procedure process more
17 dependable, more transparent, and less
18 burdensome. Take that burden away from
19 them and you take the responsibility for
20 notifying everybody, and we're all done.
21 Everybody is happy.

22 COUNCILWOMAN BLACKWELL:
23 Mr. Chairman, may I speak?

24 COUNCILMAN KENNEY: Unless you
25 can give me a reason why you can't do

1 10/29/13 - RULES - BILL 130629, etc.
2 this. I mean, you have the bulk of
3 information. You have the computers.
4 You have the postage stamps. Just
5 notify. The applicant still has to post
6 the property. I mean, you got to put the
7 orange zoning notice up. You got to do
8 your thing. Every District Councilperson
9 will call their groups and say, What do
10 you think.

11 But if you're looking for
12 official notice on a predictable,
13 streamlined, transparent basis, let the
14 Planning Commission notify everybody
15 involved and we're all out of here.

16 (Applause.)

17 MR. JASTRZAB: Well, the way
18 we're currently staffed, that would place
19 a tremendous burden on our staff.

20 COUNCILMAN KENNEY: You said
21 all you had to do was push a button.

22 MS. SHARPE: It's also beyond
23 our staffing. We don't have the level of
24 information that an applicant does to
25 send the information out to the required

1 10/29/13 - RULES - BILL 130629, etc.
2 people.

3 COUNCILMAN KENNEY: My point
4 is, how do you know that a project is
5 being planned? You have to have
6 information on what they're planning to
7 do.

8 MS. SHARPE: The Planning
9 Commission doesn't get all the -- only
10 looks at certain cases that goes to ZBA
11 when it requires a variance. Not every
12 single case comes through the Planning
13 Commission. So the applicant
14 sometimes --

15 COUNCILMAN KENNEY: But is
16 there a database that's available to you
17 to peruse to see what's going on?

18 MR. JASTRZAB: Those
19 notifications actually come through the
20 Department of Licenses and Inspections to
21 us.

22 COUNCILMAN KENNEY: Do they
23 come regularly or no?

24 MR. JASTRZAB: Pardon?

25 COUNCILMAN KENNEY: Do they

1 10/29/13 - RULES - BILL 130629, etc.

2 come on a regular, dependable basis?

3 MS. SHARPE: They come a few
4 days before the Zoning Board meeting.

5 COUNCILMAN GREENLEE: You say
6 "a few days"? Speak into the microphone.

7 MS. SHARPE: Sorry. Our
8 notification at the Planning Commission
9 is also once the cases have gone through
10 L&I before it gets to the ZBA. I think
11 we get it a week before the ZBA meeting.

12 MR. JASTRZAB: Yes. And for
13 Civic Design Review, usually --

14 MS. SHARPE: So we don't have
15 the capacity to do that.

16 MR. JASTRZAB: Civic Design
17 Review is much more of a process of the
18 City Planning Commission. It's a
19 function of the City Planning Commission.
20 We're notified by L&I usually two weeks
21 in advance of a meeting so we can get an
22 item on the agenda for Civic Design
23 Review. For the ZBA appeals, of which
24 there are a thousand a year, we
25 oftentimes will not receive those

1 10/29/13 - RULES - BILL 130629, etc.
2 notifications until a week before the
3 hearing itself. So the developer, the
4 applicant or the developer, who is
5 appealing a decision by L&I to the Zoning
6 Board of Adjustment has much more
7 information about the details of a
8 particular project than we do.

9 COUNCILMAN KENNEY: But that's
10 like the Penrose Property example. I
11 mean, they're world-renowned developers
12 of senior housing and other types of
13 housing. They know what the rules are,
14 but how about the guy who wants to do the
15 apartment building in North Philly by
16 Temple? He's doesn't or she's doesn't
17 necessarily have the wherewithal or even
18 the interest of notifying the neighbors
19 around.

20 MR. JASTRZAB: Well, all
21 applicants are -- as L&I reviews their
22 plans and either gives them an approval
23 or a refusal, they're notified by L&I
24 that they must contact the RCOs as part
25 of the application process.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN KENNEY: How soon
3 after the refusal do they get notified?

4 MR. JASTRZAB: Within seven
5 days of the refusal from L&I, a developer
6 must notify the RCOs, within seven days.

7 COUNCILMAN KENNEY: Then why
8 can't you be notified within seven days
9 of the refusal? I mean, if they're
10 notifying the developer, all they have to
11 do is send another letter or another
12 e-mail to you. I mean, communication
13 between agencies is like a big problem in
14 this government.

15 MR. JASTRZAB: Although part of
16 that notification process is also for the
17 developer to arrange a meeting with the
18 RCOs, which is something that we're not
19 really a party to. We'll send staff to
20 those meetings once they're arranged, but
21 we're not responsible for setting those
22 meetings up.

23 COUNCILMAN KENNEY: Every
24 District Councilperson in this body will
25 notify their RCOs, because they know who

1 10/29/13 - RULES - BILL 130629, etc.
2 they are. But if you're looking for
3 formal notification, I don't see why you
4 guys can't do it. I really don't. I
5 mean, if this is what you want and this
6 is what you're doing to try to streamline
7 and make more dependable and more
8 transparent the development process in
9 the City, which I applaud, you notify
10 them.

11 MR. JASTRZAB: It is our
12 opinion that that burden more properly is
13 placed on the applicant, on the Zoning
14 Board applicant.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Let me recognize --

18 COUNCILWOMAN BLACKWELL:
19 Mr. Chairman, one question.

20 COUNCILMAN GREENLEE: Okay.

21 COUNCILWOMAN BLACKWELL: All
22 right. This issue is one we don't have
23 to have. It seems to me that all we have
24 to do is amend the legislation to include
25 what Councilman Kenney has just said.

1 10/29/13 - RULES - BILL 130629, etc.

2 All we -- I mean, there are about 23
3 issue-based RCOs in the whole doggone
4 city. All they have to do is send
5 notice. If we amend this legislation to
6 say that City Planning Commission
7 notifies the issue-based RCOs, who don't
8 even have a vote, then we don't have this
9 issue to discuss. All we have to do is
10 to amend this legislation.

11 And on this issue --

12 (Applause.)

13 COUNCILWOMAN BLACKWELL: If you
14 will turn to Page 5 in the new draft
15 amendments, if you will turn to Page 5,
16 you will see in the middle of that page
17 where they say the District Councilperson
18 whose district includes the subject
19 property may convene one additional
20 meeting. If you look at the rest of that
21 paragraph in brackets toward the end, you
22 will see -- now, remember, all of this
23 legislation that existed was agreed to by
24 the Mayor's Office, his representatives
25 from the Law Department, and my office

1 10/29/13 - RULES - BILL 130629, etc.
2 with me and staff. All of this now, they
3 are changing. This is City Planning and
4 the Mayor's legislation.

5 Look at the bottom where it
6 says the District Councilperson, the
7 Commission, and the Zoning Board may
8 determine that there will be a single
9 meeting with all registered organizations
10 or a separate meeting.

11 So they changed the language,
12 "or a separate meeting with each
13 Registered Community Organizations within
14 the 45-day period." They changed it to
15 allow one meeting. They took out the
16 rest that everybody can agree whether
17 there should be more meetings. Who are
18 they to decide what communities should be
19 heard and what communities shouldn't?

20 (Applause.)

21 COUNCILWOMAN BLACKWELL: So I
22 would like them to respond to that about
23 that, and I would also like them to
24 respond to the fact that, because there's
25 no reason why they can't send out 23

1 10/29/13 - RULES - BILL 130629, etc.
2 notices, that we should not amend the
3 bill as per Councilman Kenney's request
4 and his important statement.

5 Also, they talk about
6 suspending the status of an RCO for a
7 period of one calendar year if they don't
8 notify people. What if the applicant
9 doesn't notify people? How are you going
10 to punish them? You're not dealing with
11 that. You're only trying to punish the
12 community organizations.

13 (Applause.)

14 COUNCILWOMAN BLACKWELL: What
15 if the applicant doesn't do right? What
16 will you do with him? What are you going
17 to do?

18 MR. JASTRZAB: If the applicant
19 doesn't provide the notification and have
20 the required meeting with the RCO, their
21 application can't proceed. They cannot
22 have a --

23 COUNCILWOMAN BLACKWELL: Well,
24 where is that in writing? Where is that
25 in writing? You put in writing that you

1 10/29/13 - RULES - BILL 130629, etc.
2 want to suspend RCOs for a year. Where
3 do you have in writing what happens to
4 the applicant if they don't do their
5 part?

6 MR. JASTRZAB: Well, that's --

7 COUNCILWOMAN BLACKWELL: No.
8 You don't have it any place, I know that.

9 MR. JASTRZAB: It's actually in
10 the code. They cannot have a hearing
11 before the Zoning Board of Adjustment
12 and/or they cannot have a meeting of the
13 Civic Design Review Committee until they
14 give that notification and have the
15 meeting with the RCO. So their
16 application is essentially suspended
17 until they comply with the notification
18 requirement and the meeting.

19 COUNCILWOMAN BLACKWELL: We
20 want to see that in writing, because all
21 of that is not here. It is obvious that
22 the City Planning Commission got together
23 and decided to write legislation that
24 would allow the City Planning Commission
25 and the developer to run our city and its

1 10/29/13 - RULES - BILL 130629, etc.
2 neighborhoods, but you're not elected to
3 do that. We are. We have a right to
4 work with communities and decide what
5 happens.

6 (Applause.)

7 COUNCILMAN GREENLEE:

8 Mr. Jastrzab, if I could ask, could you
9 find that in the code. I don't know if
10 somebody has the ability to do that now
11 or if you could get that to me and I'll
12 distribute it to everybody.

13 MR. JASTRZAB: We can certainly
14 get it to you. It is in the code. It's
15 a requirement of the code.

16 COUNCILMAN GREENLEE: I think
17 it's -- hold it. First of all, please no
18 shouting out. We're going to be here for
19 a while and everybody has the right to
20 speak when they're at the microphone.

21 But, yeah, if you could get
22 that to me as soon as possible so we
23 could look at that language, I'd really
24 appreciate it.

25 MR. JASTRZAB: We'd be happy to

1 10/29/13 - RULES - BILL 130629, etc.

2 do that.

3 COUNCILMAN GREENLEE:

4 Councilman Henon.

5 COUNCILMAN HENON: Just for
6 point of clarity, this could be very
7 complicated and confusing when you talk
8 about notifications. So are you saying
9 that from the Planning Commission's
10 perspective, it's difficult to notify any
11 of the -- now, we're talking about
12 overlapping RCOs only; is that correct?

13 MR. JASTRZAB: We're really
14 talking about any RCOs, local or
15 issue-based.

16 COUNCILMAN HENON: So let me --
17 I just want a little point of clarity.
18 So walk me through the process. So an
19 applicant walks in, gets a refusal, you
20 need a variance or whatnot, and they need
21 to set up a meeting with an RCO. The
22 applicant, per my amendment, the
23 applicant needs to coordinate a meeting
24 with an RCO if there's overlapping --
25 well, needs to coordinate a meeting

1 10/29/13 - RULES - BILL 130629, etc.
2 period anyway, but in the case of overlap
3 of RCO, needs to -- they have seven days
4 after refusal, as you say, to set up a
5 meeting with an RCO.

6 MR. JASTRZAB: Seven days to
7 notify the RCOs, 45 days in which to have
8 the community meeting.

9 COUNCILMAN HENON: So are you
10 saying it's difficult to notify RCOs that
11 an applicant has set a meeting if a
12 meeting hasn't been set; is that correct?

13 MS. SHARPE: Say that again.

14 MR. JASTRZAB: Please repeat.

15 COUNCILMAN HENON: Can the
16 Planning Commission notify the RCOs after
17 a meeting has been established?

18 MS. SHARPE: Unless we're in
19 the loop.

20 MR. JASTRZAB: If we're in the
21 loop and we're notified by the developer
22 and/or the RCO that a meeting has been
23 convened between those two parties.

24 COUNCILMAN HENON: So if the
25 meeting has been convened, you have the

1 10/29/13 - RULES - BILL 130629, etc.

2 ability to notify the overlapping RCOs?

3 MR. JASTRZAB: Yes.

4 COUNCILMAN HENON: Because I

5 think that's part of the conversation

6 that has been taking place here. So you

7 have that --

8 MR. JASTRZAB: Yes. Once we

9 know that a meeting has been set up

10 between the developer and the RCOs, we

11 can further notify people that

12 something -- that there's a community

13 meeting scheduled.

14 COUNCILMAN HENON: Will you do

15 that if the changes were made as a result

16 of this conversation?

17 MR. JASTRZAB: We can do that.

18 It's an administrative burden to us.

19 We're not staffed to do that, but we can

20 do that.

21 COUNCILMAN HENON: Will you do

22 that?

23 MR. JASTRZAB: Yes.

24 COUNCILMAN HENON: Thank you.

25 COUNCILMAN KENNEY: Councilman

1 10/29/13 - RULES - BILL 130629, etc.

2 Green.

3 Oh, I'm sorry, your light
4 wasn't on. Councilwoman Tasco.

5 COUNCILWOMAN TASCO: In your
6 testimony on Page 1, you talk about --
7 maybe I misunderstand this.

8 MR. JASTRZAB: I'm sorry,
9 Councilmember. I can't hear you too
10 well.

11 COUNCILWOMAN TASCO: I'm sorry.
12 On Page 1 of your testimony, you began
13 the paragraph with, Bill No. 130657 also
14 streamlines the process for notifying the
15 community about proposed development
16 projects. Under this bill, the applicant
17 must provide written notice to each
18 affected RCO and the City Planning
19 Commission within seven days of filing.
20 And under the bill, applicants and
21 individual RCOs will no longer be
22 required to provide additional notice to
23 multiple adjacent properties on the nine
24 block faces closest to the development
25 site.

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2 So you're saying that only the
3 people who are in the immediate proximity
4 of the project are notified even though
5 that situation or the request may have
6 impact on more than just that area?

7 MR. JASTRZAB: The bill as
8 introduced eliminated the requirement for
9 the notification of -- additional
10 notification for the immediate neighbors.
11 I understand that there have been
12 amendments that have been discussed that
13 would restore that.

14 COUNCILWOMAN TASCO: Okay.

15 Is that right, Councilman?

16 COUNCILMAN KENNEY: Councilman
17 Henon.

18 COUNCILMAN HENON: For
19 clarification, restores -- when CDRC is
20 triggered, it restores the existing
21 neighborhood notification, which is
22 multiple blocks all surrounding the
23 project. It does not eliminate -- also
24 does not eliminate the notifications of
25 the immediate neighbors on anything that

1 10/29/13 - RULES - BILL 130629, etc.

2 isn't triggered by --

3 COUNCILWOMAN BLACKWELL: That's
4 not true.

5 COUNCILMAN HENON: -- by CDRC.
6 The applicant is responsible. Many of
7 the RCOs, it was a little bit hard for
8 them, both financially and as a volunteer
9 organization, to notify a lot of
10 neighbors door to door. So the applicant
11 is responsible for notifying the block
12 face that has the immediate impact of the
13 development.

14 So, yes, notification with CDRC
15 is restored. That's in the amendment.
16 And notification to the immediate
17 neighbors, the onerous is on the
18 applicant.

19 COUNCILMAN KENNEY: Before I
20 recognize --

21 COUNCILMAN HENON: To notify
22 the neighbors.

23 COUNCILWOMAN TASCO: But that's
24 still within the parameters of the --

25 COUNCILMAN HENON: That's just

1 10/29/13 - RULES - BILL 130629, etc.
2 within the parameters of the proposed
3 development. But they also, in addition
4 to that, the RCO will publicly announce
5 and advertise their meeting that they
6 have convened for the neighborhood in the
7 impacted development.

8 COUNCILWOMAN TASC0: All right.

9 COUNCILMAN KENNEY: Before I
10 recognize Councilman Green, just a
11 followup on this question. I keep on
12 coming back to the same theme. Why don't
13 you just contact the District
14 Councilperson and say, Who do you want us
15 to notify about this meeting? Which
16 groups in your district do you want us to
17 notify? And then use either the water
18 bill addresses or the real estate tax
19 addresses and notify them, and this way,
20 the District Councilpeople, they're
21 plugged in. They know who is affected by
22 this particular senior citizen project up
23 in East Falls, and they'll tell you who
24 to notify, and then they have the meeting
25 and people all come. Why is it --

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2 MR. JASTRZAB: Well, I mean,
3 the point is that we're often not parties
4 to each and every Zoning Board appeal or
5 application for a zoning permit. That's
6 a function of L&I.

7 COUNCILMAN KENNEY: Why aren't
8 you? You're our Planning Commission.
9 Shouldn't you know what's being planned?

10 MR. JASTRZAB: Yes, but as
11 people apply for zoning permits and
12 they're refused by L&I because they don't
13 meet the Zoning Code, that decision then
14 is appealed to the Zoning Board of
15 Adjustment, and we will oftentimes make a
16 staff recommendation at the hearing
17 itself, but we're not notified of each
18 and every appeal of --

19 COUNCILMAN KENNEY: Could you
20 be?

21 MR. JASTRZAB: -- a zoning
22 permit.

23 COUNCILMAN KENNEY: Could you
24 be? I could tell you for sure the
25 District Councilpeople know which

1 10/29/13 - RULES - BILL 130629, etc.
2 projects are being appealed in their
3 districts.

4 See, I think part of the
5 problem here is, honestly, it's one of
6 this philosophy that somehow District
7 Council and Council in general, you want
8 them involved, but you really don't want
9 them involved. It's kind of like we
10 recognize you've been elected, we
11 recognize your organizations, but you
12 know what, we really don't want you
13 involved.

14 MR. JASTRZAB: Councilman, I
15 don't agree with that. It's not that we
16 don't. We just see that that burden of
17 notification should really be placed on
18 the applicant, on the person applying for
19 the project.

20 COUNCILMAN KENNEY: But if the
21 applicant's activity, the applicant's
22 investment, the applicant's project is
23 good for the City and good for the tax
24 base, why wouldn't that be your
25 responsibility as opposed to the

1 10/29/13 - RULES - BILL 130629, etc.
2 applicant? If that's who you're trying
3 to streamline and get through the process
4 in a more dependable way, then that
5 should be the service provided by the
6 City, not by the applicant.

7 MR. JASTRZAB: We are trying to
8 bring these two parties together so they
9 can --

10 COUNCILMAN KENNEY: You can
11 bring them together by notifying people.
12 Councilman Green.

13 COUNCILMAN GREEN: I yield to
14 Councilmember Bass, if that's okay.

15 COUNCILMAN KENNEY:
16 Councilwoman Bass.

17 COUNCILWOMAN BASS: Thank you.
18 Hi, Gary, how are you?

19 MR. JASTRZAB: Good morning.

20 COUNCILWOMAN BASS: I just have
21 a question for you. You just stated that
22 you thought that the applicant was better
23 to do the notification, and I just can't
24 imagine that you can't see that there
25 could be a conflict of interest in that.

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. JASTRZAB: The applicant is
3 the developer coming to the City asking
4 for permission to build something.

5 COUNCILWOMAN BASS: Correct.

6 MR. JASTRZAB: So I don't
7 believe that it's a conflict to have that
8 applicant notify the community
9 organization as well that something --
10 that I'm proposing a project in your
11 neighborhood; therefore, I'm notifying
12 you this is what I'd like to do, let's
13 get together and talk about it and see if
14 we can't come to an agreement, and
15 hopefully you would support my project.

16 COUNCILWOMAN BASS: I can tell
17 you, I don't know how many times per day,
18 per week when I get requests from
19 developers who want to put things in my
20 district that people don't want, and if
21 they had any way to go around the process
22 and get away with it, they would do it.
23 They would absolutely do it.

24 (Applause.)

25 COUNCILWOMAN BASS: And so

1 10/29/13 - RULES - BILL 130629, etc.
2 asking these same people to now embrace
3 the community and make sure that they are
4 a fully informed community, when that's
5 not their interest at all, their interest
6 is strictly about the development project
7 at hand. And so I --

8 MR. JASTRZAB: But,
9 Councilwoman, their project cannot
10 proceed until they give that notification
11 and have the community meeting. So it's
12 in the applicant's interest to do the
13 notification and to hold --

14 COUNCILMAN GREENLEE: Hold,
15 please.

16 MR. JASTRZAB: -- to hold the
17 meeting, because the Zoning Board will
18 not hear their case if that meeting does
19 not occur and the Civic Design Review
20 Committee will not hear that case if the
21 meeting has not occurred.

22 COUNCILWOMAN BASS: So what's
23 the penalty right now? Let's say if an
24 applicant was supposed to notify the
25 community and did not and basically

1 10/29/13 - RULES - BILL 130629, etc.
2 implied that they had before the Zoning
3 Board and got a favorable outcome for
4 their project, what would be the penalty
5 or the --

6 MR. JASTRZAB: The Zoning
7 Board -- when it became apparent at the
8 Zoning Board of Adjustment hearing --

9 COUNCILWOMAN BASS: I'm talking
10 about after the hearing.

11 MR. JASTRZAB: But the hearing
12 would not happen. The Zoning Board --
13 the members of the Zoning Board of
14 Adjustment would ask, should be asking,
15 Have you notified the community, have you
16 had the meeting with the RCO. If the
17 developer or the RCO says, No, we never
18 had a meeting, that case would be
19 continued. They would not be allowed to
20 proceed.

21 COUNCILWOMAN BASS: My question
22 is, what if the developer does not say
23 no? Because I can tell you of a specific
24 case offline of someone who came
25 through -- who did not come through our

1 10/29/13 - RULES - BILL 130629, etc.
2 office, but who implied that they did,
3 and what a problem it was, because they
4 did receive a favorable outcome and it
5 was not in line with what the community
6 wanted.

7 So these things do happen, and
8 I think we need to be cognizant of that
9 and we should not be offering this
10 opportunity for a developer to engage
11 when we know that they're really not
12 interested in engaging. They're
13 interested in their project, and we need
14 to be clear on that, what their interest.
15 It's not always about community. It's
16 about their specific project.

17 (Applause.)

18 COUNCILWOMAN BASS: And so I
19 just wanted to mention that.

20 The other thing that concerns
21 me in terms of RCOs and the developer
22 picking which RCO they want to do
23 business with, who they want to be
24 engaged with. In some areas, I have a
25 number of RCOs. I don't have as many, I

1 10/29/13 - RULES - BILL 130629, etc.
2 don't think, from what I'm hearing, as
3 some of the other District
4 Councilmembers, but in some areas I have
5 an RCO who really does have the potential
6 to be a powerhouse, for good or for bad
7 or for whatever that means, because they
8 have access to resources, they have more
9 affluent members, they have more savvy
10 lawyers and this and that, and so they
11 have all the resources they need to
12 really be that go-to RCO for a developer,
13 and what that means is that the
14 mom-and-pops who may have lived in the
15 neighborhood for 50 years, who are
16 operating a small RCO in their little
17 neighborhood, trying to keep it together,
18 they are completely left out in the cold.

19 (Applause.)

20 COUNCILWOMAN BASS: And so we
21 need to -- I just really want us to be
22 very thoughtful about what it is that we
23 are offering to do and trying to do and
24 what the outcome of that is. For every
25 action, there's going to be some

1 10/29/13 - RULES - BILL 130629, etc.
2 reaction, and I'm concerned that we
3 haven't thought about the reaction enough
4 when we talk about this bill.

5 MR. JASTRZAB: So under the
6 current law -- I can speak a little bit
7 from experience with regard to the Civic
8 Design Review Committee. If there are
9 overlapping RCOs for a project that comes
10 to Civic Design Review, originally the
11 code tasked the Executive Director of the
12 City Planning Commission, me currently,
13 to make that decision about who the
14 coordinating RCO would be, and in the
15 role of the City Planning Commission as
16 kind of mediator between groups and
17 developers, we saw that as an appropriate
18 role. When there were multiple RCOs,
19 when there was -- when that kind of
20 coordination had to occur, that we would
21 at that point be willing, in consultation
22 with the Councilperson's office, to
23 designate who the RCO -- what RCO would
24 be seated on the Civic Design Review
25 Committee, and I think that's an

1 10/29/13 - RULES - BILL 130629, etc.
2 appropriate role for the Commission.

3 COUNCILWOMAN BASS: And I have
4 to say I disagree with you, because I
5 know my district and I know who is
6 engaged in projects, who has a specific
7 concern, an issue, an area. These are
8 things that I am dealing with on a daily
9 basis, and so for you to feel that it's
10 okay for you to appoint the RCO -- I'm
11 sorry; not appoint, but to work with the
12 developer to make the recommendation in
13 consultation with us, I just think
14 it's -- again, I don't think that it is
15 an appropriate role.

16 MR. JASTRZAB: But I think the
17 City Planning Commission staff can serve
18 more effectively as kind of a mediator
19 when these kind of disputes come up.
20 And, of course, we would not do that in a
21 vacuum. We'd talked to the parties.
22 We'd talk to the Councilmember's office
23 to see if we couldn't come to a consensus
24 on who would be seated on the Civic
25 Design Review Committee for that

1 10/29/13 - RULES - BILL 130629, etc.
2 particular case.

3 Now, that hasn't actually
4 happened. The Zoning Code was amended
5 that would allow the seating of up to two
6 RCOs, and that has happened in a couple
7 of cases through Civic Design Review, but
8 it hasn't come up in a whole lot of cases
9 where we've had to make that decision.
10 But what I'm offering is that the City
11 Planning Commission staff could step in
12 at a point where there is a dispute about
13 who the main RCO should be and we could
14 assist with trying to resolve that.

15 COUNCILWOMAN BASS: Okay. I
16 know that you mentioned earlier that you
17 were limited in resources in terms of
18 your staff, so I just wonder if it's an
19 appropriate use of your time and
20 expertise and your resources at the City
21 Planning Commission. So I think we'll
22 just agree to disagree a little bit.

23 MR. JASTRZAB: Okay.

24 COUNCILMAN GREENLEE: Thank
25 you, Councilwoman.

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2 Before I recognize Councilman
3 Green, I just want to remind the
4 Committee and all Councilmembers we have
5 about 20 at least people who want to
6 testify here. So we want to get all our
7 questions answered, but we want to move
8 on to hear the public too.

9 Councilman Green. Then
10 Councilman Squilla has had his light on
11 for about an hour, and then Councilman
12 Henon, Councilwoman Blackwell.

13 Councilman Green.

14 COUNCILMAN GREEN: I'm fine.

15 COUNCILMAN GREENLEE:

16 Councilwoman Tasco too.

17 You're through? Okay.

18 Councilman Squilla. I didn't forget
19 about you, sir.

20 COUNCILMAN SQUILLA: Thank you.

21 I have a couple questions too, because
22 during the process, it was one way at one
23 time and then we had changed it. And
24 then what had happened was in my district
25 specifically, we had RCOs that came up

1 10/29/13 - RULES - BILL 130629, etc.
2 made up of one person, RCOs that were
3 made up of just two people, and they
4 start popping up all over the place.

5 My question is on -- it says
6 the RCOs has a leadership chosen by the
7 body at-large on Page 2, No. 8. I guess
8 it's the second paragraph there. What
9 does that mean?

10 MS. SHARPE: I think the
11 intention there was that it would be an
12 elected body, elected board from the body
13 of the RCO, the Registered Community
14 Organization. So whoever constitutes the
15 makeup of the registered community group,
16 they would elect representatives that
17 represent their interests.

18 COUNCILMAN SQUILLA: So as a
19 single person that's an RCO, I could
20 elect myself?

21 MR. JASTRZAB: Obviously that
22 wouldn't be the intention. The intention
23 of this bill is to enhance the criteria
24 for RCO qualifications. So groups that
25 have -- groups that are dealing on a

1 10/29/13 - RULES - BILL 130629, etc.
2 regular basis with planning, zoning, land
3 development issues, groups that hold open
4 public inclusive meetings, groups that
5 have bylaws would be those that would be
6 registered. The intention that somebody
7 who is declaring themselves to be an RCO
8 would probably not be qualified, would
9 not be registered as an RCO.

10 COUNCILMAN SQUILLA: But they
11 could according to this. I mean,
12 leadership chosen by the body. So, I
13 mean, what happened in my specific
14 instance, I had a couple neighbors that
15 didn't agree with the RCO. So what they
16 did was -- it was just two of them --
17 they formed their own RCO, got approved,
18 and now they are going against the
19 community group. And this enables that
20 to happen in a way that they have -- they
21 pick boundaries and they said we have no
22 bylaws, but they have a community
23 organization. They're a volunteer group
24 and they want to get involved in zoning.

25 So I'm saying, this is not what

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2 we intended it to do, but yet they're
3 able to do that and register and get
4 approved. So doesn't that also
5 complicate the matters, and how can we
6 prevent that from happening?

7 MR. JASTRZAB: The matter
8 certainly is complicated and we have seen
9 a lot of groups pop up and register as
10 RCOs that typically are not involved in
11 planning and zoning-related issues, ward
12 groups.

13 COUNCILMAN SQUILLA: We have
14 friends of playgrounds. I have parent
15 groups. I have parent school groups that
16 became RCOs.

17 MR. JASTRZAB: I think only by
18 enhancing the criteria by which a group
19 would be registered to make sure that
20 they're legitimate community groups that
21 represent their areas would this
22 confusion be eliminated.

23 COUNCILMAN SQUILLA: So you're
24 saying to maybe make this a little
25 different than what it is at this point

1 10/29/13 - RULES - BILL 130629, etc.
2 to alleviate that from happening in the
3 future?

4 MR. JASTRZAB: I mean, we
5 believe that this bill takes a step in
6 that direction by re-establishing
7 standards for RCOs that don't currently
8 exist in the law by requiring them to
9 have bylaws, by requiring them to have
10 open elections, documentation of their
11 public meetings, you know, in a way that
12 would show that they're really fulfilling
13 their responsibilities as community
14 representatives and aren't just
15 representing one person's opinion or a
16 couple of people's opinions.

17 COUNCILMAN SQUILLA: So they
18 would then actually represent the
19 community because they're elected by the
20 community or the people within the
21 community.

22 MR. JASTRZAB: That's the
23 theory, yes.

24 COUNCILMAN SQUILLA: But right
25 now it's not like that.

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2 MR. JASTRZAB: Correct.

3 COUNCILMAN SQUILLA: Okay.

4 Thank you.

5 COUNCILMAN GREENLEE: Thank
6 you, Councilman.

7 Councilman Henon.

8 COUNCILMAN HENON: When it
9 comes to -- what I wanted to also add,
10 that when it comes to notification, the
11 District Councilperson is also
12 notified --

13 MR. JASTRZAB: Correct.

14 COUNCILMAN HENON: -- for any
15 kind of zoning issues dealing with the
16 neighborhoods.

17 In addition, we're tweaking
18 this. I mean, it took four years for the
19 Zoning Code changes to be put in place,
20 and we're over a year into it. So we're
21 tweaking it along the way, what works,
22 what doesn't work, and there are a lot of
23 issues that remain when it comes to
24 clarity, framework, guidelines, and
25 regulations that give a clear direction

1 10/29/13 - RULES - BILL 130629, etc.
2 for both the RCOs, neighborhood groups,
3 community at-large, as well as
4 applicants.

5 So as we go through this
6 process, things are going to change along
7 the way. Just like we had yesterday, you
8 had a Land Bank that came out of
9 committee that has been worked on for a
10 long, long time. Most of the community
11 groups are in favor of that. There's
12 going to be tweaks and changes to that
13 along the way. And here we are, we have
14 to make tough decisions to make it
15 better, make Philadelphia more
16 responsible, and make it clearer as far
17 as guidelines for the community groups as
18 well as the applicants.

19 I am not happy at all about the
20 applicant and their role in this, but
21 after eight scenarios and very
22 complicated and complications with
23 overlays, again, aside from doing away
24 with overlays, which I personally do
25 not -- I don't like the overlays, but

1 10/29/13 - RULES - BILL 130629, etc.

2 there goes something that I'm not willing
3 to address right now. So we're trying to
4 make it better as we go along.

5 So this continued process and
6 input is extremely important. We're not
7 going to get a perfect bill here. I
8 don't think anybody is looking -- I don't
9 think there is a perfect bill, and I'm
10 not happy with it, but I believe this is
11 the best that we can do as far as changes
12 when it comes to respecting the community
13 groups and --

14 (Audience members talking.)

15 COUNCILMAN GREENLEE: Come on,
16 come on, come on. Hold up. Everybody
17 will have their chance to comment when
18 they come up to the microphone.

19 Are you through, Councilman?

20 COUNCILMAN HENON: Yes.

21 COUNCILMAN GREENLEE:

22 Councilwoman Blackwell has had her light
23 on for a while, so Councilwoman.

24 COUNCILWOMAN BLACKWELL: Thank
25 you. I know we have many people to hear,

1 10/29/13 - RULES - BILL 130629, etc.
2 and we're happy to do that, but I am
3 hopeful that this Committee has seen
4 enough questions regarding this
5 legislation that the Committee will hold
6 up so that we may be able to make it
7 better. There are many things we can
8 work on that would improve what is. It
9 may seem to be perfect, but I don't think
10 it's as perfect as it can be. I think
11 maybe if the Committee were to meet,
12 there are many conflicts, many
13 inconsistencies, many questions, and we
14 can make it better. Remember, this
15 legislation came out of the Zoning
16 Commission. We didn't create it. We
17 didn't create RCOs. We were all fine
18 working in our district with orange neon
19 signs and the Zoning Board. We didn't
20 create it.

21 (Applause.)

22 COUNCILWOMAN BLACKWELL: They
23 created all this. They created RCOs, and
24 they got angry at the process they
25 created and said for us to straighten it

1 10/29/13 - RULES - BILL 130629, etc.

2 out and they came up with all this
3 nonsense.

4 So I think if we were to hold
5 it up, there are many of us who are
6 really, really interested, the Committee
7 and many other people are interested in
8 making it better, and if the Committee
9 would consider that, then maybe we'd come
10 back with something that is more
11 favorable to all sides.

12 (Applause.)

13 COUNCILWOMAN BLACKWELL: That's
14 my request.

15 COUNCILMAN GREENLEE: I
16 understand, Councilwoman. In fairness to
17 the people that are going to be
18 testifying on both sides of the issue, so
19 I think we at least want to hear them
20 before we make any decision on what we
21 should do.

22 COUNCILWOMAN BLACKWELL:
23 Always.

24 COUNCILMAN GREENLEE:
25 Councilwoman Tasco.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILWOMAN TASCO: I'll just
3 wait.

4 COUNCILMAN GREENLEE: Okay.
5 I'd like to kind of move forward, so
6 thank you.

7 COUNCILWOMAN TASCO: Don't let
8 them leave, though. They have to stay.

9 COUNCILMAN GREENLEE: Could you
10 stay, because there may be questions that
11 come up, or at least some of you could
12 stay.

13 MR. JASTRZAB: Yes.

14 COUNCILMAN GREENLEE: Because
15 there might be questions you have to come
16 back up on.

17 MR. JASTRZAB: Thank you.

18 COUNCILMAN GREENLEE: Thank you
19 very much.

20 Ms. Marconi, could you call the
21 first panel to come up and then the panel
22 behind that so that they can sit in these
23 chairs inside so we could keep moving.

24 And let me emphasize, there's a
25 lot of people, and in fairness to the

1 10/29/13 - RULES - BILL 130629, etc.
2 people who have been waiting a long time,
3 I want to try -- listen up, please. I'm
4 going to stick to this three-minute rule.
5 So please be prepared to just speak for
6 the three minutes.

7 Ms. Marconi.

8 THE CLERK: To the panel, Anne
9 Fadullon and Beth McConnell. In the
10 chairs, Madeline Shikomba, LaVerne
11 Johnson, and Victoria Fernandez.

12 COUNCILMAN GREENLEE: If those
13 last three people could just sit in the
14 chairs inside to be ready to go next.

15 (Witnesses approached witness
16 table.)

17 COUNCILMAN GREENLEE: Thank you
18 everybody in here for your patience.

19 Ms. Fadullon, I think your name
20 is first, so why don't you identify
21 yourself and proceed, please.

22 MS. FADULLON: Sure. My name
23 is Anne Fadullon. I'm Vice President of
24 the Building Industry Association, which
25 represents the region's residential home

1 10/29/13 - RULES - BILL 130629, etc.
2 builders, residential contractors and
3 suppliers. I should probably also
4 mention I'm the developer/builder
5 representative on the Civic Design Review
6 Committee.

7 We would like to thank Chairman
8 Greenlee and the members of the Rules
9 Committee for allowing us to testify on
10 proposed changes to the Registered
11 Community Organization procedures in the
12 Zoning Code.

13 The BIA was the first
14 organization to come to Council almost a
15 decade ago and ask for modernization of
16 the Zoning Code, and we helped make that
17 idea a reality with several of our
18 members on the Zoning Code Commission.
19 We're proud of our part initiating,
20 working on, and pushing for this critical
21 reform.

22 Certainty must be the watch
23 word for a fair zoning system fit for a
24 modern Philadelphia. The best way to
25 attract additional investment in our

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2 strapped but growing city is to provide
3 those who want to participate with a
4 stable, coherent process. The new
5 modernized code seeks to offer that
6 certainty by replacing the problems of
7 the old code with comprehensive rules and
8 fixed procedures. While the new process
9 may be imperfect, its clear requirements
10 make the system workable for all parties.

11 Too often in the past a
12 developer would pursue a project in good
13 faith, trying to work with the neighbors
14 and elected officials to gain support and
15 only at the last minute find out that
16 there was just one or more groups that
17 they should have been speaking with.
18 Bill No. 130657 introduced by Councilman
19 Henon allows for a more certain and
20 coherent RCO process by allowing for one
21 coordinated meeting with organizations
22 who may be truly affected by the project
23 being proposed. The current process
24 allowing for more than one community
25 hearing and the possibility of having

1 10/29/13 - RULES - BILL 130629, etc.
2 different hearings with different groups
3 creates too much uncertainty and
4 incohesiveness. As Councilmembers know
5 better than anyone, the best way to get
6 an issue resolved is to have all parties
7 in the room at the same time.

8 Any good developer wants to
9 build something that is supported by the
10 community, but developers need to know
11 when their outreach is done, so we
12 respectfully ask that Council support
13 Bill No. 130657. One community hearing
14 with all of the RCOs for each project
15 present is the best way to ensure that
16 all perspectives are heard and responded
17 to.

18 The members of the Building
19 Industry Association look forward to
20 continuing the dialogue we have with
21 Council about how to best support and
22 facilitate meaningful development in the
23 City of Philadelphia.

24 Thank you for your
25 consideration.

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2 COUNCILMAN GREENLEE: Thank
3 you, Ms. Fadullon.

4 Ms. McConnell, and then if
5 anybody has any questions. Please
6 identify yourself.

7 MS. McCONNELL: Good afternoon,
8 Chairman Greenlee and other members of
9 the Committee. My name is Beth
10 McConnell. I'm the Policy Director at
11 the Philadelphia Association of Community
12 Development Corporations, PACDC.
13 Councilman Henon, thank you for your
14 leadership in introducing Bill No.
15 130657, and Councilwoman Blackwell, I
16 want to acknowledge your leadership over
17 the years on this issue as well. I
18 submitted longer written testimony. I'm
19 going to skip through it in the interest
20 of time.

21 Many CDCs are developers, so we
22 interact with RCOs from that perspective.
23 CDCs -- actually more than 30
24 organizations that define themselves as
25 CDCs are also RCOs. So we interact with

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2 the process from that perspective. And
3 for those reasons, we think the
4 experiences of CDCs allows to bring a
5 perspective that balances the needs of
6 developers, community organizations, and
7 neighborhood residents.

8 Although well-intentioned, the
9 current rules that require both
10 developers and RCOs to separately flyer
11 and provide notice to every property and
12 occupant on multiple block faces is
13 nearly impossible for either party to
14 comply with. For those reasons, we
15 support the language that removes the
16 requirement that RCOs distribute physical
17 notices to surrounding properties.

18 We do understand that the bill
19 has been amended to keep in place the
20 notice requirements on developers.
21 Although these notice requirements are
22 difficult even for the best-intentioned
23 developers to meet, we do think it's
24 important for some physical notice be
25 provided to area residents, but would

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2 welcome a more streamlined process than
3 what the amended bill prescribes.

4 CDCs also recognize the
5 challenges that developers face in trying
6 to meet the needs of community
7 stakeholders who at times have competing
8 visions for their neighborhoods. While
9 we recognize there is no
10 one-size-fits-all process that's going to
11 work for every development and project,
12 we see the language in the bill that
13 requires one meeting where all points of
14 view can be heard as the only way to
15 balance the needs of RCOs and developers.
16 But I want to add, I think all RCOs
17 should be included, not just the one that
18 the developer prefers. The language that
19 was amended into the bill that allows for
20 the District Councilperson to convene a
21 second meeting is a fair compromise. We
22 urge Councilmembers to use that process
23 judicially to avoid confusion and
24 complication among the various
25 stakeholders and again point out, and

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2 Councilwoman Reynolds Brown pointed out,
3 that nothing precludes applicants from
4 engaging in ongoing communication and
5 dialogue with community stakeholders
6 beyond fulfilling the obligations in the
7 bill.

8 We also, though, believe that
9 strict requirements regarding which
10 organizations can qualify as an RCO would
11 exclude far too many organizations. We
12 don't fully understand the implication of
13 limiting it to 20,000 parcels, and I
14 think you need more information to know
15 if that would work. But the bill in
16 terms of requiring that RCOs have a
17 leadership chosen by the body at-large,
18 that would eliminate many, if not all,
19 CDCs from being RCOs. It is not uncommon
20 for leadership, including Board members,
21 to be recruited based on their
22 professional experiences or
23 subject-matter expertise.

24 The bill also eliminates the
25 category of issue-based RCOs. We

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2 understand that there's a burden on
3 applicants to notify a large number of
4 RCOs that have a limited interest in the
5 project, but we urge with you, as
6 discussed, to work with the Planning
7 Commission and L&I to find some middle
8 ground, common everyday technology such
9 as e-mail or RSS feeds --

10 COUNCILMAN GREENLEE: If I
11 could ask you to wrap up, please.

12 MS. McCONNELL: We should be
13 able to facilitate that process for
14 communication between issue-based RCOs.

15 We also think the penalty is
16 too severe in terms of submitting meeting
17 notes. We would urge you to strike that
18 language, and if there is an insistence
19 to keep that in, to give the Planning
20 Commission more discretion and
21 enforcement.

22 COUNCILMAN GREENLEE: I'm going
23 to have to call your time.

24 MS. McCONNELL: Thank you.

25 COUNCILMAN GREENLEE: Thank

1 10/29/13 - RULES - BILL 130629, etc.

2 you.

3 Councilman Kenney.

4 COUNCILMAN KENNEY: Real quick.

5 BIA in favor of this bill as is?

6 MS. FADULLON: Yes.

7 COUNCILMAN KENNEY: CDCs in
8 favor of this bill as is?

9 MS. McCONNELL: Not as is.

10 COUNCILMAN KENNEY: BIA
11 members, in any project that you're aware
12 of that your members were involved in or
13 are involved in that needed a variance or
14 zoning change or some approval, have they
15 ever done it without the involvement of
16 the District Councilperson?

17 MS. FADULLON: Not if they are
18 intelligent developers.

19 COUNCILMAN KENNEY: That's a
20 good answer. So the District
21 Councilperson you interface with tells
22 you or suggests that you have a meeting
23 on a certain date. Your architect comes,
24 your engineers come, your lawyers come,
25 and you present to the community.

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2 MS. FADULLON: Correct.

3 COUNCILMAN KENNEY: And then
4 the District Councilperson, Councilman
5 Squilla or Councilwoman Blackwell, says,
6 You know what, I got another group we got
7 to meet with, just do me a favor and meet
8 with them too, because then I'll be able
9 to figure out what to do. And you'll
10 meet with them, right?

11 MS. FADULLON: We meet with
12 them.

13 COUNCILMAN KENNEY: You'll meet
14 with them.

15 MS. FADULLON: Yeah.

16 COUNCILMAN KENNEY: So I don't
17 understand -- I really don't understand
18 what this bill is supposed to do, since
19 you understand what the process is now,
20 you follow their directions in order to
21 get the thing moving and get it -- as
22 opposed to trying to do it without
23 approval. I don't really -- I still am
24 confused as to what it is we're all
25 arguing about. I mean, the developer has

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2 to put up an orange sign for a zoning
3 notice, right? People in the
4 neighborhood see it and they start the
5 buzz and they call him or they call
6 Councilwoman Tasco and they say, They
7 want to do this, what's going on, and
8 they convene a meeting.

9 I don't see how you make that
10 process any better than what it is. And
11 on controversial projects, you're going
12 to have a long extended controversial --
13 casinos, you're going to have a long
14 extended -- if it's a senior citizens
15 residence, probably it's going to be one
16 meeting.

17 So I don't think you can put
18 every single project in one box and
19 address it all the same way. I really
20 don't. I think that each individual
21 neighborhood is different. The
22 involvement/engagement of community
23 members are different in every
24 neighborhood. Some of them are more
25 active than others. There's other

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2 issues. There's other social issues that
3 come into play when neighborhoods are
4 changing. I think you have to do it on a
5 case-by-case basis, and as much as you
6 try to streamline it, I think in the end
7 you're cutting people out or -- you're
8 not. People will be cut out. Even
9 though it's annoying, and I'm not a
10 District Councilperson, so I don't have
11 to live with the annoyance, but I still
12 think in the end, the more you try to box
13 this, the less effective it's going to
14 be. Just my opinion.

15 (Applause.)

16 COUNCILMAN GREENLEE: Thank
17 you.

18 Councilwoman Tasco.

19 COUNCILWOMAN TASCO: I agree
20 with Councilman Kenney, because as I
21 listen, I get the sense that we're
22 talking about big projects downtown or
23 somewhere, Northern Liberties, but when
24 you get to our neighborhoods, it's
25 different. And so you can't make one

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2 size fit all. You have to be sensitive
3 to the issues in the neighborhood. And I
4 think the gentleman from City Planning
5 said the ward committee shouldn't be
6 involved. Well, that's the only thing I
7 have. I don't have a community with a
8 lot of neighborhood groups. I got one,
9 and I selected the ward to do it because
10 they're organized, they're block
11 captains, they go to church, they know
12 their neighbors, they know where they
13 live. They are involved in their
14 community. So politics doesn't get in
15 it. We just call the meeting.

16 So I don't need to have
17 restrictions put on my ability to
18 communicate with my constituents through
19 the process that we've developed. I got
20 one RCO in an area with 25,000 people.
21 One. I didn't have ten. So I think that
22 we need to look at the diversity of the
23 City and the issues that are associated
24 with those neighborhoods. And it may be
25 a little more complicated, but you're not

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2 going to find one size fit all, because I
3 have to protect the community I
4 represent, and I want their involvement.
5 And we don't have some of the big box
6 projects. What we have are conversions,
7 single families converting to duplexes or
8 triplexes, and that's as important to us
9 as having a big developer coming in. And
10 then you run into some of these --

11 (Applause.)

12 COUNCILWOMAN TASCO: You run
13 into some of these New Yorkers who come
14 into Philadelphia, buy these properties,
15 and next thing you know, they're
16 converting them. And they don't even get
17 permits. They just start. And then we
18 got to go in and fight them to keep them
19 out or to make them stop, and it's very,
20 very difficult.

21 So it's not -- as Councilman
22 Kenney said, one size does not fit all.
23 You all have to recognize that you live
24 in a diverse city, diverse neighborhoods,
25 different communities with different

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2 problems, and this is not going to
3 address all the issues that we in my
4 neighborhood have to deal with.

5 COUNCILMAN GREENLEE: Thank
6 you.

7 COUNCILWOMAN TASCO: So from
8 that perspective, I will be looking at
9 this bill as it impacts on not just the
10 9th District, because I pretty much know
11 all the areas of the City of
12 Philadelphia, what happens the same thing
13 in the 8th or Maria Quinones. So we have
14 similar problems. We're not downtown.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Councilman Squilla.

18 COUNCILMAN SQUILLA: Thank you,
19 Mr. Chairman. And I can see the
20 differences in different districts and
21 how they work. So every district is a
22 little different, but the RCOs were
23 actually put in I think with the new
24 Zoning Code, that it took five years of
25 planning and they went through and they

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2 did this whole process and study and they
3 came up with this plan, and then they had
4 to put in place supposedly to streamline
5 things and make it better. And now, I
6 mean, I hear one person supports it, one
7 person wants some changes, but the
8 changes that you want and you say that to
9 have leadership chosen by a body of an
10 RCO, we just heard from the Planning
11 Commission that it would be pretty simple
12 to be chosen by a body, yet you don't
13 want that language in there. I don't
14 understand that.

15 MS. McCONNELL: So we have
16 existing CDCs that have been around for
17 decades maybe in some cases, and their
18 Board isn't necessarily elected by the
19 people in the community. They may be
20 chosen because they have expertise --

21 COUNCILMAN SQUILLA: It doesn't
22 say that.

23 MS. McCONNELL: Well, if the
24 bill is amended to require that they're
25 elected by the body at-large, when you

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2 have existing organizations whose Board
3 is not elected by the body at-large will
4 be excluded. So the body at-large -- I
5 mean, how you define what the body
6 at-large is is probably a question the
7 Planning Commission would have to grapple
8 with if that was adopted, at least in the
9 rules and the adopting regulations. But
10 if you take a typical CDC, for example,
11 that has a Board that may include
12 architects, may include planners, may
13 include average community folks, who
14 would elect them is questioned, and is it
15 all the people in the surrounding area?
16 CDCs don't always necessarily have
17 members per se that either pay dues or
18 join in any particular way.

19 COUNCILMAN SQUILLA: I think as
20 long as they represent the community, if
21 they represent the interest of the
22 community. If we have groups that are
23 out that just represent themselves, then
24 it's a problem. So I think we need to
25 make sure that they are representing the

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2 interests of the community. And us as
3 Councilmembers know the community groups
4 out there that are interested in what's
5 best for the community and what they want
6 to see. To have certain restrictions
7 doesn't make it a problem as long as we
8 know -- I mean, as Councilmembers, you
9 know who are the ones interested. To
10 have some just pop up out of the blue for
11 a specific reason because they didn't
12 agree with the RCO or they didn't agree
13 with the community on something and
14 become their own, that creates even more
15 of a problem. So what you would do is by
16 taking some of the restrictions away, you
17 make it --

18 COUNCILMAN GREENLEE: Please.
19 Please.

20 COUNCILMAN SQUILLA: You make
21 it work.

22 So you would rather have that
23 where you would have anybody become RCOs
24 and then -- I don't see how that would
25 benefit this process.

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2 MS. McCONNELL: So I think you
3 raise a lot of fair points that it's
4 messy and a really democratic process is
5 messy, and there are going to be multiple
6 voices that are going to disagree and
7 it's going to be difficult. Exactly what
8 the right balance is to strike in terms
9 of legitimate community organizations
10 that represent the community -- and I
11 think the situation that you're grappling
12 with, Councilman Squilla, I don't know
13 the exact right path, but I just want to
14 raise the point that if we require that
15 the organizations, as a condition of
16 being qualified as an RCO, that the
17 leadership be elected, we are going to
18 exclude from that organizations that have
19 been in communities for a very, very long
20 time and that do have strong community
21 support but have a Board that just wasn't
22 elected by anyone in particular.

23 COUNCILMAN SQUILLA: Okay.

24 Well, I appreciate your opinion on that.

25 COUNCILMAN GREENLEE: Thank

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2 you.

3 Thank you both very much.

4 Ms. Marconi, you want to call
5 the next group and then the group after
6 that that can come up.

7 THE CLERK: Madeline Shikomba,
8 LaVerne Johnson, Victoria Fernandez.

9 COUNCILMAN GREENLEE: Please
10 come to the table.

11 THE CLERK: Rashid Khabir,
12 Islam Sharif, and Andrew Dalzell.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GREENLEE: If they
16 could sit inside, if they're here, in the
17 black chairs inside so we keep moving as
18 quickly as possible.

19 Ms. Shikomba, please identify
20 yourself and proceed.

21 MS. SHIKOMBA: My name is
22 Madeline Shikomba representing North of
23 Washington Avenue Coalition, the
24 issue-based organization. And this is?

25 MS. JOHNSON: LaVerne Johnson.

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2 MS. SHIKOMBA: The current
3 legislation proposed is aimed at reducing
4 RCOs in the City. It's doing so without
5 trying to understand the problem, the
6 huge upsurge in RCOs due to the fact that
7 many people feel they have to be an RCO
8 to be a recognized organization. They do
9 not realize that RCOs is only dealing
10 with zoning. And this has not been made
11 clear by CPC. CPC need to hold some kind
12 of symposium to inform people that they
13 don't need to be an RCO to be a valid
14 organization for the City. And that's
15 our suggestion, CPC gets together with
16 the various organizations in the City and
17 RCOs and explain to them that we are only
18 dealing with zoning, not any other issue,
19 and they were created by Zoning Board to
20 deal with zoning issues.

21 Secondly, requiring the common
22 procedures and requirements of asking
23 that a single location within the
24 geographic area which the Registered
25 Community Organization designates the

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2 center point of the area, and that an
3 address and location at which the RCO
4 routinely conduct meetings and such other
5 as for it may be required by regulation
6 of the Commission. This imposes a
7 hardship. Most groups do not have a
8 routine area where they hold meetings.
9 They hold meetings when they can. Why?
10 Because it costs money to occupy a place.
11 So they switch around from place to
12 place. You are asking to have two
13 different locations, one for a center
14 location for whatever reason and two
15 where they routinely hold meetings. This
16 is out of the question, and this is
17 ridiculous. We should not have to have
18 two locations. For what purpose, I don't
19 even really know, and we are requesting
20 that this be removed. We should not have
21 two locations for anything.

22 The current legislation is
23 designed to do the same thing that
24 reaffirms the rules the CPC sought to
25 impose on RCOs which was so vehemently

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2 imposed because they were intrusive.
3 First, most organizations, especially
4 small ones, will not have a place where
5 they routinely hold their meetings, as I
6 already stated before. Can a group use a
7 home address as a center office? Would
8 this suffice? Because some of these are
9 local groups. That's what they do.
10 Also, this imposes extreme hardship on
11 RCOs, on existing RCOs, when you ask them
12 to set up these two different locations.

13 We are opposed to the attempt
14 to remove issue-based organizations. We
15 are an issue-based organization. Why?
16 Because we chose to be so. Because we
17 can address issues that the local RCO
18 does not want to address. Case in point,
19 we just had a meeting with a group in our
20 area that was fighting against a
21 developer. The local RCO did not address
22 their problem. We had to go to the ZBA
23 in full force, and now the project is on
24 hold. But that was because our group
25 with the Friends of Madison Square

1 10/29/13 - RULES - BILL 130629, etc.
2 interjected themselves into it and
3 presented opposition to this proposal,
4 which was supported by the local RCO.

5 Also, I don't know why Council
6 is so vehemently opposed against
7 issue-based. In listening to the
8 comments today, it seems like it's more
9 personal than a viable reason that's
10 being given. I mean, I never heard such
11 distasteful or disdain for an
12 issue-based. I have no reason to
13 understand.

14 COUNCILMAN GREENLEE:
15 Ms. Shikomba, I need you to wrap up,
16 please.

17 MS. SHIKOMBA: Okay. What you
18 say?

19 COUNCILMAN GREENLEE: I need
20 you to wrap up, three minutes.

21 MS. SHIKOMBA: Also, there's no
22 appeal process. If RCOs are denied the
23 right to be an RCO, there's no appeal
24 process.

25 Right now we are recommending

1 10/29/13 - RULES - BILL 130629, etc.
2 that City Council be provided with a list
3 of all RCOs who are being rejected. They
4 should give the name of the group denied,
5 the reason for the denial, the area that
6 they wish to serve, and the Council
7 District that they are located in. And
8 this not just -- this will be on all RCOs
9 that are being created. They should be
10 given a list to the Councilpeople.

11 COUNCILMAN GREENLEE: All
12 right. Ma'am, I got to call time on you.
13 Okay?

14 Ms. Johnson.

15 MS. JOHNSON: I just wanted to
16 forward my time over to --

17 COUNCILMAN GREENLEE: No, no.

18 MS. JOHNSON: I can't do that?

19 COUNCILMAN GREENLEE: If you'd
20 like to speak, you can. If not...

21 MS. JOHNSON: No.

22 COUNCILMAN GREENLEE: All
23 right. Thank you both. Thank you both
24 very much.

25 Next.

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2 THE CLERK: Rashid Khabir,
3 Islam Sharif, and Andrew Dalzell. And
4 then behind the rails, David Goldfarb,
5 Raed Nasser, and Charles Hallowday.

6 COUNCILMAN GREENLEE: The last
7 three please come up in back here in the
8 black chairs in front of the railing and
9 be ready to go, please.

10 (Witnesses approached witness
11 table.)

12 COUNCILMAN GREENLEE: Whoever
13 would like to go first. Hello? Whoever
14 would like to go first, please identify
15 yourself and proceed.

16 MR. SHARIF: My name is Islam
17 Sharif. I'm from a non-profit group
18 GHETTO, Incorporated. We have a
19 non-profit group. It means Getting
20 Homes, Education, Technical Training, and
21 Equal Opportunity. I'm also representing
22 another non-profit group by the name of
23 Blind Faith 4U2, where I am the President
24 and CEO. But we're here to recognize and
25 bring forth this matter of the RCO

1 10/29/13 - RULES - BILL 130629, etc.
2 that -- we want to know and why is the
3 Zoning Board and the Planning Committee
4 is in cahoots with trying to eliminate a
5 process that hasn't been established by
6 the Philadelphia Charter, that the City
7 Council is the elected officials that
8 have been empowered and has been given
9 the authority to carry out our local
10 businesses, because we elected them. And
11 it's apparent that the Planning Committee
12 and the Zoning Board have taken a false
13 authority and want to provide favors and
14 buddy systems to people who they think is
15 warranted and guaranteed this process.

16 We have been fighting and
17 providing things in our community without
18 the Zoning Board help or assistance, when
19 the Zoning Board is really a facility to
20 guarantee that these things are done, not
21 carried out. If there's any discrepancy
22 that we have with zoning and with zoning
23 processes have to be rezoned or
24 reorganized in that process, then that's
25 the authority that they have from the

1 10/29/13 - RULES - BILL 130629, etc.
2 Charter, same as the Planning Committee.
3 These authorities given to the Board --
4 is given to you guys as reference to
5 carry out orders from the City Council.
6 And we see a large disparity of this
7 thing going forward, because we know that
8 we just went through a whole thing with
9 the Philadelphia School Board Reform
10 Committee and that they had taken charge
11 of being officials on that Board selected
12 by other state and city officials, that
13 the School Board wound up being a
14 skeleton staff and instituted to being
15 ruined. And this thing that we're going
16 through now, it's not broke and you guys
17 are trying to fix it.

18 I've been working with the
19 Philadelphia Association of Community
20 Development for the last seven years,
21 which I am a member, and to get on board
22 with them and then trying to find out
23 we're going to be curtailed or derailed
24 because it looks like someone else have
25 another plan that's not the actual plan

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2 set up for the community at-large is
3 really redundant.

4 But we just want to make our
5 voice known and heard that our City
6 Council, Jannie Blackwell, has done a
7 splendid job of carrying out these orders
8 and building so many, so many
9 different --

10 COUNCILMAN GREENLEE: Sir --

11 SHARIF: -- justice on our
12 community, and all the sudden it's like
13 it's -- you guys are saying it's broken.

14 COUNCILMAN GREENLEE: I
15 understand.

16 MR. SHARIF: I know. I thank
17 you. I appreciate you very much for
18 having me.

19 COUNCILMAN GREENLEE: Thank
20 you.

21 MR. SHARIF: You have a great
22 day.

23 COUNCILMAN GREENLEE: Thank
24 you.

25 MR. DALZELL: Thank you very

1 10/29/13 - RULES - BILL 130629, etc.
2 much, Chairman Greenlee and members of
3 Council for allowing me to testify this
4 morning. My name is Andrew Dalzell. I
5 work for the South of South Neighborhood
6 Association, a non-profit civic group and
7 RCO for the neighborhood of South Philly
8 bounded by South Street, Washington
9 Avenue, Broad Street, and the Schuylkill
10 River. Our organization's mission is to
11 improve the quality of life and serve as
12 a resource for residents and businesses
13 by actively encouraging and promoting
14 neighborhood activities and civic
15 involvement. We do this by focusing on
16 things like cleaning and greening,
17 community impact, economic development,
18 safety, and zoning, and our membership is
19 the phone book. Anybody who lives and
20 owns and runs a non-profit, runs a
21 business in our neighborhood is a member
22 of our organization. It's not based on
23 money. It's based on who lives and who
24 works and who owns in our community.

25 I definitely want to echo that

1 10/29/13 - RULES - BILL 130629, etc.
2 one size fits all probably does not work,
3 but I do think that this and our Board --
4 I'm here on behalf of our Board -- and
5 our Zoning Committee thinks that this
6 bill takes great strides to making it
7 better. I'm only talking about local
8 RCOs here. There's great issue-based
9 organizations that I believe should stay
10 in the process, and I see no reason why
11 they should be cut out in any way. But
12 when it comes to being a local RCO, I
13 think the key is when you say that you
14 represent the community, what gives you
15 that right to say that you represent the
16 community. You all have a great right to
17 say that, because you were elected by
18 everyone, but the community is -- the
19 word is batted about, and so what you all
20 need to know and what the City Planning
21 Commission needs to know and what the
22 applicant needs to know is when SOSNA
23 says that we represent the community, you
24 know with good confidence that we are, as
25 best as possible, representing our

1 10/29/13 - RULES - BILL 130629, etc.
2 community. And that's what I think this
3 bill really helps out. As written right
4 now, I could have started an RCO in the
5 hallway or in the elevator on my way up
6 with two friends, as Councilman Squilla
7 mentioned. And to register with the City
8 that you have a mission, that you have
9 regular meetings, that your body and your
10 leadership was elected by people who live
11 in the neighborhood or chosen by people
12 from the community, I think that's an
13 open and transparent process that any
14 community organization, if they want to
15 participate in the zoning process, which
16 is such an important role, is willing to
17 do, and it's not that onerous. I've
18 worked with Council staff. I've worked
19 with Planning Commission staff to get
20 through that stuff. And so I think that
21 is very important.

22 The RCO meetings, multiple RCO
23 meetings, we've demonstrated that it's
24 possible. It can be difficult. There is
25 disagreement. One RCO meeting may not be

1 10/29/13 - RULES - BILL 130629, etc.
2 the answer, but 12 RCO meetings might not
3 be the answer either, and meeting for two
4 hours and 45 minutes in someone's private
5 home that's not open to the full
6 community is a very big question mark.
7 And there's a sense sometimes that you
8 can have 25 meetings and that's going to
9 resolve an issue. Sometimes people just
10 agree to disagree, and that's why we have
11 the Zoning Board of Adjustment to make
12 that decision in the end.

13 I think it's great that there's
14 an attempt to improve this bill. We need
15 to make sure that everybody who is
16 impacted is noticed about a hearing. It
17 can't just be the people on a certain
18 block face. If you're doing a tall
19 building, the people who live behind you
20 need to know about that meeting as much
21 as the people who live beside you and,
22 similarly, across the street. So there's
23 certainly tinkering that needs to be done
24 in terms of notice, but I do think that
25 this bill takes great strides,

1 10/29/13 - RULES - BILL 130629, etc.
2 specifically on the local RCO front, to
3 make it better for everyone.

4 COUNCILMAN GREENLEE: Thank
5 you, sir. Just stay there a second.
6 Councilman Goode.

7 COUNCILMAN GOODE: Thank you,
8 Mr. Chairman.

9 Have you seen the amendments to
10 this bill?

11 MR. DALZELL: What's that?

12 COUNCILMAN GOODE: Have you
13 seen the amendments to this bill?

14 MR. DALZELL: I saw amendments
15 that were maybe sent around last night.
16 So please --

17 COUNCILMAN GOODE: SOSNA is an
18 RCO?

19 MR. DALZELL: SOSNA what?

20 COUNCILMAN GOODE: Is an RCO.

21 MR. DALZELL: It is.

22 COUNCILMAN GOODE: So do you
23 believe a developer or applicant should
24 have the right to choose an RCO other
25 than yours and meet with that group?

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. DALZELL: Say that again.

3 I'm sorry. I can't hear you.

4 COUNCILMAN GOODE: Do you
5 believe that a developer or an applicant
6 should be able to choose an RCO other
7 than SOSNA in your area and hold a
8 meeting with that group?

9 MR. DALZELL: Well, I certainly
10 have some questions about that myself. I
11 would maybe prefer if my District
12 Councilperson would select the RCO or
13 whether we could all get together.
14 That's why I said I support some parts of
15 this bill. I think it's a great step,
16 but not all parts.

17 COUNCILMAN GOODE: The
18 legislation says that the applicant or
19 developer gets to choose. And it cannot
20 choose SOSNA. It can choose another
21 group.

22 MR. DALZELL: They certainly
23 could not. I mean, there's certainly
24 questions that -- choosing who leads the
25 process I believe is a very tricky one,

1 10/29/13 - RULES - BILL 130629, etc.

2 and right now could be --

3 COUNCILMAN GOODE: The question
4 is, do you agree with that provision?

5 MR. DALZELL: I personally
6 don't agree with that provision, no.

7 COUNCILMAN GOODE: Thank you.
8 Thank you, Mr. Chairman.

9 COUNCILMAN GREENLEE: Thank
10 you.

11 Councilman Green.

12 COUNCILMAN GREEN: Thank you.

13 How would you feel if the
14 Planning Commission chose the --

15 MR. DALZELL: We have a great
16 relationship with Laura Spina and the
17 Planning Commission, so I'd be fine with
18 that too. Our Planning Commission,
19 District Council, I do think that the
20 applicant -- there's questions of
21 conflict of interest.

22 COUNCILMAN GREEN: I want to
23 note that no matter who is chosen as the
24 organizer, not the lead, they have no
25 other authority at that meeting other

1 10/29/13 - RULES - BILL 130629, etc.
2 than putting it together. No matter who
3 is chosen to organize a meeting with the
4 developer and the RCOs, all RCOs must be
5 invited to that meeting and ask any
6 questions they want.

7 MR. DALZELL: Of course. 100
8 percent. 100 percent.

9 (Applause.)

10 COUNCILMAN GREEN: Okay. So
11 really if it passed even in this current
12 form, SOSNA would be there and would have
13 the same right to go object and ask
14 questions.

15 MR. DALZELL: Of course. Hey,
16 if someone else wants to find the space,
17 set up the meeting, I'd gladly let them
18 do that.

19 COUNCILMAN GREEN: So you
20 really don't object to that provision.

21 MR. DALZELL: I mean, it's just
22 a question of whether the applicant
23 should be the one who makes that choice,
24 and I think -- I got this amendment last
25 night and read it over breakfast this

1 10/29/13 - RULES - BILL 130629, etc.
2 morning.

3 COUNCILMAN GREEN: No. I
4 understand, but does it really matter who
5 makes that choice as long as you get to
6 go to the meeting and put in your
7 objection and ask your questions?

8 MR. DALZELL: So long as all of
9 our members and we can have that meeting,
10 I think that's a good thing. The
11 question who chooses is one for you guys
12 to decide. I think there's pros and cons
13 on both sides.

14 COUNCILMAN GREEN: You would
15 prefer someone other than the applicant
16 to choose --

17 MR. DALZELL: I think they
18 might have a little too much skin in the
19 game to make an objective choice.

20 COUNCILMAN GREEN: But what's
21 it matter when the requirement is that
22 every RCO must be invited?

23 MR. DALZELL: Where is the
24 meeting taking place? Is it accessible
25 to our seniors? Is it accessible to all

1 10/29/13 - RULES - BILL 130629, etc.
2 of our members? Is it in a central
3 location? Is it one that's outside the
4 neighborhood? I think those are all
5 things that I would worry about.

6 COUNCILMAN GREEN: That's a
7 fair point. That's a fair point. But I
8 guess the point is, with that provision
9 of the bill as is, given that you get to
10 go to meetings, do you support the bill
11 with that amendment?

12 MR. DALZELL: My Board has
13 empowered me to come here and say that we
14 support the bill with that amendment.

15 COUNCILMAN GREEN: Thank you.

16 COUNCILMAN GREENLEE:
17 Councilman Goode.

18 COUNCILMAN GOODE: Thank you,
19 Mr. Chairman.

20 My question was specifically
21 about one provision within the bill. The
22 provision reads, If there is more than
23 one Registered Community Organization who
24 is registered in the geographic
25 boundaries and include the applicant's

1 10/29/13 - RULES - BILL 130629, etc.
2 property, the applicant shall select one
3 Registered Community Organization which
4 shall be responsible for taking the
5 action that's required.

6 Do you agree with that
7 provision?

8 MR. DALZELL: Me personally, I
9 do not agree with that provision.

10 COUNCILMAN GOODE: Thank you.
11 Thank you, Mr. Chairman.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 COUNCILMAN GREEN: Do you
15 support the bill with that provision in
16 it?

17 MR. DALZELL: My organization
18 has empowered me to say that I support
19 the bill with that provision in it.

20 COUNCILMAN GREEN: Thank you
21 very much.

22 MR. DALZELL: I personally do
23 not.

24 COUNCILMAN GREENLEE: Thank
25 you. Thank you.

1 10/29/13 - RULES - BILL 130629, etc.

2 Ms. Marconi.

3 THE CLERK: David Goldfarb,
4 Raed Nasser, Charles Hallowday. And
5 Lucia Esther, Betty Turner, and Maggie
6 Mund are the next panel after that.

7 COUNCILMAN GREENLEE: And if
8 that second group -- nobody is listening
9 to me, but the second group, if they
10 could come and sit in the black chairs,
11 please. That way, we're moving as
12 quickly as possible. So that second
13 group, Lucia Esther, Betty Turner, Maggie
14 Mund, if they could sit inside, we'd
15 appreciate it.

16 (Witnesses approached witness
17 table.)

18 COUNCILMAN GREENLEE: Please,
19 whoever would like to go first, identify
20 yourself for the record and proceed,
21 please.

22 MR. GOLDFARB: Thank you,
23 Council, for having us. My name is David
24 Goldfarb, the East Crossing Passyunk
25 Civic Association from South

1 10/29/13 - RULES - BILL 130629, etc.
2 Philadelphia. We're a civic association
3 representing the area below Tasker north
4 of Snyder between Broad and 8th Street.

5 I know that Council acts with
6 the best of intentions in modifying the
7 RCO rules, but the current regulations
8 are too burdensome and expensive for
9 RCOs, fail to ensure that RCOs actually
10 represent the neighborhood and not a
11 special interest, and create an unclear
12 process for zoning applicants and RCOs by
13 having more than one meeting when RCOs
14 overlap.

15 I urge you to pass Bill 130657
16 with one amendment. For me, the biggest
17 issue of the bill in terms of
18 notification requirements is a simple
19 issue of math. Twenty-two properties on
20 an average South Philly block face, nine
21 block faces for each applicant, three
22 appeals a month, 12 months, eight cents a
23 copy, 50 cents a stamp and we're talking
24 about several thousand dollars a year.
25 Take away stamps, it's still \$570 a year

1 10/29/13 - RULES - BILL 130629, etc.
2 just in printing costs. We're a small
3 non-profit. We work really hard to raise
4 money. We can't afford that.

5 I know that Council is very
6 concerned that having two meeting
7 requirements would be burdensome to RCOs,
8 but the City is best served by assuring
9 that RCOs have open and public meetings
10 and are elected by their neighbors. It's
11 as simple as that. And since, above all,
12 RCOs who have overlapping borders are
13 neighbors -- and I really want to stress
14 this -- I don't think it's too burdensome
15 to expect that RCOs who live in the same
16 neighborhood, even if they disagree
17 widely, to get together and host one
18 meeting.

19 I think that this bill,
20 although not perfect, is not really
21 burdensome to RCOs and is the best way to
22 assure fairness. The only amendment that
23 I would urge, since applicants have to do
24 the nine-block notification anyway, why
25 not require that they include the date,

1 10/29/13 - RULES - BILL 130629, etc.
2 time, and place of the RCO meeting. That
3 way, neighbors are still getting the same
4 notification they were from the RCOs, but
5 it doesn't place the burden on the RCOs
6 themselves.

7 Thank you very much.

8 COUNCILMAN GREENLEE: Thank
9 you, sir.

10 Ma'am, please identify yourself
11 and proceed.

12 MS. TURNER: Good afternoon,
13 Chairman Greenlee and members of the City
14 Council. My name is Betty Turner and I'm
15 here today on behalf of the Germantown
16 Community Connection Local RCO to give
17 testimony in support of Bill 130657,
18 although we think there are some
19 amendments that need to be addressed to
20 it.

21 Now, although it has already
22 been established both by law and by
23 acceptance that RCOs have a vital role in
24 zoning matters and activities in the City
25 of Philadelphia, there have been some

1 10/29/13 - RULES - BILL 130629, etc.
2 concerns expressed in a lot of arenas in
3 various sectors about the scope of that
4 role and how it is carried out. In
5 Germantown, some of our RCOs meet
6 together on a regular basis and in a
7 collaborative manner to share and discuss
8 issues that include role, best practices,
9 documentation, communication, training,
10 and notification. For example, two
11 primary discussion points have been the
12 following of late, and they are, number
13 one, RCO concerns about the burdensome
14 notification requirements; number two,
15 understanding and clarity about what
16 qualifies and what constitutes an RCO.

17 After our recent review of this
18 Bill 130657 -- and we appreciate all the
19 work that has been done by all the
20 Councilpeople on all the bills related to
21 this -- a number of the local RCO
22 discussion group members and some others
23 weighed in on this bill and agreed that
24 it has many details that addressed our
25 main points. It's not perfect, but it

1 10/29/13 - RULES - BILL 130629, etc.
2 has many details that address our points
3 and address others as they -- and provide
4 a way for others as they arise.

5 Several of the current RCOs
6 have overlapping boundaries. Now, I ask
7 you, if five RCOs have boundaries that
8 include the applicant or subject property
9 and/or properties, should a developer be
10 required to present his or her plans five
11 different times to five different groups?
12 Somehow this seems so disheartening, so
13 lacking in fairness, requires additional
14 work, and clearly hinders opportunities
15 for RCOs to work collaboratively. Now,
16 of course, we know that from time to time
17 there may be some exceptions, but as a
18 rule, five times with five different
19 groups?

20 And also it might be helpful to
21 note and for you to take notice that
22 costs are incurred. Every time you have
23 a meeting, costs are incurred by both the
24 developer and the RCOs for such things as
25 printing notices to near neighbors and

1 10/29/13 - RULES - BILL 130629, etc.
2 other things. This past year several
3 RCOs have come together to hold joint
4 public community meetings for developer
5 presentations, and the community --

6 COUNCILMAN GREENLEE: I'm
7 sorry. I'm going to have to ask you to
8 wrap up now.

9 MS. TURNER: And the community
10 seems to welcome these collaborations,
11 and for sure this has allowed the
12 developers to present their plans one
13 time.

14 It has been -- I'm going to
15 skip over.

16 It has been -- and, by the way,
17 I want to say our RCOs have a terrific
18 communication process with our
19 Councilwoman's office at many stages of
20 the process in the RCO and makes sure
21 that they get -- our Councilwoman's
22 office gets letters and documentation
23 that's going to the Zoning Board of
24 Adjustment at all times.

25 COUNCILMAN GREENLEE:

1 10/29/13 - RULES - BILL 130629, etc.

2 Ms. Turner, I got to call the time on
3 you. I got to be fair to everybody. I
4 got to call the time on you. If you have
5 written -- it looks like you have written
6 testimony. I don't know if we got it
7 yet, but if you submit it, we'll make
8 sure it gets part of the record.

9 MS. TURNER: Okay. Thank you
10 very much. You understood what I was
11 saying. Thank you.

12 COUNCILMAN GREENLEE: I think
13 we did. Absolutely.

14 Mr. Hallowday, please identify
15 yourself and proceed.

16 MR. HALLOWDAY: How you doing?

17 COUNCILMAN GREENLEE: How are
18 you, sir?

19 MR. HALLOWDAY: Charles
20 Hallowday, Greater Brewerytown CDC. I
21 question this bill being pushed forward
22 at a time we have rapid development in
23 Greater Brewerytown. I question the part
24 about the registration every year.

25 COUNCILMAN GREENLEE: Just a

1 10/29/13 - RULES - BILL 130629, etc.
2 little bit more in the microphone.

3 MR. HALLOWDAY: I question the
4 requirement of the registration every
5 year. It's kind of burdensome on our
6 structure and our CDC. We don't have the
7 office staff. And I question the part
8 about the only one meeting. Sometimes it
9 takes several meetings, in my experience.
10 Also, I think this leans to more toward
11 the developers than it does the
12 community. The community doesn't have
13 that much input if you only have one
14 meeting.

15 That's it.

16 COUNCILMAN GREENLEE: I
17 appreciate that. And by the way, I
18 certainly know the work you're doing up
19 there. It's a rapidly developing area
20 and you're working very hard to include
21 everybody. I live just a little bit
22 south of there. I'm sometimes called
23 Brewerytown.

24 MR. HALLOWDAY: Well, you're
25 right across --

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Yeah,
3 that's right. Right across the street,
4 so I appreciate the work you do. Thank
5 you, sir. Thank you.

6 Ma'am, please identify yourself
7 and proceed.

8 MS. ESTHER: My name is Lucia
9 Esther and I'm the Chair of the West
10 Powelton/Saunders Park RCO. And I gave
11 you a written copy, and I'm just going to
12 then skip through a few issues that were
13 not touched on by other people.

14 The original intention for RCOs
15 was to facilitate community participation
16 in changes affecting their neighborhood.
17 More effort needs to be made sure that
18 this can happen.

19 It is the ZBA applicant that
20 desires an exemption from the law. The
21 burden needs to be on the applicant, not
22 on the community residents.

23 Legislation governing the RCOs
24 state that the RCOs are for the purpose
25 of involving the community in zoning

1 10/29/13 - RULES - BILL 130629, etc.
2 changes affecting their neighborhood and
3 require RCOs to have a significant part
4 of their activity involving planning and
5 zoning;

6 State that the RCO report to
7 the ZBA is to convey the feeling of the
8 community, not just that of the
9 leadership;

10 Require the officers,
11 directors, and other leadership to reside
12 within the RCO boundaries;

13 Limit individuals to serving as
14 an officer or a leader in just one RCO.
15 There are some cases where they are on
16 four or five different ones;

17 Require that RCOs be open to
18 all residents residing within the RCO
19 boundaries and requiring the votes on all
20 topics considered by an RCO to be open to
21 all residents residing within the
22 boundaries;

23 Prohibit RCOs from establishing
24 policies such as dues, membership
25 qualifications that effectively exclude

1 10/29/13 - RULES - BILL 130629, etc.

2 many residents from participating. Some
3 are charging \$150 to go to the meeting;

4 State that RCOs cannot accept
5 funds, property or other considerations
6 of value from any ZBA applicant;

7 Prohibit any RCO that has
8 received past funds, property or other
9 consideration from a ZBA applicant from
10 participating in cases involving that
11 applicant;

12 Prohibit an individual from
13 participating in any RCO decision in any
14 case where the individual receives
15 employment, funds, property or other
16 consideration of value from the
17 applicant;

18 And require that the RCO
19 meetings should be completed before the
20 ZBA calendar date is set. Many times we
21 find that we get a notice that the
22 hearing is in a week. Well, we don't
23 have a meeting but once a month, and we
24 think -- and that forces a continuance.
25 So that would help streamline the system.

1 10/29/13 - RULES - BILL 130629, etc.

2 Yes, we could have group
3 meetings of RCOs, but you're going to
4 have to have somebody from Planning
5 Commission or somebody from the
6 Councilperson's office there to mediate
7 it.

8 COUNCILMAN GREENLEE: Ma'am,
9 your time is up. We will make that
10 written testimony part of the record
11 certainly.

12 MS. ESTHER: Thank you.

13 COUNCILMAN GREENLEE: Thank
14 you. Thank you for your time.

15 Please identify yourself and
16 proceed.

17 MS. MUND: My name is Maggie
18 Mund and I am here on behalf of the
19 Center City Residents Association. Our
20 boundaries are roughly South Street to
21 JFK, from the Schuylkill River to Broad
22 Street. Thank you very much for the
23 opportunity to testify.

24 I am not sure if I have the
25 latest bill here, because I understand

1 10/29/13 - RULES - BILL 130629, etc.
2 there have been several amendments and in
3 listening to the discussion here this
4 morning, I might not be as current as I
5 should be. I apologize for that.

6 COUNCILMAN GREENLEE: We all
7 are having that problem. That's the
8 nature of the business.

9 MS. MUND: Yes. But we do
10 have -- generally speaking, we support
11 Bill 130657, and a letter to Alan
12 Greenberger was submitted on October 16th
13 to that effect. You have the letter. I
14 submitted it into testimony. I'm just
15 going to provide a few highlights of our
16 concerns.

17 First of all, RCO membership.
18 At present, a person or business with no
19 residence or operation in the RCO area is
20 permitted to join and participate in the
21 RCO. We feel membership in the RCO
22 should be limited to residents or
23 businesses or people within that RCO who
24 have business within that area and that
25 the RCO should be required to accept all

1 10/29/13 - RULES - BILL 130629, etc.
2 businesses, residences, et cetera, within
3 their territory.

4 Notification of issue RCOs we
5 feel should not be eliminated. We have
6 successfully partnered with many issue
7 RCOs over the years and have benefited
8 from their input and support.

9 I'm not sure what's going on
10 with neighborhood notifications, to be
11 perfectly honest. I thought that they
12 had been eliminated, and as a volunteer
13 organization, we thought the previous
14 notification requirement of nine block
15 faces was onerous. However, we think
16 that some more limited notification
17 provision should be retained.

18 There are several provisions
19 related to multiple RCOs serving the same
20 area. One is the elimination of multiple
21 meetings with multiple RCOs. That makes
22 sense to me. We also have partnered very
23 applicably or amiably, I guess, with
24 neighboring RCOs and had meetings
25 together, and it has not been a problem

1 10/29/13 - RULES - BILL 130629, etc.

2 for us.

3 The other prohibits
4 representatives of two RCOs a seat at the
5 CDR. What happens when the two RCOs
6 cannot agree? We feel that there should
7 be some mechanism for resolving such
8 disputes, such as PCPC making the call or
9 something of that nature.

10 Finally, language concerning
11 the RCOs' need to prepare meeting reports
12 is confusing. 14-304 Section
13 12(d)(1)(a)(4) requiring such reports is
14 deleted, yet elsewhere written
15 documentation of the meeting is required.
16 This needs to be clarified.

17 Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you. Thank you for your time. Thank you
20 for the work you do in the community.

21 Ms. Marconi, the next group.

22 THE CLERK: Reverend Chester
23 Williams, John Leatherberry, and Greg
24 Spearman. The next panel after that,
25 Jack O'Hara, Tiffany Green, and Theresa

1 10/29/13 - RULES - BILL 130629, etc.

2 McCormick.

3 COUNCILMAN GREENLEE: Is

4 Reverend Williams here? Okay.

5 Mr. Leatherberry? Okay.

6 And I see Mr. Spearman over
7 there. I know him. If you could come
8 forward and keep going.

9 (Witnesses approached witness
10 table.)

11 COUNCILMAN GREENLEE: Sir, just
12 identify yourself for the record and
13 proceed, please.

14 REVEREND WILLIAMS: Good
15 afternoon, everyone. I'm Reverend
16 Chester H. Williams, President and
17 Founder of the Chew and Belfield
18 Neighborhood Club since 1981.

19 I'd like to say to start off,
20 don't fix it if it ain't broke. There is
21 nothing that we see if you follow
22 protocol how to become an RCO. We went
23 through the process when they told us we
24 had to -- first we had to be a 501(c)(3).
25 That was the first requirement we were

1 10/29/13 - RULES - BILL 130629, etc.
2 told. Then you had to make it a
3 mission -- make out a mission, which we
4 had that and went through the process,
5 and if you had a problem, you could call
6 them and they talk you right through the
7 process, with the help of our
8 Councilwoman. The staff there is
9 fantastic. She knows that already. And
10 they work with you on it.

11 So what we're saying here is,
12 listening to the new proposal that you
13 put in, yes, some things should be
14 critiqued, but not changed. There's a
15 difference.

16 The RCO was founded, created
17 for the grassroot people. In this
18 proposal that you have now -- and we read
19 them over -- you're taking the power from
20 the grassroot and put it in somebody
21 else's hand.

22 (Applause.)

23 REVEREND WILLIAMS: We cannot
24 stand for that. Do you know how many
25 years we've been fighting for City

1 10/29/13 - RULES - BILL 130629, etc.
2 Council and the Mayor to recognize the
3 voice of the grassroots people? We used
4 to look up and see businesses come in our
5 community, we didn't have a clue how they
6 came to get permission and license to
7 come in there and do that.

8 So we say now, please don't
9 take it from us. If you see something
10 you don't like, take it one line by line
11 and change it as we vote on it. Now,
12 many of us wasn't even -- I know we
13 wasn't -- even notified of this meeting
14 until the last minute.

15 So we're asking you, the part
16 about when we contractors you're saying
17 have one meeting or two, let me give you
18 an example. We had a contractor come
19 into our neighborhood and we joined
20 together, the RCOs, and invited each
21 other to our meetings, and in doing so,
22 they had this contractor -- he didn't
23 bring any material with him. He couldn't
24 answer no questions. And when I got up
25 and said to him, You know if I had an

1 10/29/13 - RULES - BILL 130629, etc.
2 opportunity to vote right now, I would
3 say no, because you didn't bring
4 anything. You have nothing prepared.

5 So that's why I see the part,
6 it shouldn't be just one meeting, but
7 until you get your act together to
8 acknowledge that you can't make it or
9 break it without the community, you don't
10 go no further.

11 So I'm saying in conclusion,
12 let's keep what we have, and let's
13 critique each Councilperson, get with
14 their RCOs and make an amendment, but
15 don't throw out what we got, because the
16 City Planning Commission, those that do
17 not know, they have training classes. We
18 went through it all for a whole month.
19 It was free. And let me tell you, they
20 fed you good too. But they have
21 everything you need. If you have not,
22 because you ask not. If you want to know
23 something about them, call them. The
24 representatives for us, Matt, he works
25 with us a hundred percent, comes out to

1 10/29/13 - RULES - BILL 130629, etc.
2 our community meetings. And we saying we
3 give out over a thousand flyers. We
4 hand-deliver them. The Chew and Belfield
5 ain't got no money. I take out of my
6 pension and give a donation to two or
7 three young men in our neighborhood to
8 ride in my car, because I ain't young
9 like I used to be and going up steps, and
10 they deliver those flyers, notifying.
11 Then we, what we call it, networking.
12 Anybody who know me know they get an
13 e-mail from Reverend Williams, and we let
14 every organization in our neighborhood
15 know what's about to take place and for
16 you to pass it on to your constituents
17 that they always invited to come.

18 Thank you.

19 COUNCILMAN GREENLEE: Reverend,
20 thank you. Thank you very much.

21 (Appause.)

22 COUNCILMAN GREENLEE:

23 Mr. Spearman.

24 MR. SPEARMAN: How you doing?

25 Greg Spearman, Ward Leader, 60th Ward,

1 10/29/13 - RULES - BILL 130629, etc.

2 President of 60th Ward Zoning Committee.

3 I'd like to say the Zoning Committee is

4 not made up of just party members. We

5 have a good involvement of community

6 members. We actually started Zoning

7 Committee -- or applied for the RCO

8 status so that all our committee people

9 would have a voice in anything that would

10 come into their particular divisions.

11 So I heard the guy from City

12 Planning Commission. They kind of

13 sounded like he dumped on ward zoning

14 committees a little to me. It was a

15 little off-base. So I just wanted to

16 make that clear.

17 From reading y'all guys up

18 there, y'all Councilpeople, I'd like to

19 thank all y'all, Councilperson Bass,

20 Goode, Tasco, Greenlee, and Ms. Brown, of

21 course my Councilperson, Jannie

22 Blackwell. I'd like to thank her. I

23 really do. I appreciate her so much and

24 with the passion and stand up for what

25 she believe in. I have a belief in y'all

1 10/29/13 - RULES - BILL 130629, etc.
2 guys. You done seen so many holes, big
3 ones, little ones. It's twisted up. And
4 I think y'all will do the just thing and
5 table this at best and leave us with a
6 voice in our community, because that's
7 what we were elected to do and that's
8 what we chose to do. So I believe that
9 y'all will table, and I thank y'all guys
10 for the time.

11 COUNCILMAN GREENLEE: Thank
12 you. Sir, if you could just stay there
13 for a second. Actually Councilwoman Bass
14 wanted to be recognized.

15 Did you want to say something
16 now?

17 COUNCILWOMAN BASS: Just real
18 quickly. I'm sorry. I just wanted to
19 make a real gratuitous remark. I just
20 wanted to thank the RCOs from my district
21 who came down, Reverend Chester Williams
22 and also Ms. Betty Turner, because they
23 are really fantastic to work with, even
24 though sometimes we agree to disagree,
25 but we have such a great working

1 10/29/13 - RULES - BILL 130629, etc.
2 relationship, and I think that is really
3 what's at the heart of the matter when
4 you talk about RCOs and folks being
5 involved in the community and all the
6 work that you do. So I just wanted to
7 thank you all for being here today.

8 COUNCILMAN GREENLEE: Thank
9 you. Thank you, Councilwoman.

10 COUNCILWOMAN BASS: And Greg
11 too.

12 COUNCILMAN GREENLEE: Thank
13 you.

14 Mr. Leatherberry, please
15 identify yourself and proceed.

16 MR. LEATHERBERRY: Yes. John
17 Leatherberry, West Powelton Concerned
18 Community Council, over 45, close to 50
19 years within the community developing the
20 community, and I'm here this morning not
21 to testify on all the behalf but to make
22 it short, is that I am in opposed of this
23 RCO. We have worked over the years of
24 developing the community, and a lot of
25 you here today is here because of groups

1 10/29/13 - RULES - BILL 130629, etc.
2 such as ourselves, helped to put you in
3 office because we believed in you. And
4 now that the RCOs has came about more
5 prominent, I don't think they all are
6 qualified to fit that position.

7 In my own community, we have
8 RCOs that has not gone through the
9 grassroot process. They don't know what
10 has really taken place. They don't know
11 the boundaries. They don't represent the
12 people, as the Planning Commissioner
13 state, when you apply for your
14 application that you have these different
15 criteria. I can name a few that fit none
16 of it because they're not an
17 organization. They have not -- do not
18 have the representation from the people,
19 and it just goes on and on.

20 This whole process I think need
21 to go back to where community
22 organization with Councilperson such as
23 Councilwoman Blackwell, she presented
24 elegantly this morning where we came
25 from, and she has known us for numerous

1 10/29/13 - RULES - BILL 130629, etc.
2 years, and even before she taken this
3 position, her husband, he worked with us
4 in our community, and there was nothing
5 that was a problem, because if an
6 organization had a problem, they could
7 just call, go past and it would be
8 solved.

9 And Councilperson-at-large
10 Blondell Reynolds, she knows us from
11 years back when you started out in the
12 process, and we just worked with all
13 communities, no matter who it was, and we
14 was able to solve it without having the
15 Planning Commissioner treating us like
16 children that we don't know where we're
17 going with the process. But we were the
18 ones that even got a lot of them started.
19 And, like I said, I've been in the
20 organization of West Powelton for over 45
21 years, and some of them is not even 45
22 yet. So how can they teach us a process
23 that we was the one that was the wheel
24 for the whole process? And I ask that
25 this -- I thought I broke something.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: No. That
3 was your three minutes, sir.

4 MR. LEATHERBERRY: Okay. I'm
5 asking everybody at this board, not by
6 calling by name but everybody in concern,
7 to listen to what my Councilwoman say, my
8 Councilperson and my Council-at-large.
9 We are people that is for the people, not
10 against the people, and not the people
11 that want to just find a position just to
12 say as a lot of churches today, I don't
13 like what the preacher say, so I start my
14 own church.

15 Thank you.

16 COUNCILMAN GREENLEE: Thank
17 you, sir.

18 COUNCILWOMAN BLACKWELL: Let me
19 thank them, if I might, Mr. Chairman.

20 COUNCILMAN GREENLEE: Okay.
21 Sure.

22 COUNCILWOMAN BLACKWELL: Thank
23 you, Mr. Leatherberry. Regards to Elsie
24 Wise, and thanks to Greg Spearman and all
25 those who have come. We've had others

1 10/29/13 - RULES - BILL 130629, etc.
2 from the district, Ms. Esther and many.
3 And thank you all who are here to testify
4 to speak certainly for your areas. God
5 bless you.

6 COUNCILMAN GREENLEE: Thank
7 you. Thank you, Councilwoman.

8 I see Ms. Green and
9 Ms. McCormick. Is Jack O'Hara here?
10 Come up too, please.

11 (Witnesses approached witness
12 table.)

13 COUNCILMAN GREENLEE: Whoever
14 would like to go first, please identify
15 yourself.

16 Ms. Marconi, what's the next
17 group after this?

18 THE CLERK: Annie Moss, Harry
19 Ricketts, and Graham Copeland.

20 COUNCILMAN GREENLEE: So if
21 they could be ready after these three.

22 Go ahead, whoever would like to
23 go first.

24 MR. O'HARA: Good afternoon.
25 My name is Jack O'Hara. I'm with the

1 10/29/13 - RULES - BILL 130629, etc.
2 Greater Bustleton Civic League in
3 Northeast Philadelphia. Our civic
4 league, we're an RCO. We've been in
5 existence over 60 years, and I think like
6 many of the other RCOs here, we work with
7 limited resources, limited volunteers.
8 And while I understand the need to
9 fine-tune and correct some of the aspects
10 of the code, listening this morning it's
11 not -- it's difficult not to generalize
12 by saying that the amendment really does
13 seem to favor the applicant, favor the
14 developer, decreasing their requirements
15 and, at the same time, increasing the
16 restrictions, increasing the requirements
17 of the RCOs and lessening our
18 representation. So, in general, it's
19 difficult for us to be in favor of this
20 bill as is.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 MR. O'HARA: Thank you.

24 COUNCILMAN GREENLEE: Whoever
25 would like to go next.

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2 MS. KEMP: My name is Carrie
3 Kemp. I was here about maybe six months
4 ago complaining about --

5 COUNCILMAN GREENLEE: Hold on
6 one second. I'm sorry to interrupt you,
7 but I'm trying to keep this in some kind
8 of order. I have Ms. Green and --

9 MS. GREEN: No. What happened
10 was, Ms. Carrie is a senior, so we
11 brought her up with us. She wants to, if
12 you don't mind, Councilman, because
13 she's --

14 MS. KEMP: I'll be brief.

15 COUNCILMAN GREENLEE: If you
16 could. Because in fairness --

17 MS. GREEN: I understand.

18 MS. KEMP: I was here six
19 months ago complaining about a compost
20 plant that was going to be built next
21 door to my house without our
22 notification. Somehow some way we got in
23 touch with our Councilpeople, and it has
24 been delayed. So far, it's nothing going
25 on. But I don't like -- I don't see

1 10/29/13 - RULES - BILL 130629, etc.
2 anything wrong with Councilwoman Jannie
3 Blackwell's law. I don't see anything
4 wrong with it. Maybe some amendments
5 could be added to it or corrections. And
6 I don't like the idea that they're
7 thinking about eliminating my District
8 Councilperson. We voted for her. I've
9 been the judge for 48 years in my
10 division, and I've seen Councilpeople
11 come and go, and she's one of the best,
12 believe me, and I want her to continue on
13 with this ROC [sic]. I don't want our
14 District Councilpeople eliminated. And I
15 think Councilwoman Jannie Blackwell,
16 there's nothing wrong with her law. It
17 may be a little amendment or something,
18 but I like what they're doing.

19 We didn't get any recognition
20 until they came in. Now we get a little
21 more recognition than we did, and I
22 appreciate what they're doing, and I
23 don't want to see the changes in her law.

24 COUNCILMAN GREENLEE: Thank
25 you.

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2 Ms. Green.

3 MS. GREEN: Good -- I don't
4 know if it's afternoon or morning. I
5 can't tell when I come in here.

6 COUNCILMAN GREENLEE: I think
7 it might be evening.

8 MS. GREEN: Is it evening?
9 Okay. I want to talk about this bill.
10 Of course, I don't support this bill, and
11 I have a concern because the initial
12 phase when the groups were approved, RCO
13 groups were approved in the Planning
14 Commission, we have a concern about
15 Planning Commission. The Planning
16 Commission is passing through large
17 condominiums every month. They're
18 dealing with big-money developers, and so
19 these people are in their ears and they
20 seem to have an air to cater to
21 developers.

22 The reality of it is is that
23 the process was opened up so that many
24 African American and Latino and minority
25 groups could participate in the process.

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2 What happened with us was, we applied in
3 June. We sent in the information. The
4 Planning Commission never responded back
5 to whatever we approved. We called up in
6 July. They said, Well, we're still
7 looking at your application. We're going
8 to get back to you. Well, you know what?
9 We want to check out your election
10 process. Can you send us some
11 information. So we had to send in detail
12 how the actual election took place the
13 night of the election, how we became
14 officers in our organization. Then after
15 that, we had to send in additional
16 information about our bylaws. They're
17 still reviewing our bylaws. So we call
18 up in August. Did you approve us yet?

19 No. We're still looking it
20 over. We'll get back to you.

21 We called up in September.
22 This is 2012, September 2012. Did we
23 approve yet?

24 No. We're going to look it
25 over. We'll get back to you in a minute.

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2 Okay.

3 October. By then we started
4 reaching out to other City Councilpeople,
5 because now we went through four, five
6 months. We've had numerous projects come
7 through our neighborhood. If you're not
8 on the list, you do not get notified, and
9 so, therefore, people in our community
10 are not notified, because one RCO is
11 already a developer and a CDC. So they
12 had to get their own specific mailing
13 list. They were mailing out. They
14 weren't doing door-to-door flyering.
15 Then you had the other group that was
16 already consisting of real estate people
17 and the developers and newcomers sitting
18 on theirs, so they were already pro
19 development. The developers were able to
20 choose to go to these two groups, and
21 here we are, we were left out. People
22 associated with our group and our
23 community was not being notified. We had
24 quite a few developments coming through,
25 and we never ever, ever had a chance to

1 10/29/13 - RULES - BILL 130629, etc.
2 say anything. We didn't know when the
3 ZBA hearing was taking place. We didn't
4 know anything.

5 So if you vote for this bill,
6 you're voting to cut off many of the
7 people in the community. They will not
8 have notification to speak about it or
9 whatever.

10 Also, regarding notification,
11 developers don't really know your
12 community. What it was supposed to be
13 was, developers should be able to fund
14 the flyers to flyer the community and to
15 have the RCOs carry it out to make sure
16 that each and every person got notified.

17 (Applause.)

18 MS. GREEN: If you can build a
19 million-dollar complex or a
20 half-a-million-dollar complex, you can't
21 put up \$50 and \$40 to get a hundred or
22 two hundred flyers? And then the RCOs
23 can make sure that they give them out or
24 give out to the community. But the
25 developers don't mind funding the flyers.

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2 They really don't want that
3 responsibility. They really don't want
4 to do that. We had one developer say he
5 gave out four flyers the first four
6 houses on each block. Well, the first
7 four houses is not going to notify the
8 whole community.

9 I mean, let's get real here.
10 You have areas that are being gentrified
11 where we have seven and eight cases
12 coming through per month.

13 COUNCILMAN GREENLEE: Ma'am.

14 MS. GREEN: How are these
15 people supposed to be notified?

16 COUNCILMAN GREENLEE: Ma'am, I
17 have to call time on you, please.

18 MS. GREEN: Excuse me?

19 COUNCILMAN GREENLEE: I have to
20 call time on you. I've been fair to
21 everybody.

22 MS. GREEN: I'm going to wrap
23 it up.

24 COUNCILMAN GREENLEE: Ms.
25 McCormick.

1 10/29/13 - RULES - BILL 130629, etc.

2 MS. GREEN: I'm going to wrap
3 it up. Okay? I'm going to wrap it up
4 real quick.

5 The reality is is that we are
6 entitled to be notified and have
7 participation, and if you vote no, then
8 you are violating our state rights under
9 the Sunshine Law, Pennsylvania Sunshine
10 Law, to have the right to notification
11 and the right to know and the right to
12 participate, and then we will have to
13 pursue this, because you're cutting off
14 our right as a taxpayer to know what's
15 going on and what's coming on our
16 community.

17 Thank you.

18 COUNCILMAN GREENLEE: Ma'am,
19 I'm asking everybody. Everybody else has
20 paid attention to three minutes. I
21 appreciate if the --

22 MS. GREEN: Councilman
23 Greenlee, I appreciate that. Thank you.

24 COUNCILMAN GREENLEE:

25 Ms. McCormick, please.

1 10/29/13 - RULES - BILL 130629, etc.

2 MS. McCORMICK: My name is
3 Theresa McCormick and I'm from the Point
4 Breeze area, and we have been an RCO for
5 about a year and, as Ms. Green stated, it
6 was very difficult for us to become an
7 RCO. But also we want to say that we do
8 not agree to Councilman Henon's bill, and
9 these are the reasons why.

10 The reasons why is that to
11 notify one group within the community is
12 not fair, wherein that all of the
13 community takes part and vote for City
14 Council.

15 Number two, notification is all
16 that we are all asking here, and I think
17 we all forgot all about that. The
18 developer should be the ones to fund the
19 flyering, not the RCOs. Myself and
20 Ms. Green, we give out the flyers door to
21 door to every single RCO meeting that
22 goes on in our community.

23 Secondly, some of the RCOs are
24 developers. That's not -- that shouldn't
25 even happen. And the reason why is

1 10/29/13 - RULES - BILL 130629, etc.
2 because they do not request all of the
3 paperwork that is required. They don't
4 ask for the deed. They don't ask for the
5 drawings. They just automatically give
6 them the letter of support.

7 Secondly, and we are the
8 watchdogs. The RCOs are -- should not
9 develop the -- I'm sorry; about the
10 boards. They should not sit back here
11 and select the requirements. They should
12 have all of their paperwork. Also, which
13 no one ever told you, is that the
14 Planning Commission changed the
15 classifications of the community. If you
16 were a residential, they turned around
17 and made them multi-family. Did City
18 Council know that that took place? That
19 took place. And when we went through the
20 zoning through all of our different cases
21 that's coming through, we found out that
22 the change took place. Was the community
23 notified? No, they were not. That's why
24 we're complaining about the Planning
25 Commission.

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2 Also, in terms of the
3 developers, the developers are supposed
4 to notify all of the RCOs in their area.
5 They do not. We have documented examples
6 here of last night's meeting wherein the
7 developers -- there was seven who did not
8 notify all of the RCOs in that area, and
9 you can take a look at that.

10 Also, here we have already told
11 you our stories and we also told you our
12 concerns. We also say that we want you
13 to remember that it's all about
14 notification, and the community and the
15 grassroot groups are the ones that help
16 make City Council.

17 Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you. Thank you for your time.

20 Sir, please identify yourself
21 for the record and proceed.

22 Ma'am, are you speaking too?
23 Please come up to the table.

24 MR. RICKETTS: Yes. Before I
25 begin, permission from the others to

1 10/29/13 - RULES - BILL 130629, etc.

2 begin? Yes. Now I assume I have
3 permission to begin.

4 My name is Harry C. Ricketts,
5 Jr. I am a student of the late Reverend
6 James Luther Bevel. I work for the All
7 Villagers Rights and Needs of All the
8 Gentlemen People. I reside at 6970
9 Forrest Avenue. My family first moved in
10 there back in December of '69. Okay.
11 Now, I am a community activist.

12 Now, on this bill, 130657,
13 basically there's some things we need to
14 go line by line, you know, and ensure
15 that the community is informed, the
16 community members are informed. Like
17 what I do, I work for the All Villagers
18 Rights and Needs of All the Gentlemen
19 People. So I distribute flyers to
20 everyone in the neighborhoods. I cover
21 like the East Germantown area where I
22 reside at, right up above Broad and
23 Olney, and basically all over the City,
24 you know.

25 So we need to really -- much

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2 kudos to you all, you Council personnel,
3 and kudos to Councilwoman Jannie
4 Blackwell for coming out to the meeting
5 of our organization, ATAC, Avenging the
6 Ancestors Coalition. And what I'm saying
7 there is if more of you Council personnel
8 or you Committee personnel could come out
9 to meetings such as ATAC, we meet the
10 third Monday of each month at Zion
11 Baptist Church at 1900 hours, at 7:00
12 p.m., and inform the public of what is
13 taking place, like Bill 130657, we really
14 would appreciate it. Because, see, like
15 the community can't make it to meetings
16 like this. They're at work, they're at
17 school or they might be at different
18 medical situations, you know.

19 So that's what we're asking.
20 But, like I said, many kudos to the
21 Council personnel, to the Committee
22 members up forward. I really appreciate
23 your time and listening to what I'm
24 saying here. Yes, Mr. Council,
25 Mr. Chairman.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Okay.

3 Thank you, sir.

4 Ma'am, please identify yourself
5 for the record and proceed.

6 MS. MOSS: Hello. My name is
7 Anne Moss. I'm with the Old Kensington
8 Neighborhood Association.

9 COUNCILMAN GREENLEE: Maybe a
10 little closer to the microphone so we can
11 hear you.

12 MS. MOSS: Hello.

13 COUNCILMAN GREENLEE: There you
14 go.

15 MS. MOSS: My name is Anne
16 Moss. I'm with the Old Kensington
17 Neighborhood Association and we talk
18 about procedures and what-have-you, and I
19 didn't even know I was supposed to speak
20 today, but I just wanted you to know that
21 Councilwoman Blackwell, what she spoke
22 about about working parents,
23 grandmothers, widows and because of
24 circumstances -- I do take care of my
25 grandchildren, and the process, yes, must

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2 be streamlined and it must be more open
3 and clear, but Councilman Henon's bill we
4 ask you to oppose. We ask you to oppose.
5 And I'm new at this, but forgive me.
6 This is very discriminating.

7 The first one, Henon propose
8 that the RCO, the District Councilperson
9 will choose. That's fair. If there is
10 more than one, then a developer and an
11 applicant has the right to choose over
12 people that have been in the community
13 for over 60 years that have kept it
14 together, that have lost family members
15 in their community. They have a right to
16 choose which RCO that they want to see?
17 We have earned the right to be heard and
18 the opportunity for them to come before
19 us. We have worked for that. We have
20 kept this community together, and even
21 when they were going out taking
22 recommendations where I felt my voice
23 wasn't heard, because basically you have
24 an impacted area. You have that RCO in
25 the impacted area that that particular

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2 development is going to affect, and a
3 developer or an applicant can go over to
4 another area which it won't affect, their
5 opinion is going to be different. What
6 people are going to feel about a project
7 is going to be different based upon where
8 they live at.

9 So to be fair about a process,
10 if they really want to be fair and open,
11 then you would make sure that that RCO in
12 the impacted area, if there is one, see
13 that development first or have a voice in
14 it.

15 I know that it's chose mostly
16 because some of them have all the lawyers
17 and they have all the technical and
18 they've been there and they have the
19 funds to hire people, but you have the
20 people there in my particular community,
21 we have an underground screen. We have
22 water. We have flooding. We've been
23 having flooding there for 30 years. That
24 RCO or that organization, civic
25 organization, has been there and has

1 10/29/13 - RULES - BILL 130629, etc.
2 never addressed our flooding problem,
3 where my parents had to be there and
4 actually take sewer and take it out the
5 basement. And to that organization, it
6 wasn't important enough to address.

7 So sometimes you have to start
8 and engage in your neighborhood when you
9 understand that it's going under
10 revitalization and there's issues there
11 that need to be addressed. And when
12 developers come in, we are up front,
13 open, and honest with them on the problem
14 we have, and so far, we have worked with
15 the developer to resolve some of our
16 problems.

17 So, again, I ask you to oppose
18 the bill, Henon's bill. And thank you
19 very much for the opportunity to speak
20 and let our community voice be heard.

21 Thank you.

22 COUNCILMAN GREENLEE: Thank
23 you.

24 Councilman Kenney.

25 Ma'am, just --

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2 COUNCILMAN KENNEY: No, no. I
3 don't have a question.

4 COUNCILMAN GREENLEE: All
5 right. Go ahead.

6 COUNCILMAN KENNEY: I don't
7 have a question. I just want to say
8 something. Not to you directly, but just
9 in general.

10 We're batting around these RCOs
11 and batting them around and batting them
12 around. Why do we need them? I mean,
13 wouldn't the developer identify the
14 project to the District Councilperson and
15 the District Councilperson would be
16 responsible for notifying whoever needs
17 to be notified in whatever meeting needs
18 to be arranged? I mean, this RCO thing,
19 we seem to be choosing one group over
20 another. If the District Councilperson
21 does not respond to the groups in their
22 district in the best way possible, then
23 that person will be unelected next time
24 they run. So if you know what you have
25 to do to notify the groups, that you know

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2 who they are because they're in your
3 district, because you've worked with them
4 in the past, why this RCO designation is
5 even necessary I don't know, because
6 every District Councilperson has at least
7 one staff person that does nothing but
8 zoning and deals with all these groups
9 and follows all the zoning notices and
10 follows the Planning Commission stuff.

11 I don't get why we would want
12 to pick one group over another as being
13 the group to talk to.

14 (Applause.)

15 COUNCILMAN GREENLEE: Thank
16 you, Councilman.

17 Councilwoman Blackwell, did
18 you --

19 COUNCILWOMAN BLACKWELL: Yes.
20 Certainly I concur with the statements
21 just made by the Vice Chair. I would
22 also note that on Page 3, they list under
23 Point (c), the owner, managing agent --
24 people who have to be notified, the
25 owner, managing agent or other

1 10/29/13 - RULES - BILL 130629, etc.
2 responsible person at every property, and
3 they have "or." In the original
4 language, we had owner, we had occupant.
5 They took out the word "occupant." So
6 according to this legislation, the owner
7 could have the whole block and that owner
8 or his manager are the only people who
9 have to be contacted. So even the
10 issue -- we disagree with the applicant,
11 that issue, as Councilman Kenney has
12 articulated, but they have also slid in
13 who should be even contacted with regards
14 to this.

15 So there are, again, many
16 issues about this legislation that raise
17 questions. Again, I'm asking the
18 Committee if you would hold this pending
19 considering the majority of the testimony
20 and so many concerns that we have so that
21 we may improve it.

22 Thank you.

23 COUNCILMAN GREENLEE: Thank
24 you, Councilwoman.

25 Councilman Green.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREEN: Thank you.

3 I just want to once again state
4 for the record that no RCO is left out of
5 the process with the amendments that
6 Councilman Henon has proposed. Nothing
7 can move forward until a meeting happens
8 with every RCO in the district that will
9 be organized by one RCO. This isn't a
10 question of contacting one RCO and
11 leaving everybody else out. One RCO has
12 to organize the meeting, but everybody
13 who is a registered RCO for that area
14 must be included in that meeting. This
15 just creates a streamlined process, and
16 that's all this bill does, once again.

17 COUNCILMAN GREENLEE: Hold on.
18 Hold on. Hold. Hold.

19 Councilman Goode.

20 COUNCILMAN GOODE: That's not
21 what the legislation says. One RCO is
22 empowered under this legislation, and
23 that RCO is picked by the developer, and
24 that's wrong.

25 COUNCILMAN GREEN: Let's not

1 10/29/13 - RULES - BILL 130629, etc.

2 have a back -- we still have witnesses
3 here. We still have witnesses. I'd like
4 to try to keep the witnesses going.

5 Sir, thank you.

6 Ms. Marconi, the next group.

7 THE CLERK: Graham Copeland,
8 Joseph Marino, Aisha Richardson.

9 COUNCILMAN GREENLEE: Are they
10 here? I see somebody coming up. Okay.

11 (Witnesses approached witness
12 table.)

13 COUNCILMAN GREENLEE: Hi. How
14 are you? Thank you for hanging in here
15 all this time. Please identify yourself
16 for the record and proceed.

17 MS. RICHARDSON: Yes. Good
18 afternoon, and thank you, Councilman
19 Greenlee, for the opportunity to speak
20 today. My name is Aisha Richardson, and
21 I represent the Uptown Entertainment and
22 Development Corporation, which is a
23 Registered Community Organization, and I
24 would like to respectfully disagree with
25 the Councilman who wants to rid the City

1 10/29/13 - RULES - BILL 130629, etc.
2 of the RCOs. I think that the RCOs bring
3 transparency and accountability to the
4 development process here in the City. We
5 have good communication with our Planning
6 Commission representative, and I think
7 part of the issue is that the process --
8 the practices need to be standardized for
9 the reporting on the meetings that the
10 RCOs have. There needs to be an RCO
11 checklist based on the Planning
12 Commission and RCO recommendations.
13 There needs to be technical assistance
14 provided to the RCO by the Planning
15 Commission as part of a recertification
16 process. And rather than a registration
17 process, possibly there should be a
18 recertification yearly and a full
19 registration process every three years.
20 I'd like to see the Planning
21 Commission create a baseline for
22 well-functioning RCOs to recertify and
23 reregister organizations. And the RCOs
24 are a valid and important part in the
25 community development process, and to

1 10/29/13 - RULES - BILL 130629, etc.
2 eliminate them would be to silence the
3 voices of grassroots community-based
4 organizations.

5 (Applause.)

6 COUNCILMAN KENNEY:

7 Mr. Chairman?

8 COUNCILMAN GREENLEE: Before
9 you leave, ma'am.

10 Councilman.

11 COUNCILMAN KENNEY: That's just
12 simply not true. What if the developer
13 is the RCO? How is that transparent? I
14 mean, who is your District Councilperson?

15 MS. RICHARDSON: Councilman
16 Clarke.

17 COUNCILMAN KENNEY: He does a
18 terrific job in notifying all the
19 organizations in his district on every
20 single development project. Why does one
21 RCO do that better than Darrell Clarke?

22 MS. RICHARDSON: I'm not saying
23 that one RCO would do that better than
24 Councilman Clarke. What I am saying is
25 that the RCO process brings transparency

1 10/29/13 - RULES - BILL 130629, etc.
2 and accountability to the development
3 process. You know, in our community,
4 there are -- as an RCO, we're able to
5 communicate with Planning Commission
6 folks about things that are going on.
7 There is lots of rumors that happen in
8 communities, and so as an organization,
9 we can dispel those rumors. We meet with
10 our community on a regular basis. We
11 coordinate with other RCOs in our
12 neighborhood. We coordinate with other
13 community organizations.

14 COUNCILMAN KENNEY: If you're a
15 community group and not an RCO, you'd
16 still be doing the same thing.

17 MS. RICHARDSON: We wouldn't be
18 getting the notifications about zoning
19 issues, though. Prior to that, we
20 weren't getting the notifications until
21 we became registered with the Planning
22 Commission as an RCO. That's when we
23 started getting the notifications.

24 COUNCILMAN KENNEY: But the
25 Planning Commission has testified they

1 10/29/13 - RULES - BILL 130629, etc.
2 don't even get all the notices. They're
3 not notified on every issue. So how do
4 you know you're not missing some? But
5 you're not unhappy with your District
6 Councilperson's efforts on behalf of your
7 organizations?

8 MS. RICHARDSON: We are a
9 grassroots organization and we represent
10 the community, and our RCO is residents.
11 It's residents that are in the community.

12 COUNCILMAN KENNEY: But if you
13 took away the designation of RCO and were
14 just a community organization, as you've
15 been for years, what would make it any
16 different?

17 MS. RICHARDSON: I think the
18 voice of the people who live in that
19 community. I mean, I think that it is a
20 layered process and it does need to have
21 District Council involvement in that
22 process, but I don't think that people
23 should be left out of that process.

24 COUNCILMAN KENNEY: I'm
25 agreeing with you, but I think this

1 10/29/13 - RULES - BILL 130629, etc.
2 process leaves them out in many ways. If
3 the developer is designated as the RCO,
4 do you think that that's transparent?

5 MS. RICHARDSON: But there are
6 so many RCOs. There are issue-based
7 RCOs. There are local RCOs.

8 COUNCILMAN KENNEY: And that's
9 good, because we want more involvement.

10 MS. RICHARDSON: And more voice
11 is important.

12 COUNCILMAN KENNEY: This
13 process, I believe, hampers some of that,
14 in my opinion. I think the District
15 Councilpeople have more constant contact
16 with their constituents than the Planning
17 Commission does.

18 COUNCILMAN GREENLEE:
19 Councilman Green.

20 COUNCILMAN GREEN: From the
21 perspective of the Zoning Code
22 Commission, on which I serve, this issue
23 came up and it was one of the most
24 difficult issues we grappled with because
25 there were so many, so many disparate

1 10/29/13 - RULES - BILL 130629, etc.
2 views on this, and the purpose of what
3 came out of the Zoning Code Commission
4 was to make sure, because there was
5 testimony and specific examples given at
6 the time that I can't recall, was to make
7 sure that if a District Councilperson,
8 say, is in favor of a project, they don't
9 contact an RCO that they know will be
10 against it or a neighborhood organization
11 that they know will be against it, such
12 that when it gets to the Planning
13 Commission, the developer can say, I have
14 the support of the community, without the
15 community members who wouldn't support
16 it, which is a known fact by most good
17 District Councilpeople, having ever been
18 informed.

19 And so the reason for
20 notification to every RCO was so that no
21 matter who you were, no matter whether
22 you were a group in favor with a District
23 Councilperson or out of favor with a
24 District Councilperson, you would in fact
25 get opportunity to know about the meeting

1 10/29/13 - RULES - BILL 130629, etc.
2 and be able to attend. That was the
3 purpose of requiring every registered RCO
4 getting a notice, and I believe that that
5 purpose is still valid today.

6 COUNCILMAN GREENLEE: Okay. We
7 obviously have some difference of opinion
8 on the Committee.

9 Sir, please identify yourself
10 for the record and proceed.

11 MR. MARINO: Good afternoon.
12 Joseph F. Marino, Co-Chair of East
13 Passayunk Crossing Civic Association and
14 the Chair of the combined South
15 Philadelphia Civic Association Alliance.
16 They are a number of RCOs who have their
17 boundaries between south of Washington
18 Avenue and river to river. And I would
19 like to say as -- I'm apologizing for
20 iterating so much of what was already
21 said today, but when you're the last one
22 up or practically the last one, everyone
23 else has said what you wanted to say.

24 I want to commend the young man
25 from SOSNA and all of his points and ask

1 10/29/13 - RULES - BILL 130629, etc.
2 Council to look at that very closely. He
3 stated a number of issues that I believe
4 in. And I wanted to credit the elderly
5 woman who said that it needs to be stated
6 by the Planning Commission that not
7 everyone needs to be an RCO, only those
8 involved in zoning, and I think that's
9 one of the reasons that we've been
10 swamped with so many RCOs.

11 My comments are all about local
12 RCOs. I am all in favor of the
13 issue-based RCOs, but as far as the local
14 RCOs go, I do have some concerns. The
15 first one is that, in my opinion,
16 developers do not make the best choice
17 for convening meetings. Generally
18 speaking, I wouldn't put the elephants in
19 charge of the peanuts, but that's me.

20 Also, I have to say that I
21 disagree personally and vehemently with
22 the woman from the CDCs who said that
23 CDCs could be objective and that could
24 really represent the community even
25 though their Board members were not

1 10/29/13 - RULES - BILL 130629, etc.
2 community members who live there or were
3 chosen by community members who live
4 there. How does that make any sense in
5 the real world? How can you possibly be
6 representing your community if you live
7 somewhere else, have only lived here for
8 a short time, and don't know the
9 residents? As a lifelong Philadelphian
10 living in the home that belonged to my
11 great-grandparents, I know my neighbors.
12 And if you don't know your neighbors --
13 if you've just gotten here, that's
14 wonderful, congratulations, you finally
15 found the right city -- get to know your
16 neighbors, but be a representative who
17 physically lives in the boundaries before
18 you're helping make decisions for those
19 boundaries. That doesn't make any sense
20 to me.

21 (Applause.)

22 MR. MARINO: However, there are
23 some points to this bill that I do
24 strongly agree with. Again, as I said at
25 the beginning, no bill is perfect. But

1 10/29/13 - RULES - BILL 130629, etc.
2 some aspects of this bill do make sense
3 to me, and one of them is the need for
4 bylaws and a mission statement so that
5 you do what you purport that you say that
6 you do. Also, that there should be open
7 public meetings so that punitive
8 organizations don't create themselves and
9 say that tomorrow I and my wife or my
10 neighbor and my cousin, we're now a civic
11 association or we're now an RCO because
12 we decided to fill out the paperwork, get
13 a 501(c)(3), and somehow or another get
14 it past the City Planning Commission.

15 I would also echo earlier what
16 Councilman Kenney said. It might seem
17 most logical for them to notify us since
18 they have the technology and they have
19 this paid staff. We're all volunteers,
20 sacrificing a lot of our time and effort.
21 We can't get out as much as we'd like to.
22 It's a cost. It's a time issue. It's a
23 limitation issue, as we're not allowed to
24 use mailboxes because it's not stamped
25 mail. So that would be against the law,

1 10/29/13 - RULES - BILL 130629, etc.
2 just stick it in someone's door. So you
3 need to knock on their door, wait for the
4 person to come out, and you need to stand
5 on the street corner and hand them out.
6 It's a lot of hard work, especially for
7 the seniors, and many of our civics are
8 driven by our senior citizens, God bless
9 them. We wouldn't be able to exist
10 without them.

11 COUNCILMAN GREENLEE: That's
12 true. Sir, I'm going to have to call
13 time.

14 MR. MARINO: And I wanted to
15 thank you. I was actually quite done. I
16 wanted to thank you all for your time.
17 I've been here all day. It was nice to
18 see how you work. I don't know that I'd
19 want to watch again, but keep up the hard
20 work. I commend you all.

21 Thank you.

22 (Applause.)

23 COUNCILMAN GREENLEE: Sir, we
24 don't want to watch ourselves, so I don't
25 blame you for not wanting to watch us.

1 10/29/13 - RULES - BILL 130629, etc.

2 MR. MARINO: No good deed goes
3 unpunished. Hard work is its own reward.
4 Keep at it. Keep at it.

5 COUNCILMAN GREENLEE: We found
6 that out a long time ago.

7 Ms. Marconi, will you please
8 call the next three names.

9 MR. MARINO: It's not going to
10 be easy and juggle all this and get one
11 perfect plan, but I have confidence in
12 you that you will.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 MR. MARINO: Thank you.

16 COUNCILMAN GREENLEE:
17 Ms. Marconi.

18 THE CLERK: Lewis Nash, Carrie
19 Kemp, Keith Harris.

20 COUNCILMAN GREENLEE: Just one
21 person is coming up.

22 THE CLERK: Lewis Nash, Carrie
23 Kemp, Keith Harris.

24 COUNCILMAN GREENLEE: She
25 already came, okay.

1 10/29/13 - RULES - BILL 130629, etc.

2 And, Ms. Marconi, call the next
3 three names so they'll be ready.

4 THE CLERK: Emmanuel Bessie,
5 Barbara Failor, Gregory Lyles.

6 (Witnesses approached witness
7 table.)

8 COUNCILMAN GREENLEE: Sir,
9 please identify yourself and proceed.

10 REVEREND NASH: My name is
11 Reverend Lewis Nash. I represent MAP
12 Holistic Community Development. I'm
13 Pastor of Faith and Deliverance Outreach
14 Ministry, currently an elected officer
15 for majority inspector.

16 Good afternoon, good evening,
17 because we don't know what time it is.
18 Again, I haven't looked at my watch.
19 Councilman Greenlee, Chairman and to all
20 of you, I appreciate this opportunity.

21 I do support the bill with a
22 few amendments. I do believe that the
23 Councilperson should choose an RCO to
24 represent their community, and he may or
25 she may respond by speaking with all the

1 10/29/13 - RULES - BILL 130629, etc.

2 other RCOs in the community.

3 COUNCILMAN GREENLEE: Go ahead,
4 please.

5 REVEREND NASH: Okay. So I do
6 recommend that the Councilman recommend
7 that -- or select that RCO person to work
8 with all the RCOs in the community that
9 they may come up with a solution to that
10 developer's. And I do also -- that the
11 Councilperson, if the RCOs cannot work
12 out with the community, he would meet
13 with all the RCOs' leaders of those
14 community organizations and come to some
15 resolution.

16 I do support the amendment also
17 that Councilwoman Jannie Blackwell was
18 saying that we do not get rid of the RCO
19 groups, but in fact that we do make sure
20 that they're able to be recognized and
21 also those other individuals that are
22 issue-based people would be recognized as
23 well. And one other one is that the
24 requirements that they be suspended if
25 they do not register at the appropriate

1 10/29/13 - RULES - BILL 130629, etc.
2 time since they don't have all the
3 technical savvy that some other
4 organizations do, I think that they need
5 to be talked to and assisted, and as they
6 need, the Planning Commission could
7 assist them with that. And I do support
8 that Councilman --

9 COUNCILMAN KENNEY: Me?

10 REVEREND NASH: Yeah. He said
11 that since they have a push of a button,
12 they need to push the button and make
13 sure that all the RCO groups is well
14 known that the Zoning Commissions or
15 whatever was put forth.

16 Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, sir. Thank you for your time.

19 Sir, please identify yourself
20 and proceed.

21 MR. LYLES: Yes. My name is
22 Gregory Lyles. I'm a member of Southwest
23 District Service.

24 We at Southwest District
25 Service is not opposed to change, but we

1 10/29/13 - RULES - BILL 130629, etc.
2 are opposed to change just for the fact
3 of change. And if I may, I'll do a
4 couple examples.

5 Bill: Limited boundary to
6 three and a half miles.

7 Law: Committee organizations
8 set their own boundary.

9 We at Southwest Philadelphia
10 District Service is a very large
11 community organization. We have well
12 over 50, 60 members in our group that
13 attend meetings every week. We do
14 community organizations throughout
15 Southwest Philadelphia. This will
16 directly affect us if we was limited to
17 three and a half miles. By the way,
18 Southwest Philadelphia is bigger than
19 three and a half miles.

20 Bill: Applicant shall attend a
21 single meeting. As you on Council know,
22 dealing with developers, you often have
23 to attend more than one meeting. Very
24 rarely do anything get done in one
25 meeting.

1 10/29/13 - RULES - BILL 130629, etc.

2 In closing, this bill
3 specifically -- this bill -- excuse me.
4 This bill specifically targets the
5 Councilperson. This bill removes the
6 power of the elected Councilperson and
7 give it to unelected officials.

8 City Planning: This bill is
9 designed to go around the citizen by
10 terminating the legal right of elected
11 officials.

12 Thank you.

13 COUNCILMAN GREENLEE: Sir,
14 thank you.

15 Ma'am, please identify yourself
16 for the record and proceed.

17 MR. FAILOR: My name is Barb
18 Failor. I represent South Street West
19 Civic Association. We've been around for
20 about 25 years. We were a combination of
21 committee people from both sides of the
22 South Street corridor west of 19th Street
23 that goes to the South Street Bridge.

24 I'd like to just for the record
25 state that we've never used our personal

1 10/29/13 - RULES - BILL 130629, etc.
2 opinions when we voice any opinions about
3 anything. We send in spreadsheets, and
4 we tend to limit ourselves to a two-block
5 radius around a community when we're
6 dealing with developments.

7 We only deal with big projects.
8 We're a strange community group. We're
9 sandwiched between two huge RCOs, CCRA
10 and SOSNA. We worked on Naval Square.
11 We've worked on 2400 South. We've worked
12 with the Philadelphia School. We're
13 already working with CHOP. We worked on
14 the South Street Bridge. We don't worry
15 about the roof deck kinds of stuff.

16 But it is important to us that
17 when we have developments that are going
18 to have a major impact on people along
19 the corridor, that we have a voice. And
20 we often don't have a voice within the
21 big community organizations to our north
22 and south. They often end up opposing
23 us.

24 Our goal is to preserve
25 property value, quality of life, and make

1 10/29/13 - RULES - BILL 130629, etc.

2 sure we have the infrastructure to
3 support whatever development is proposed
4 and look for a win-win before the zoning
5 hearing.

6 So my major issues are that we
7 use a two-block radius when we're looking
8 at a major development and that we ignore
9 boundaries, whether it's CCRA land or
10 SOSNA land or anything else, but that we
11 make sure that everybody within two
12 blocks is included and has a voice in
13 that process.

14 I don't think we need to choose
15 an RCO. I'm fine with every RCO writing
16 their own individual letter. I'm fine
17 with us disagreeing. I'm not fine with a
18 situation where an RCO is able to
19 determine the rules and cut off
20 conversation or not allow everybody to
21 speak or tell people that have people
22 hissing and booing and telling people
23 that their voices don't count in their
24 conversation.

25 Secondly, with regards to

1 10/29/13 - RULES - BILL 130629, etc.
2 notification, currently our RCO, even
3 though we are an RCO and we received a
4 letter as an RCO, we are getting none.
5 We're not getting any from developers.
6 We're getting none from City Planning.
7 We're getting none from City Council. We
8 have asked several times that CCRA notify
9 us if they're holding a hearing with
10 regard to something along the South
11 Street corridor. We do not get anything
12 from them. SOSNA does do us that
13 courtesy.

14 As I said, we're willing to
15 work with everybody else. We're willing
16 to hold one meeting. I think that's more
17 reasonable for developers. I voted for
18 that at the zoning meetings. But I do
19 think that we shouldn't have people cut
20 off, and I think it's more important that
21 the people that live within two blocks be
22 heard than I worry about someone that's
23 half a mile away.

24 I would like for the record --
25 COUNCILMAN GREENLEE: I'm going

1 10/29/13 - RULES - BILL 130629, etc.
2 to have to ask you to wrap up. Your
3 three minutes is up.

4 MS. FAILOR: Real quick. The
5 ZBA does hear cases even without
6 notifying RCOs. We asked for a
7 continuance last week at 613 to 619 South
8 24th Street because the developer did not
9 meet with our RCO. They heard the case
10 anyway and we were not granted a
11 continuance.

12 COUNCILMAN GREENLEE: Ma'am,
13 that's it. I got to call your time.
14 Thank you very much.

15 MS. FAILOR: So we would just
16 appreciate some tweaks, if possible.

17 COUNCILMAN GREENLEE: Okay.
18 Thank you.

19 MS. FAILOR: Thank you, sir.

20 COUNCILMAN GREENLEE:
21 Ms. Marconi, who else we got?

22 THE CLERK: Frank Bennett,
23 Peter Specos, and John Freeman.

24 COUNCILMAN GREENLEE: Any of
25 those people here?

1 10/29/13 - RULES - BILL 130629, etc.

2 We got one.

3 (Witness approached witness
4 table.)

5 COUNCILMAN GREENLEE: Who else
6 do we have, Ms. Marconi? That's it?
7 Okay.

8 So the last witness, unless
9 somebody else -- did you give your name
10 to anybody?

11 MS. TRACY: I did.

12 COUNCILMAN GREENLEE: All
13 right. Come on up. Come on up.

14 (Witness approached witness
15 table.)

16 COUNCILMAN GREENLEE: Sir,
17 please identify yourself and proceed.

18 MR. FREEMAN: Good afternoon.
19 My name is John Freeman. I reside in
20 West Powelton.

21 COUNCILMAN GREENLEE:
22 Microphone a little closer.

23 MR. FREEMAN: I reside in West
24 Powelton, which is right now undergoing a
25 tremendous amount of transformation,

1 10/29/13 - RULES - BILL 130629, etc.
2 partially due to the 2035 vision for
3 Philadelphia. One of the reasons I
4 support the RCO structure is because
5 people in that neighborhood feel a lot of
6 fear and concern about what's going to
7 happen on their block. We feel that the
8 RCO structure gives them a chance to
9 express their voice about what's
10 happening immediately in their
11 neighborhood. They can come together,
12 have a firmer idea of what they want to
13 say to the elected official, what they
14 want to say to the developer. But it
15 does give them an opportunity to speak
16 and to think about what's actually
17 happening in their community and come
18 together and hopefully have an idea of
19 what their community will look like in
20 the future.

21 Because West Powelton is going
22 through a lot of change, we also have a
23 large number of RCOs, and because of the
24 RCOs, the sheer number, it does make it
25 more complex in order to resolve what's

1 10/29/13 - RULES - BILL 130629, etc.
2 going on. You have to attend a lot of
3 different meetings. Each RCO has to put
4 out flyers. It does make it a much more
5 complex structure, but it is a valuable
6 tool. If anything, we need to tweak the
7 structure so that we can continue to have
8 that voice.

9 One of the things we found, or
10 I found personally, is there are
11 inconsistencies in the way different RCOs
12 function, and there needs to be a way of
13 monitoring this to make sure all the RCOs
14 function according to the way the rules
15 are set up.

16 One of the other things we
17 found is that the developers are really
18 in many cases not following through what
19 they need to be doing in terms of
20 notifying the community or notifying the
21 RCOs. We hope there would be a way of
22 monitoring what the developers are doing
23 or at least be able to report back into
24 the deficiencies on what the developers
25 are doing. We would think it would be a

1 10/29/13 - RULES - BILL 130629, etc.
2 good idea if the developer had the
3 responsibility to fund the flyering or
4 the submitting of flyers around the
5 neighborhood, because they are requesting
6 the change in the law, and it can be
7 really expensive if you have -- like in
8 our neighborhood when you're doing four,
9 five different developments every month
10 and you have to go out and print up and
11 submit around the neighborhood flyers.

12 We found that, most of all, the
13 RCO structure can give people an
14 opportunity to really speak about what
15 they want to see in developing their
16 community. If they can come together
17 with a developer before the developer
18 actually spends the money and buys the
19 property, it would be even more helpful,
20 because that way, we can tell them this
21 is what we want to see in our community.

22 COUNCILMAN GREENLEE: Thank you
23 very much, sir. I appreciate it.

24 Please identify yourself and
25 proceed.

1 10/29/13 - RULES - BILL 130629, etc.

2 MS. TRACY: Good afternoon,

3 Councilman and members of the Committee.

4 My name is Mary Tracy and I am the

5 Executive Director of Scenic

6 Philadelphia, which is an issue-based

7 RCO, and one of the things I think -- I

8 think the RCOs are really important. And

9 I asked myself what's the difference

10 between a community group and an RCO, a

11 registered community group, and I think,

12 Councilman Kenney, you made a really good

13 point, like if you're a community group,

14 you still have all the rights, but one of

15 the basic rights that you don't have

16 which community groups have had for over,

17 I think -- I don't know. Councilman

18 Cohen passed the law that said that if

19 you did appeal a Zoning Board decision,

20 then you can get the notes of testimony

21 from the City. And that's a huge burden

22 for regular community groups if they are

23 not registered community groups now,

24 because under the new code, that is a

25 particular requirement, that you need to

1 10/29/13 - RULES - BILL 130629, etc.
2 be a registered community group. So I
3 think you really need to look at the
4 consequences of passing the one law
5 without fixing the other one.

6 I also think that would
7 really -- Councilwoman Tasco, could
8 really have an impact on your
9 neighborhood since you only have one RCO.
10 That RCO would have to be the one always
11 that would be involved in passing or
12 filing that appeal. I'm always very
13 impressed with Marion Johnson. I think
14 you do a really wonderful job, and your
15 constituents are really lucky, the
16 attention that you pay with zoning in
17 your neighborhood. And I know from
18 living in Overbrook Farms and being
19 involved in that community group and now
20 I'm in Society Hill and I'm on that
21 Zoning Committee, and it's really
22 important for local residents to
23 participate, but I think it's more
24 important for our government to let
25 people have a voice and make it more

1 10/29/13 - RULES - BILL 130629, etc.

2 democratic rather than less.

3 So just in terms of our own
4 issue-based, I think I've heard it over
5 and over here in the testimony that
6 people like issue-based community groups,
7 so I would hope that you would allow us
8 to stay, but if not, we'll find a way.

9 Thank you.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 Mr. Bennett, right? This will
13 be our last witness.

14 COUNCILWOMAN TASCO: I have a
15 question for Ms. Tracy.

16 COUNCILMAN GREENLEE: Ms.
17 Tracy, hold on a second, please. I'm
18 sorry.

19 COUNCILWOMAN TASCO: I just
20 wanted to clarify something with you.
21 And we'll check this. You said
22 Councilman Cohen introduced legislation
23 that would require community
24 organizations to be able to receive notes
25 of testimony from a zoning hearing.

1 10/29/13 - RULES - BILL 130629, etc.

2 MS. TRACY: Yes.

3 COUNCILWOMAN TASCO: And you
4 said that has stopped because --

5 MS. TRACY: Well, it changed
6 when the Zoning Code was changed. I
7 think I wrote down. It's Section 14-303
8 Section 15(1), and I think I have the
9 language here, but it basically -- if you
10 file an appeal of the Zoning Board
11 decision, you need to be a Registered
12 Community Organization now, not just a
13 community organization. Before as a
14 community organization, you could get
15 those notes. Now you need to be a
16 Registered Community Organization.

17 COUNCILWOMAN TASCO: Okay.
18 We'll check that.

19 MS. TRACY: I can send you
20 that.

21 COUNCILMAN GREENLEE: We'll
22 check that.

23 Councilman Green.

24 COUNCILMAN GREEN: Just a point
25 of clarification. I don't think that's

1 10/29/13 - RULES - BILL 130629, etc.

2 an official mason's rules thing, but RCOs

3 and non-RCOs can still get the notes of

4 testimony under Councilman Cohen's bill.

5 So an RCO --

6 MS. TRACY: But it's changed.

7 COUNCILMAN GREEN: No, no. An

8 RCO can get the notes of testimony.

9 MS. TRACY: From the City

10 without --

11 COUNCILMAN GREEN: From the

12 City.

13 MS. TRACY: Yeah, without

14 paying.

15 COUNCILMAN GREEN: Yes. An RCO

16 can today in the law get the notes of

17 testimony from the City.

18 MS. TRACY: Correct.

19 COUNCILMAN GREEN: Thank you.

20 COUNCILWOMAN TASCO: But she's

21 saying the community organizations can't.

22 MS. TRACY: The community

23 organization has actually been excluded

24 from that same privilege.

25 COUNCILMAN GREEN: No. They're

1 10/29/13 - RULES - BILL 130629, etc.
2 not allowed to appeal, but they can get
3 the notes of testimony.

4 MS. TRACY: No. They can
5 appeal.

6 COUNCILMAN GREEN: Any
7 community organization can get the notes
8 of testimony, and if that's not true, we
9 should fix that.

10 COUNCILMAN GREENLEE: We should
11 check that out.

12 MS. TRACY: Let me just correct
13 myself. If you are involved in the
14 zoning hearing and there's a decision
15 that you are going to appeal, you can
16 appeal, and as part of that appeal, you
17 need to buy or to acquire the notes of
18 testimony. As of the '80s, thanks to
19 Councilman Cohen, that privilege was
20 given to community groups to get them at
21 the City's cost. Now, unless you're a
22 Registered Community Organization, you
23 would not qualify for that same privilege
24 that we've had here since the '80s.

25 COUNCILMAN GREENLEE: All

1 10/29/13 - RULES - BILL 130629, etc.

2 right. We're going to check that.

3 COUNCILWOMAN TASCO: We're
4 going to check that. We'll check that.

5 COUNCILMAN GREENLEE:
6 Mr. Bennett, please identify yourself and
7 proceed.

8 MR. BENNETT: Good afternoon,
9 Mr. Chair, ladies and gentlemen of the
10 Council. Attorney Frank Bennett. I
11 represent the United Civic Associations
12 of the Northeast. We are one of the
13 groups that are affected by this
14 particular legislation, as our group
15 would be eliminated from the RCO process.

16 Particularly we don't do
17 zoning, and honestly we could care less
18 whether or not we have input as far as
19 zoning goes. What we've ended up
20 becoming is not only a support system for
21 all of the Northeast civics from Front
22 Street north from river to river to
23 county line to county line, but we
24 actually helped generate and create new
25 civics in areas that don't have any.

1 10/29/13 - RULES - BILL 130629, etc.
2 Particularly our group represents
3 Holmesburg Civic, Morrell Park, Frankford
4 Civic, Northwood Civic, Holmes Circle,
5 Mayfair Civic, Tacony Civic, Upper
6 Holmesburg, Oxford Circle Civic, Upper
7 Northwood Civic, and, again, Oxford
8 Circle. We have a substantial amount of
9 constituents that actually are membership
10 within here, and, again, we ended up
11 becoming a clearinghouse for those civics
12 or applicants that would actually send us
13 an e-mail saying, We'd like approval. So
14 we would actually point them to the local
15 civic and send a letter stating, This is
16 the civic and this will be the meeting
17 date and time. And that's what we've
18 done in the Northeast in order to correct
19 the multiple, multiple meetings that
20 would be required if you had to have
21 separate meetings. We'd say -- if there
22 was a meeting between Frankford Northwood
23 or the NAC, we'd say, Okay, we'll have it
24 at Frankford. The United Civic
25 Associations would pick that group and

1 10/29/13 - RULES - BILL 130629, etc.
2 say we're having a meeting at this
3 particular date and time, and we'd send
4 notice to the other affected RCOs. It's
5 burdensome. We don't want to do this
6 anymore, and hopefully the proposed
7 legislation or a variance of that
8 legislation will help correct that.

9 We'd like to thank Councilman
10 Bobby Henon for actually proposing this
11 legislation. We have a couple concerns,
12 though, and we'd just like to voice them
13 today briefly.

14 Both legislations by both
15 Councilpeople here just seem to just be a
16 little bit more inadequate as far as
17 recognizing vested RCOs. So you have
18 multiple RCOs in an area. One may be 60
19 years old or one is brand new. One may
20 be run by one individual or they may be
21 the whole community support. How do we
22 determine the interest that a particular
23 group has and what they should actually
24 give towards input when there is a
25 variance that's requested when testimony

1 10/29/13 - RULES - BILL 130629, etc.

2 is needed?

3 What we would like to see in
4 the proposed legislation is what it was
5 pretty much before. You would contact
6 your local Councilman and say, Well, who
7 are the groups in the area.

8 Now, if we need an RCO process,
9 that's fine. We can register. We don't
10 mind sharing and publicizing information,
11 but why don't we go the application of
12 the notary? Think about it. If you want
13 to become a notary, you go to your State
14 Rep. The State Rep says, I know this
15 individual, they live in my area, they're
16 a constituent, I'm going to sign the
17 application. Same should be had with
18 Councilpeople and for the RCOs. If I'm
19 in Maria Sanchez's district, I will go to
20 her and say, Look, we are an RCO, will
21 you recognize us, please sign off, and
22 we'll go from that. That's something
23 we'd like to see in there just to
24 simplify the process.

25 The second piece --

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Sir, I
3 have to call time. You got your three
4 minutes. If you have something written
5 or you can get something written to us,
6 we'll --

7 MR. BENNETT: We'll submit the
8 remainder of balance, but I do appreciate
9 it. Thank you, Councilman, for
10 everything that you do for us.

11 COUNCILMAN GREENLEE: Thank you
12 very much. Thank you.

13 Okay. That concludes the
14 public hearing of the Rules Committee,
15 and we will now go into a public meeting.

16 Let me first state in
17 consultation with the sponsor of the
18 legislation, Bill No. 130657 will be held
19 to the call of the Chair in the committee
20 meeting.

21 We now go -- I now recognize
22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you,
24 Mr. Chairman. I move that Bill No.
25 130629 be reported out of this committee

1 10/29/13 - RULES - BILL 130629, etc.
2 with a favorable recommendation and
3 request made for rules suspension to
4 allow first reading at our next Council
5 session.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?
12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, Bill No. 130629 is reported out of
15 this committee favorably with a rules
16 suspension.

17 Councilman Kenney.

18 COUNCILMAN KENNEY: Thank you,
19 Mr. Chairman. I move that we adopt the
20 amendments to Bill No. 130632 as
21 circulated.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been
24 moved and seconded.

25 All in favor?

1 10/29/13 - RULES - BILL 130629, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, the amendment is adopted.

7 Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you,

9 Mr. Chairman. I move that Bill No.

10 130632, as amended, be reported out of

11 this committee favorably and a request

12 made for rules suspension to allow first

13 reading at our next Council session.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been

16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing

22 none, Bill No. 130632, as amended,

23 reported out favorably with a rules

24 suspension.

25 Councilman Kenney.

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN KENNEY: Mr.

3 Chairman, I move that we adopt the
4 amendments offered to Bill No. 130633 as
5 circulated.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?

12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, the amendment is adopted.

15 Councilman Kenney.

16 COUNCILMAN KENNEY:

17 Mr. Chairman, I move that Bill No.
18 130633, as amended, be reported out of
19 this committee favorably and a request
20 made for rules suspension to allow first
21 reading at our next Council session.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been
24 moved and seconded.

25 All in favor?

1 10/29/13 - RULES - BILL 130629, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, Bill No. 130633, as amended,

7 reported out favorably with a rules

8 suspension.

9 Councilman Kenney.

10 COUNCILMAN KENNEY: Thank you,

11 Mr. Chairman. I move that we adopt the

12 amendments offered to Bill No. 130634 as

13 circulated.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been

16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing

22 none, the amendments are adopted.

23 Councilman Kenney.

24 COUNCILMAN KENNEY: Thank you,

25 Mr. Chairman. I move that Bill No.

1 10/29/13 - RULES - BILL 130629, etc.
2 130634, as amended, be reported out of
3 this committee favorably and a request
4 made for rules suspension to allow first
5 reading at our next Council session.

6 (Duly seconded.)

7 COUNCILMAN GREENLEE: It's been
8 moved and seconded.

9 All in favor?

10 (Aye.)

11 COUNCILMAN GREENLEE: Opposed?

12 (No response.)

13 COUNCILMAN GREENLEE: Hearing
14 none, Bill No. 130634, as amended,
15 reported out favorably with a rules
16 suspension.

17 COUNCILMAN KENNEY:

18 Mr. Chairman, I move that we adopt the
19 amendments to Bill No. 130655 as
20 circulated.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been
23 moved and seconded.

24 All in favor?

25 (Aye.)

1 10/29/13 - RULES - BILL 130629, etc.

2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, the amendments are adopted.

6 Councilman Kenney.

7 COUNCILMAN KENNEY: Mr.

8 Chairman, I move that Bill No. 130655, as

9 amended, be reported out of this

10 committee favorably and a request made

11 for rules suspension to allow first

12 reading at our next Council session.

13 (Duly seconded.)

14 COUNCILMAN GREENLEE: It's been

15 moved and seconded.

16 All in favor?

17 (Aye.)

18 COUNCILMAN GREENLEE: Opposed?

19 (No response.)

20 COUNCILMAN GREENLEE: Hearing

21 none, Bill No. 130655, as amended,

22 reported out favorably with a rules

23 suspension.

24 Councilman Kenney.

25 COUNCILMAN KENNEY: Thank you,

1 10/29/13 - RULES - BILL 130629, etc.

2 Mr. Chairman. I move that we adopt the
3 amendments offered to Bill No. 130695 as
4 circulated.

5 (Duly seconded.)

6 COUNCILMAN GREENLEE: It's been
7 moved and seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN GREENLEE: Opposed?

11 (No response.)

12 COUNCILMAN GREENLEE: Hearing
13 none, the amendments are adopted.

14 Councilman Kenney.

15 COUNCILMAN KENNEY:

16 Mr. Chairman, I move that Bill No.
17 130695, as amended, be reported out of
18 this committee with a favorable
19 recommendation and a request made for
20 rules suspension to allow first reading
21 at our next Council session.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been
24 moved and seconded.

25 All in favor?

1 10/29/13 - RULES - BILL 130629, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, Bill No. 130695, as amended,

7 reported out favorably with a rules

8 suspension.

9 Once again, Bill No. 130657

10 held in the meeting per the call of the

11 Chair.

12 Thank you all very much for
13 your patience during today. Thank you.

14 (Committee on Rules concluded
15 at 2:10 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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