

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Remote location using Microsoft® Teams
Tuesday, November 14, 2023
1:00 p.m.

PRESENT:

COUNCILWOMAN KATHERINE GILMORE RICHARDSON, CHAIR
COUNCILMAN CURTIS JONES, JR., VICE-CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN ANTHONY PHILLIPS
COUNCILMAN MARK SQUILLA

ALSO PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE

BILLS: 230546, 230740
RESOLUTIONS: 230553, 230750

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2 COUNCILWOMAN GILMORE

3 RICHARDSON: Good afternoon. Before
4 we begin the public hearing, I will
5 make the following announcement:
6 City Council Committees are currently
7 meeting remotely. We are using
8 Microsoft Teams to make these remote
9 hearings possible.

10 Instructions for how the
11 public may view and offer public
12 testimony at public hearings of
13 Council Committees are included in
14 the public hearing notices that are
15 published in the Daily News, Inquirer
16 and Legal Intelligencer prior to the
17 hearings and can also be found on
18 PHLCouncil.com. I now note that the
19 hour has come.

20 Ms. Alford, will you please
21 call the roll to take attendance.
22 Members that are in attendance will
23 please indicate that you are present
24 when your name is called. Also,
25 please say a few brief words when

1 responding so that your image will be
2 displayed on screen when you speak.

3 THE CLERK: Councilmember
4 Bass.

5 COUNCILWOMAN BASS: Good
6 afternoon. I am present. Thank you
7 very much.

8 THE CLERK: Councilmember
9 Phillips.

10 COUNCILMAN PHILLIPS: Good
11 afternoon, viewing public and
12 colleagues and Chairwoman Gilmore
13 Richardson. I'm present.

14 THE CLERK: Council President
15 Clarke.

16 COUNCIL PRESIDENT CLARKE:
17 Good afternoon, Madam Chair.
18 Present.

19 THE CLERK: Vice-Chair Jones.

20 COUNCILMAN JONES: Good
21 afternoon, Madam Chair, colleagues.
22 I am present.

23 THE CLERK: And, Chair Gilmore
24 Richardson.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: I am present. Thank
2 you. A quorum of the Committee is
3 present and this hearing is now
4 called to order. This is the public
5 hearing on the Committee of Law and
6 Government regarding Bill No. 230740
7 and Resolution No. 230750. For the
8 record, Bill No. 230546 and
9 Resolution No. 230553 will not be
10 heard in this hearing at the request
11 of the bill and resolution sponsor.

12 Ms. Alford, will you please
13 read the title of the bill and
14 resolution.

15 THE CLERK: Bill No. 230740,
16 an ordinance providing for the
17 submission to the qualified electors
18 of the City of Philadelphia of the
19 proposal set forth in a resolution
20 approved by Council proposing an
21 amendment to the Philadelphia Home
22 Rule Charter to provide for
23 indemnification and defense by the
24 City in connection with claims made
25 against any registered community

1 organization arising directly out of
2 the lawful participation by such an
3 organization in zoning matters and
4 related use land use process; and
5 authorizing the appropriate officers
6 to publish notice and to make
7 arrangements for the special
8 election.

9 And Resolution 230750, a
10 resolution proposing an amendment to
11 The Philadelphia Home Rule Charter to
12 provide for indemnification and
13 defense by the City in connection
14 with claims made against any
15 registered community organization
16 arising directly out of the lawful
17 participation by such an organization
18 in zoning matters and related land
19 use process; and providing for the
20 submission of the amendment to the
21 electors of Philadelphia.

22 COUNCILWOMAN GILMORE

23 RICHARDSON: Thank you. Before we
24 begin to hear testimony from the
25 witnesses we have for today, everyone

1 who has been invited to the meeting
2 to testify should be aware that this
3 public hearing is being recorded.
4 Because the hearing is public,
5 participants and viewers have no
6 reasonable expectation of privacy.
7 By continuing to be in the meeting,
8 you are consenting to being recorded.

9 Additionally, prior to
10 recognizing Members for the questions
11 or comments they have for witnesses,
12 I will note for the record at this
13 time that we will use the chat
14 feature available in Microsoft Teams
15 to allow Councilmembers to signify
16 that they wish to be recognized. In
17 order to comply with the Sunshine
18 Act, the chat feature must only be
19 used for this purpose.

20 Prior to hearing testimony on
21 this bill and resolution, I'd like to
22 recognize our Council President
23 Clarke, the sponsor of this
24 legislation for comments. CP.

25 COUNCIL PRESIDENT CLARKE:

1 Thank you. Thank you, Madam Chair.

2 Madam Chair, thank you very much.

3 I'd like to say that the
4 co-sponsors Councilman Jones and
5 Councilman Squilla sat down and had a
6 conversation about this. Actually
7 Councilman Jones and Councilman
8 Squilla had introduced prior
9 legislation to give support to the
10 RCOs, which were required to be
11 established by an action by the City
12 Council of Philadelphia.

13 One of the issues had to do
14 with the fact that it was to some
15 degree an unfunded and unsupported
16 mandate, what we traditionally accuse
17 the state of Pennsylvania doing to
18 the City of Philadelphia. Meaning,
19 that while we require that the RCOs
20 participate in any zoning variance
21 request by virtue of hosting a
22 meeting and all the other aspects of
23 that, notifying residents of the
24 meeting, we don't give them any
25 support. We don't give them money

1 for flyers. We don't give them money
2 for the use of the space. And most
3 importantly, we don't provide any
4 protections in the event that -- and
5 it rarely happens, that a particular
6 applicant comes after that particular
7 RCO with some sort of litigation.

8 So as a result of that, the
9 earlier versions by Squilla and Jones
10 and prior to that, actually then
11 Councilman Bobby Henon attempted to
12 put some money aside for insurance
13 were actually passed by this City
14 Council but unfortunately was never
15 enacted by the Administration, which
16 I guess from whatever perspective was
17 their right to do.

18 So the conversation that we
19 had, been talking to the Law
20 Department and our staff,
21 Mr. Christmas, we thought it was a
22 more appropriate way to proceed tying
23 in the Law Department that represents
24 the City of Philadelphia equally as
25 it relates to Council and the Mayor

1 and all the other departments be a
2 real participant in this. So this
3 legislation that was crafted if voted
4 on by the Mayor and obviously passed
5 by Council would authorize the Law
6 Department to establish regulations
7 next year that would allow levels of
8 support and indemnification for that.
9 There were RCOs that followed the
10 appropriate regulations that are in
11 compliance with the RCO established
12 regs and that are hit with some
13 litigation by a developer or an
14 applicant, and particularly as it
15 relates to their nonsupport of a
16 project, which is their right.

17 So we hope in talking to
18 members of the RCO community and
19 talking to -- and I think we will
20 have testimony, a representative from
21 the BIA, because we believe that we
22 should get a consensus around this.
23 We had come up with a reasonable
24 approach for having the appropriate
25 support and indemnification on this

1 particular matter.

2 I believe that next year there
3 will be additional conversations that
4 you all will be having because I will
5 not be here in this particular
6 capacity about the broader
7 implications as it relates to our
8 ability to move projects along, but
9 provide the appropriate resources and
10 also have a transparent process both
11 from the development community and
12 from the RCO community, and more
13 importantly for the residents of the
14 City of Philadelphia.

15 So with that, we request the
16 support by the members of this
17 Committee as it relates to our
18 ability to put this on the ballot and
19 next year's primary election. So
20 thank you.

21 Thank you, Madam Chair.

22 COUNCILWOMAN GILMORE

23 RICHARDSON: Thank you. Thank you,
24 Council President. Thank you for
25 your great work on continuing this

1 issue for our RCOs. I know that it's
2 been an important issue, really a
3 lightening-rod issue for many of them
4 over the past several years. But I
5 would just respectfully request that
6 you please stop reminding us about
7 this clock winding down and you not
8 being with us next year. We will
9 certainly miss your institutional
10 knowledge and all the great work that
11 you bring to this body.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you, Madam Chair. I will not
14 change my phone number, so I'm a
15 phone call away.

16 COUNCILWOMAN GILMORE
17 RICHARDSON: Thank you, CP. You know
18 we will use it.

19 All right. I also want to
20 acknowledge any other members from
21 the Committee for remarks prior to
22 recognizing the first panel.

23 (No response.)

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Okay. Seeing none, for

1 the record I do want to notate that
2 we do have comments that have been
3 provided in writing from the
4 Administration. That information has
5 been circulated to all members of
6 this Committee.

7 Ms. Alford, will you please
8 call the first panel we have to
9 testify this afternoon on Bill No.
10 230740 and Resolution 230750.

11 THE CLERK: Catherine Blunt,
12 Joe Schiavo and Gary Jonas.

13 COUNCILWOMAN GILMORE

14 RICHARDSON: Good afternoon. Are you
15 all connected and ready to proceed?

16 MR. SCHIAVO: I am.

17 MR. JONAS: I am ready as
18 well.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Okay. Excellent, Gary.
21 And do we have Catherine Blunt?

22 THE CLERK: I'm not seeing her
23 in the chat, Councilwoman. Let me
24 look into that and maybe we can start
25 with Mr. Schiavo.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Sure. So we'll start
3 with Mr. Schiavo and then Mr. Jonas
4 while we attempt to connect Catherine
5 Blunt.

6 Please state your name for the
7 record and proceed with your
8 testimony, Mr. Schiavo.

9 MR. SCHIAVO: My name is Joe
10 Schiavo. I reside at 155 North 3rd
11 Street in Philadelphia. Good
12 afternoon, Committee members and
13 Councilmembers. I thank you for the
14 opportunity to comment on the bill.
15 And first, I wish to thank Council
16 President Clarke for his leadership
17 in bringing the bill forward for your
18 consideration and further, I wish to
19 commend Councilmember Clarke and
20 those among you who support this
21 action for taking the step to bring
22 this issue to the public as a ballot
23 question, trusting the citizens of
24 Philadelphia to decide the matter.

25 I know it's a difficult

1 matter, but certainly it's a bill I
2 support. And I believe that should
3 this move forward and be decided
4 affirmatively by the electors, it
5 will level the playing field for all
6 Philadelphia's communities, wealthy
7 and those less well off relative to
8 defending the good work done by those
9 community volunteers participating in
10 the City's RCO process, in the public
11 (inaudible) zoning variance and
12 special exception process.

13 One of the things that as I
14 read the bill and it's simple, it's
15 straightforward but in my view, this
16 bill, this action will result in a
17 general deterrent, deterrent against
18 those who might otherwise bring
19 frivolous lawsuits or SLAPP suits
20 against RCOs that participate in the
21 process. Those SLAPP suits of course
22 are weaponizing a legal system and
23 it's perpetrated by those who intend
24 to do harm maliciously to the
25 volunteer community members that

1 participate in this process, and
2 they're doing that work simply to
3 help the community be represented in
4 the process to participate in the
5 democratic process that a hearing
6 should represent.

7 But SLAPP suits, they're a
8 malicious device. But the harm done
9 is shouldered only by the defendant
10 in the matter. No harm is done to
11 the party that brings the SLAPP suit.
12 No matter how quickly they drop it or
13 the case is dismissed, the harm is
14 already done because the RCO is
15 forced to defend themselves. Whether
16 they have insurance or not, there
17 will be out-of-pocket expenses and
18 then further they may lose their
19 liability insurance going forward.

20 And further, if they do stay
21 in business and they are able to get
22 liability insurance, it will be at a
23 much higher expense than it would be
24 if they weren't subject to such
25 suits. So it seems to me extremely

1 important that if the Philadelphia
2 Law Department is going to defend the
3 citizens of Philadelphia who do this
4 work under the RCO regulations,
5 that's a natural deterrent.

6 Everyone who might bring a
7 lawsuit suddenly realizes that the
8 party they're bringing the suit
9 against is going to be represented.
10 They are going to be able to defend
11 themselves. They're going to have a
12 chance and it will deter the suits
13 because that's the core solution.
14 The core solution is deterring the
15 suit because once the suit's
16 initiated, the harm is done. So I
17 think that this goes a long way
18 toward that and that's one of the
19 reasons -- well, it's key reason that
20 I support this action.

21 COUNCILWOMAN GILMORE

22 RICHARDSON: Well, thank you. Thank
23 you, Mr. Schiavo, for your testimony.

24 Prior to recognizing our
25 second witness, I wanted to pause to

1 recognize our Vice-Chair
2 Councilmember Jones for comments.

3 COUNCILMAN JONES: Madam
4 Chair, I'd like to withhold my
5 comments until after the members of
6 the panel testify.

7 COUNCILWOMAN GILMORE
8 RICHARDSON: Oh, okay. Thank you so
9 much, Vice-Chair Jones.

10 Mr. Jonas, are you connected
11 and ready to proceed with your
12 testimony? You can state your name
13 for the record and proceed.

14 MR. JONAS: Sure. My name is
15 Gary Jonas. Can you guys hear me
16 okay?

17 COUNCILWOMAN GILMORE
18 RICHARDSON: Yes, we can hear you.

19 MR. JONAS: Awesome. Thank
20 you. I serve as President of the
21 Building Industry Association of
22 Philadelphia. The BIA is a trade
23 association of mostly residential
24 developers working throughout
25 Philadelphia. And I want to thank

1 Chair Gilmore Richardson and the rest
2 of the Committee for allowing us to
3 provide testimony.

4 The Council President
5 introduced Bill No. 230740 and
6 Resolution No. 230540 to amend the
7 Home Rule Charter to create a
8 city-run program where registered
9 community organizations would be
10 identified against lawsuits from
11 developers as a result of the RCO
12 fulfilling its requirements under the
13 current zoning code. This is a
14 response to several recent incidents
15 of SLAPPs, Strategic Lawsuits Against
16 Public Participation, where a
17 developer creates legal action with
18 the intent purpose of punishing the
19 RCO beyond its financial
20 capabilities.

21 The BIA believes that the
22 development process should be a
23 democratic one involving developers
24 acting in good faith with the
25 community and its elected officials,

1 and we condemn any developer who
2 seeks to silence or punish RCOs
3 merely for engaging in the City's
4 zoning process. Creating a city
5 process for indemnifying RCOs for
6 such actions is a commonsense
7 response to these SLAPP lawsuits and
8 is a reasonable next step from City
9 Council, you know, from when City
10 Council created the RCO engagement
11 process in 2012.

12 The BIA did ask that the
13 Charter change in its subsequent
14 enabling regulations be more specific
15 to ensure that it only apply to
16 defending those RCOs who are
17 following all the required rules for
18 the process. Indemnifying RCOs
19 against third party lawsuits makes
20 sense as long as it doesn't encourage
21 RCOs to use the process to appeal
22 every project or prevent reasonable
23 developments.

24 The proposed amendment is only
25 triggered by a third party lawsuit,

1 developer or anyone else resulting
2 from the legal participation in the
3 zoning variance process. While it's
4 fair and balanced, we ask that the
5 Law Department draft regulations to
6 address any potential malicious
7 intent as well.

8 Finally, the BIA hopes that
9 this Charter change is merely the
10 first step in the conversation
11 regarding broader reforms for
12 streamlining and standardizing the
13 RCO process. As the City Council
14 President was recently quoted, "the
15 rules governing RCOs should be
16 revised to ensure more accountability
17 and transparency." The BIA hopes to
18 work with the new Administration and
19 new Council to implement more
20 commonsense reforms to ensure the
21 zoning process works for all
22 stakeholders.

23 In conclusion, we at the BIA
24 endorse this Charter change proposal
25 from the City Council President, and

1 we thank him for working to engage
2 all stakeholders in conversation, and
3 we're really thankful that we are
4 able to be part of the conversation.
5 And in the end, we really hope that
6 this hopes to address exactly what
7 it's intended to do. Thank you.

8 COUNCILWOMAN GILMORE

9 RICHARDSON: Thank you. Thank you,
10 Mr. Jonas, for your testimony and for
11 the work of BIA working with the
12 bill's sponsor and also the Law
13 Department.

14 I now recognize Vice-Chair
15 Jones for comments.

16 COUNCILMAN JONES: Thank you,
17 Madam Chair.

18 I just want to commend the
19 author of this bill, President
20 Clarke, and all the people and
21 stakeholders that participated in its
22 molding amendments and crafting, so
23 that was a win-win scenario for
24 Philadelphia. I had an opportunity
25 to sit at the table, watch some of

1 the concerns be raised and addressed
2 and people come to consensus on this
3 legislation. And this is a
4 prototypical way that public policy
5 should happen. And I want to thank
6 all those who are a part of making
7 that happen.

8 Thank you, Madam Chair.

9 COUNCILWOMAN GILMORE

10 RICHARDSON: Thank you, Vice-Chair
11 Jones.

12 Ms. Alford, is Ms. Blunt
13 connected and ready to proceed --

14 THE CLERK: We're working on
15 getting her brought in via phone.

16 She was having some issue with Teams.

17 City Council Support Team, are
18 we able to connect with Ms. Blunt?

19 COUNCIL TECH SUPPORT: I'm
20 bringing her in now.

21 THE CLERK: Thank you.

22 COUNCILWOMAN GILMORE

23 RICHARDSON: Okay. Excellent. We
24 will hear from Ms. Blunt. And then
25 after that, I will recognize any

1 members of the Committee for any
2 questions or comments for this entire
3 panel.

4 (No response.)

5 COUNCILWOMAN GILMORE

6 RICHARDSON: Okay. So we will
7 continue to try to connect Ms. Blunt
8 to this hearing.

9 While doing that we will now
10 proceed with any questions or
11 comments from members of this
12 Committee for this panel -- there's
13 Ms. Blunt. Excellent.

14 So, Ms. Blunt, I see that you
15 are now connected. I hope that you
16 are ready to proceed with your
17 testimony. Please state your name
18 for the record and then proceed with
19 your testimony.

20 (No response.)

21 COUNCILWOMAN GILMORE

22 RICHARDSON: Ms. Blunt?

23 (No response.)

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Ms. Blunt?

1 COUNCIL TECH SUPPORT: She had
2 left and back again. I got her
3 again.

4 COUNCILWOMAN GILMORE
5 RICHARDSON: You got her again?
6 She's not on the screen -- okay,
7 there she is.

8 Ms. Blunt, you have to come
9 off mute. We cannot hear you.

10 MS. BLUNT: Thank --

11 COUNCILWOMAN GILMORE
12 RICHARDSON: Now, we can hear you.

13 MS. BLUNT: -- you. This has
14 been an interesting acquaintance with
15 Microsoft Teams.

16 COUNCILWOMAN GILMORE
17 RICHARDSON: Yes, ma'am.

18 MS. BLUNT: I will just say
19 that.

20 COUNCILWOMAN GILMORE
21 RICHARDSON: State your name for the
22 record. Okay.

23 MS. BLUNT: My name is
24 Catherine Blunt and good afternoon,
25 Chairman -- Chairwoman Gilmore

1 Richardson and Vice-Chair Councilman
2 Jones and members of the Law and
3 Government Committee. My name is
4 Catherine Blunt and I am the Co-Chair
5 of the 46th Ward Democratic Executive
6 Committee RCO. I am here
7 representing myself and other
8 concerned members of RCOs to speak in
9 favor of bill -- of Resolution
10 230750, legislation providing for the
11 indemnification of RCOs as they
12 execute their role as community
13 representatives as defined by RCO,
14 ZBA regulations.

15 We are largely community
16 members, workers and retired workers
17 volunteering our time and effort to
18 provide representation for our
19 communities, especially since 2012
20 when it became evident that
21 large-scale development was proposed
22 or slated for our neighborhoods. It
23 is now clear as developers have sued
24 or attempted to sue RCOs fulfilling
25 their responsibilities, we are

1 perhaps continually but
2 unintentionally placing ourselves and
3 our families in jeopardy.

4 To be more specific regarding
5 this concern, that was expressed in a
6 September 29, 2017 blog by
7 Philadelphia 3.0, a Philadelphia
8 political organization stated
9 mission -- whose stated mission is to
10 reform and modernize City Hall
11 through the candidates it supports.
12 And even though I do not necessarily
13 endorse that mission as it is
14 envisioned, I do agree with their
15 well-written and truthful statement
16 regarding the indemnification of
17 RCOs.

18 There's some frustration out
19 there that the City essentially
20 deputizes the citizen volunteer
21 groups as quasi government entities
22 to conduct an activity that puts them
23 at risk of getting sued. But then
24 does not -- does nothing to protect
25 them from their personal liability.

1 After all, if people do this work
2 without D&O insurance and get sued,
3 their personal property could be on
4 the line.

5 Resolution 230750 corrects
6 that oversight that the City and ZBA
7 RCO process has not addressed
8 regarding the extension of their
9 services, City services, to
10 neighborhoods through RCO volunteers.
11 This time has come for you to protect
12 me and all the other volunteers who
13 work on behalf of our City and our
14 neighbors to provide Philly residents
15 the opportunity to have a voice in
16 matters pertaining to zoning
17 regulations governing the development
18 or overdevelopment of their City and
19 their neighborhoods.

20 I ask that you assist us in
21 this volunteer work by endorsing and
22 are favorably voting out of Committee
23 Resolution 230750, which provides
24 indemnification for RCOs and its
25 members. Thank you.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Thank you. Thank you so
3 much, Ms. Blunt, for your testimony
4 and for joining us today in your
5 experience with Teams. We are
6 certainly appreciative of you. Okay.

7 MS. BLUNT: Thank you. All
8 right. Thank you.

9 COUNCILWOMAN GILMORE

10 RICHARDSON: Yes, ma'am. Thank you.

11 For the members of this
12 Committee, are there any questions or
13 comments for Panel 1?

14 (No response.)

15 COUNCILWOMAN GILMORE

16 RICHARDSON: Seeing none,
17 Mr. Schiavo, your hand is raised.
18 Please state your name for the record
19 and proceed with your comments.

20 MR. SCHIAVO: Joe Schiavo and
21 I apologize for neglecting to include
22 this in my first comment. But I do
23 believe that the bill may be
24 improved. If included special
25 exceptions as a process in addition

1 to the zoning variance process that's
2 currently itemized in the bill, and
3 the reason I say this is of course
4 special exceptions also go before the
5 Zoning Board of Adjustment, and they
6 are just as likely to be the target
7 that is participating in that
8 process. You're just as likely to be
9 a target of the lawsuit as the zoning
10 variance process, so I do think that
11 would be a good inclusion. Thank you
12 for allowing that additional comment.

13 COUNCILWOMAN GILMORE

14 RICHARDSON: Thank you. Thank you so
15 much for your testimony and thank you
16 for joining us today.

17 Ms. Alford, will you please
18 call the first public commenter we
19 have to testify this afternoon on
20 Bill No. 230740 and Resolution No.
21 230750.

22 THE CLERK: Judith Robinson.

23 COUNCILWOMAN GILMORE

24 RICHARDSON: Okay. Ms. Robinson, are
25 you connected and ready to proceed

1 with your testimony?

2 COUNCIL TECH SUPPORT: We are
3 connecting her now.

4 COUNCILWOMAN GILMORE

5 RICHARDSON: Okay. Excellent.

6 MS. ROBINSON: Good afternoon.

7 COUNCILWOMAN GILMORE

8 RICHARDSON: Good afternoon, Queen
9 Judith Robinson. Thank you for
10 joining us. Please state your name
11 for the record and proceed with your
12 testimony.

13 MS. ROBINSON: Judith
14 Robinson, homeowner, Committee
15 member, 32nd Ward representative and
16 emeritus, facilitator for over a
17 decade of the 32nd Ward RCO process.
18 What a mess. Please release us from
19 the politricks of the planning of our
20 City. Citizens have lost their
21 rights. Someone told me years ago
22 when this process started, oh,
23 they're just trying to wrap you all
24 up in a bunch of nonsense. And after
25 40 years as a real estate

1 professional, I have to say, yeah,
2 they're trying very hard.

3 I don't want to waste your
4 time to tell you the shenanigans, the
5 vicious, crazy, political behavior
6 that I have encountered as a
7 facilitator and you hear me say
8 emeritus of the 32nd RCO. I would
9 never allow ignorance to outpace my
10 ability to read. So I want to say
11 this, this is a day late and a dollar
12 short. The Civic Design Review part
13 of the RCO process is a forest. We
14 have no rights. They have no
15 obligation to accept the ever great
16 recommendations of so-called
17 professionals.

18 This Civic Planning Institute
19 is an insult. It's charging people
20 for information. Public
21 participation is very much a part of
22 the planning process, you all. I've
23 been watching the Planning Commission
24 and attending meetings for over 20
25 years. I have participated with the

1 2035 plan as a member of the
2 Committee. I've been on Boards.
3 I've been on Commissions. I've been
4 part of our community. And like I
5 said, 40 years behind me. I'm an
6 homeowner in North Philadelphia, a
7 grandmother. I'm battling right now
8 the devil, satanic forces.

9 We didn't learn anything about
10 the Bureau of Licenses and
11 Inspections review. See, if we were
12 really getting real quality planning,
13 we would have that information from
14 the Citizens Planning Institute. But
15 here we got to battle an outgoing
16 retiring President of City Council to
17 try to save our historic corridor.
18 Nobody could train us with this. And
19 this is what we're supposed to learn,
20 part of this so-called RCO process,
21 so here we are. Let's get to it.

22 Indemnification, so I want
23 Council's prerogative to be
24 chin-checked and I'm coming at you
25 all, every last one of you all young

1 people because you all are going to
2 be there after the old reign is gone.
3 Thank God. So you all are going to
4 have to get your minds right and
5 represent us. Okay. So I'm going to
6 request that the zoning code of 2012
7 be revisited because we keep doing
8 overlays.

9 Let me say something to you
10 all so you can be clear. The Diamond
11 Street historic corridor district was
12 Philadelphia's first overlay. It's a
13 historic overlay, and the benefits is
14 that it brings us back residential
15 housing on our historic corridor, it
16 gives us a chance to have a historic
17 corridor. Let me not digress too
18 far. But I just want you all to be
19 clear on what (inaudible) --

20 COUNCILWOMAN GILMORE

21 RICHARDSON: I'm sorry. We are
22 unable to hear you. Hello?

23 MS. ROBINSON: So you hear me.
24 I'm giving --

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Now, we hear you.

2 MS. ROBINSON: Yeah, I'm glad
3 you do. Because we're doing
4 overlays. We're undoing overlays.
5 I'm going to say regarding the zoning
6 code, the 38 feet over my tenure of a
7 decade of facilitating RCO meetings,
8 the community didn't know. They
9 didn't know we could go up to 38
10 feet. They didn't know the Civic
11 Design Review is a paper tiger and a
12 forest.

13 They didn't know the Citizen
14 Planning Institute is not really
15 training us. We need to have a
16 traffic study as we increase density,
17 and we need a parking study up in
18 North Philly. That's what I'm
19 calling for, so this indemnification.
20 So after the folks from Northeast,
21 which is this retroactive -- let me
22 ask that question. Is this
23 retroactive, because after those
24 folks were sued, the biggest lawsuit,
25 they not only sued the RCO, but they

1 sued every individual Board member.

2 Now, here we come Johnny Come
3 Lately, and you're going do to what?
4 Are you going to indemnify those
5 people now? Are you going to help
6 them now? God forbid we're battling
7 in the heart of North Philly, okay,
8 heart of North Philly battling the
9 Council President outgoing over the
10 Bureau of Licenses and Inspections
11 review. There's nothing in the RCO
12 process that would tell us how to
13 protect ourselves as homeowners as we
14 battle this.

15 So I'm going to leave you all
16 today with asking for a traffic
17 study, a parking study, PHA to be
18 monitored, Citizen Institute to stop
19 charging people for public
20 participation information. I'm
21 asking for notification for every
22 citizen who requests information and
23 notification for anything coming out
24 of that office of the Planning and
25 RCO and zoning.

1 You -- no way I'm going to
2 allow somebody to manipulate my
3 process where I can't get information
4 because you all are wrapping people
5 up in the RCO. It's a paper tiger.
6 I did it for a decade. To be
7 continued. I'll tell you all more.
8 It's the most insulting process based
9 on politricks to ever grace
10 Philadelphia. Please stop. Thank
11 you.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Thank you so much for
14 your testimony and for joining us for
15 today's hearing.

16 Ms. Alford, will you please
17 call the next public commenter we
18 have to testify this afternoon.

19 THE CLERK: Eloise Young.

20 COUNCILWOMAN GILMORE

21 RICHARDSON: Ms. Eloise, are you
22 connected?

23 MS. YOUNG: Hello?

24 COUNCILWOMAN GILMORE

25 RICHARDSON: Yes. Please state your

1 name for the record and proceed with
2 your public comment.

3 MS. YOUNG: Hello. My name is
4 Eloise Young and I am the RCO
5 facilitator for the HMC Squared
6 Community Association. We are
7 grateful for Bill No. 230740 and
8 Resolution No. 230750. As a small
9 volunteer organization, we believe
10 the City should support and defend
11 groups like ours to promote fairness.
12 Our data refutes developer Mo
13 Rushdy's claims that this bill would
14 result in never-ending appeals.

15 Since 2016, HMC Squared has
16 hosted RCO meetings for 75 planned
17 development projects. The community
18 voted to support most of them, but no
19 benefit agreement, proviso or design
20 change could bridge the gap between
21 the community or the property owner
22 for 21 percent of them, 21 percent.
23 Now, that's a far cry from
24 Mr. Rushdy's 100 percent.

25 With attorneys representing

1 property owners at most meetings, it
2 is crucial that we can stand up for
3 our neighbors' valid concerns without
4 fear of legal action. We thank
5 Council President Clarke and
6 Councilmembers Jones and Squilla for
7 sponsoring this important legislation
8 and look forward to seeing the
9 request on the ballot for the voters
10 to decide. Thank you.

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Thank you for your
13 public comment and for joining us
14 this afternoon.

15 Ms. Alford, will you please
16 call the next public commenter.

17 THE CLERK: There are no other
18 folks present for public comment.

19 COUNCILWOMAN GILMORE

20 RICHARDSON: Okay. I wanted to pause
21 at this moment to see if there are
22 any questions or comments from
23 members of the Committee?

24 (No response.)

25 COUNCILWOMAN RICHARDSON:

1 There being no further questions from
2 members of the Committee and no other
3 witnesses to testify on Bill No.
4 230740 and Resolution No. 230750, I
5 will ask if there is anyone else
6 present in this hearing whose name we
7 have failed to call and that wishes
8 to offer testimony on the bill or
9 resolution being considered today?

10 (No response.)

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Hearing none, I want to
13 thank the panel and witnesses for
14 their participation today. We do
15 value your opinions. I now invite
16 all panels and witnesses to please
17 disconnect from the hearing before we
18 go into our public meeting on the
19 bill and resolution we have today.
20 We will now pause the proceedings
21 briefly as multiple participants
22 leave the hearing.

23 This concludes the public
24 hearing of the Committee. We will
25 now go into the public meeting to

1 consider the action to be taken on
2 the bill and resolution before this
3 Committee today. We will now convene
4 the public meeting.

5 Ms. Alford, will you please
6 call the roll to take attendance.
7 Members that are in attendance
8 will please indicate that you are
9 present when your name is called.
10 Also, please say a few brief words
11 when responding so that your image
12 will be displayed on screen when you
13 speak.

14 THE CLERK: Councilmember
15 O'Neill.

16 COUNCILMAN O'NEILL: Present.

17 THE CLERK: Councilwoman Bass.

18 COUNCILWOMAN BASS: I am
19 present. Thank you.

20 THE CLERK: Councilmember
21 Squilla.

22 (No response.)

23 THE CLERK: Councilmember
24 Phillips.

25 COUNCILMAN PHILLIPS: Present.

1 THE CLERK: Council President
2 Clarke.

3 COUNCIL PRESIDENT CLARKE:
4 Madam Chair, I'm present. But I
5 think you have established a quorum
6 without me being a voting member. So
7 I'm going to step off on this
8 particular one, but I'm present.

9 COUNCILWOMAN GILMORE
10 RICHARDSON: Thank you. Okay. Thank
11 you so much, Council President
12 Clarke. And also, thank you to
13 Councilmember O'Neill who has also
14 joined us for this hearing.

15 Ms. Alford, are you complete
16 with the roll call?

17 THE CLERK: Vice-Chair Jones.

18 COUNCILMAN JONES: Present,
19 Madam Chair.

20 THE CLERK: Chair Gilmore
21 Richardson.

22 COUNCILWOMAN GILMORE
23 RICHARDSON: Thank you very, very
24 much. I am present.

25 The Chair now recognizes our

1 Vice-Chair Councilmember Jones for a
2 motion on the amendment to Bill No.
3 230740.

4 THE CLERK: Thank you, Madam
5 President.

6 I offer an amendment to Bill
7 No. 230740 and a copy of that
8 amendment has been circulated to all
9 members of the Committee and I,
10 therefore, move for the approval of
11 the amendment to Bill No. 230740.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Is there a second?

14 COUNCILMAN O'NEILL: Second.

15 COUNCILWOMAN BASS: Second.

16 COUNCILWOMAN GILMORE

17 RICHARDSON: Okay. The Chair notes
18 for the record that Councilmember
19 O'Neill seconds the motion. It has
20 been moved and properly seconded that
21 the amendment to Bill No. 230740 be
22 approved.

23 All those in favor of the
24 motion will signify by stating aye.

25 (Aye.)

1 COUNCILWOMAN GILMORE

2 RICHARDSON: Those opposed?

3 (No response.)

4 COUNCILWOMAN GILMORE

5 RICHARDSON: The ayes have it and the
6 amendment to Bill No. 230740 has been
7 approved.

8 The Chair recognizes Vice-
9 Chair Jones for a motion on Bill No.
10 230740 as amended.

11 COUNCILMAN JONES: Thank you
12 again, Madam President.

13 I move that Bill No. 230740 as
14 amended be moved from this Committee
15 with a favorable recommendation and
16 further move that the rules of
17 Council be suspended to permit first
18 reading at our next session of
19 Council.

20 COUNCILMAN O'NEILL: Second.

21 COUNCILWOMAN BASS: Second.

22 COUNCILWOMAN GILMORE

23 RICHARDSON: The Chair notes for the
24 record that Councilmember O'Neill
25 seconds the motion. It has been

1 moved and properly seconded that Bill
2 No. 230740 as amended be reported
3 from this Committee with a favorable
4 recommendation and further move that
5 the rules of Council be suspended to
6 permit first reading of this bill at
7 the next session of Council.

8 All those in favor of the
9 motion will signify by stating aye.

10 (Aye.)

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Those opposed?

13 (No response.)

14 COUNCILWOMAN GILMORE

15 RICHARDSON: The ayes have it and the
16 motion carries.

17 The Chair now recognizes Vice-
18 Chair Jones for a motion on the
19 amendment to Bill No. 230 -- pardon
20 me -- to Resolution No. 230750.

21 COUNCILMAN JONES: Thank you,
22 Madam Chair.

23 I move that Resolution No.
24 230750 as amended be moved from this
25 Committee with a favorable

1 recommendation and further move that
2 the rules of Council be suspended to
3 permit first reading of Bill No.
4 230750 be approved.

5 COUNCILWOMAN GILMORE

6 RICHARDSON: Pardon me. Par --

7 COUNCILMAN O'NEILL: Second.
8 I don't think we need it, but second.

9 COUNCILWOMAN GILMORE

10 RICHARDSON: Okay. So pardon me. So
11 the motion to consider the amended
12 version of Bill No. 230750 has been
13 placed before the Committee.

14 As the Chair of the Committee,
15 I want to move back and ask that we
16 reconsider this motion. Vice-Chair
17 Jones, if you can restate this motion
18 so that we can address the amendment
19 to Resolution No. 230750 first.

20 COUNCILMAN JONES: Thank you,
21 Madam President -- I mean --

22 COUNCILWOMAN GILMORE

23 RICHARDSON: I'm getting upgraded.

24 COUNCILMAN JONES: Yeah, you
25 just got upgraded. Thank you, Madam

1 Chair.

2 I offer -- I move that
3 Resolution No. 230750 as amended be
4 reported from this Committee with a
5 favorable --

6 COUNCILWOMAN GILMORE

7 RICHARDSON: Be amended. We have to
8 amend it first.

9 COUNCILMAN JONES: Okay.
10 Let's start over. Thank you, Madam
11 Chair.

12 COUNCILWOMAN GILMORE

13 RICHARDSON: Yes.

14 COUNCILMAN JONES: I offer an
15 amendment to Bill -- Resolution No.
16 230750. A copy of that amendment has
17 been circulated to all members of the
18 Committee and I move that Resolution
19 No. --

20 COUNCILWOMAN GILMORE

21 RICHARDSON: That the amendment.

22 COUNCILMAN JONES: That the
23 amendment to Resolution No. 230750 be
24 approved.

25 COUNCILMAN O'NEILL: Second.

1 COUNCILWOMAN GILMORE

2 RICHARDSON: The Chair notes for the
3 record that Councilmember O'Neill
4 seconds the motion. It has been
5 moved and properly seconded that the
6 amendment to Resolution No. 230750 be
7 approved.

8 All those in favor of the
9 motion will signify by stating aye.

10 (Aye.)

11 COUNCILWOMAN GILMORE

12 RICHARDSON: Those opposed?

13 (No response.)

14 COUNCILWOMAN GILMORE

15 RICHARDSON: The ayes have it and the
16 amendment to Resolution No. 230750
17 has been approved.

18 The Chair now recognizes
19 Councilmember Jones for a motion,
20 Vice-Chair Jones for a motion on
21 Resolution No. 230750 as amended.

22 COUNCILMAN JONES: So I don't
23 recommend two consecutive long
24 hearings in a row. This is what
25 happens. Thank you, Madam Chair.

1 I move that Resolution No.
2 230750 as amended be reported from
3 this Committee with a favorable
4 recommendation.

5 COUNCILMAN O'NEILL: Second.

6 COUNCILWOMAN GILMORE

7 RICHARDSON: The Chair notes for the
8 record that Councilmember O'Neill
9 seconds the motion. It has been
10 moved and properly seconded that
11 Resolution No. 230750 as amended be
12 reported from this Committee with a
13 favorable recommendation.

14 All those in favor will
15 signify by stating aye.

16 (Aye.)

17 COUNCILWOMAN GILMORE

18 RICHARDSON: Those opposed?

19 (No response.)

20 COUNCILWOMAN GILMORE

21 RICHARDSON: The ayes have it and the
22 motion carries.

23 This concludes the business
24 before the Committee on Law and
25 Government. Thank you all so much

1 for your attendance, particularly our
2 colleagues who were in the Committee
3 on Public Safety hearing this morning
4 and the Chair of Public Safety, our
5 Vice-Chair Councilmember Jones and
6 all of you here today. We thank you
7 for your participation and we look
8 forward to working with you soon.
9 Have a great day.

10 COUNCILMAN JONES: Thank you,
11 Madam Chair. Good job.

12 COUNCILMAN SQUILLA: Thank
13 you, Madam Chair. Good job.

14 COUNCILMAN O'NEILL: Thank
15 you.

16 COUNCILWOMAN GILMORE
17 RICHARDSON: Thank you. Thank you
18 all so much.

19 COUNCILWOMAN BASS: Thank you.

20 COUNCILWOMAN GILMORE
21 RICHARDSON: Was that Squilla? Thank
22 you.

23 COUNCIL PRESIDENT CLARKE:
24 Thank you, Madam Chair.

25 COUNCILWOMAN GILMORE

1 RICHARDSON: Have a great day.

2 (Hearing concluded at

3 1:44 p.m.)

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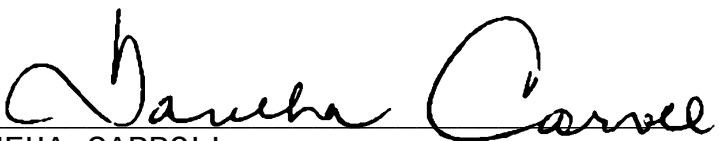
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C E R T I F I C A T I O N

I, hereby certify that the proceedings
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a correct transcript of the same.


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