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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC SAFETY

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Room 400, City Hall
Philadelphia, Pennsylvania

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Tuesday, June 10, 2008, 11:42 p.m.

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9 Bill No. 080425 - Authorizing the Mayor, on
10 behalf of the City, to execute a mutual aid
11 agreement by and between the City of
Philadelphia and the State of New Jersey,
under certain terms and conditions.

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COMMITTEE MEMBERS PRESENT:

14

Donna Reed Miller, Chair

15

Darrell L. Clarke

16

William K. Greenlee

Curtis Jones, Jr.

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James F. Kenney

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1 6/10/08 PUBLIC SAFETY COMMITTEE - BILL 080425

2 I N D E X

3 WITNESS PAGE

4 Marianne Marrocolo..... 5
5 Deputy Director for Emergency Management

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2 COUNCILMAN GREENLEE: Can I
3 have your attention, everybody. Can I
4 have your attention, please.

5 This sometimes happens as we
6 approach the end of the session for
7 the summer. I'm going to recess the
8 hearing on Law and Government for,
9 like, five minutes, so don't anybody
10 go anywhere, and the Public Safety
11 Committee is going to meet for short
12 time, and then we're going back to the
13 Law and Government and Fairmount Park
14 issue. I promise we'll eventually get
15 there.

16 Thank you.

17 COUNCILWOMAN MILLER: Hi. Good
18 morning. Councilwoman Donna Reed
19 Miller. The Committee on Public Safety
20 is now in session.

21 And my goal right now is just
22 to establish a quorum. We have:
23 Councilman Clarke to my left, a member
24 of the committee; Councilman Greenlee
25 to the left, who's also a member of

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2 the committee; Councilman Jones to my
3 right and Councilman Kenney to my
4 right, who are also members of the
5 committee. And I just want to
6 establish the quorum.

7 We're waiting for our witness
8 from the Administration to get here,
9 so we're just going to not officially
10 be in session in a sense until she
11 gets here.

12 Thank you.

13 * * *

14 (Proceedings resume.)

15 COUNCILWOMAN MILLER: Good
16 morning, Miss Marrocolo. We can begin
17 our hearing. Our witness is here.

18 (Witnesses come forward.)

19 MS. MARROCOLO: Good morning.

20 COUNCILWOMAN MILLER: Okay.

21 Will the clerk please read the title of
22 the bill.

23 THE CLERK: Bill No. 080425, an
24 ordinance authorizing the Mayor, on
25 behalf of the City, to execute a mutual

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2 aid agreement by and between the City
3 of Philadelphia and the State of New
4 Jersey, under certain terms and
5 conditions.

6 COUNCILWOMAN MILLER: Thank
7 you.

8 Do you have testimony you want
9 to pass out or --

10 MS. MARROCOLO: Yes.

11 COUNCILWOMAN MILLER: Okay.
12 Oh, you have it? Okay.

13 Please identify yourself and
14 proceed with your testimony and speak
15 into the mic.

16 MS. MARROCOLO: Thank you. I
17 am Marianne Marrocolo. I am the Deputy
18 Director for Emergency Management.

19 MR. O'KEEFE: I am Liam
20 O'Keefe, Assistant Managing Director
21 for Emergency Management.

22 MS. MARROCOLO: I want to thank
23 Chairwoman Miller and the members of
24 the Committee on Public Safety for
25 holding a hearing on the proposed

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2 mutual aid agreement with the State of
3 New Jersey. Today I will present to
4 you information on why it is important
5 for local government to enter into
6 mutual aid agreements, provide you with
7 examples of how mutual aid agreements
8 have, or could have, enhanced the
9 response to previous disasters, and
10 provide you with specific information
11 on the proposed mutual aid agreement
12 before you today.

13 Many large emergencies, such
14 as widespread flooding and events
15 necessitating evacuation, require
16 support from entities beyond the
17 borders of Philadelphia. Oftentimes,
18 jurisdictions fail to put into place
19 sound mutual aid agreements prior to
20 catastrophic events, resulting in a
21 hampered emergency response and
22 recovery operation.

23 Mutual aid agreements are
24 established by two or more entities to
25 support each other when their

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2 resources become exhausted during an
3 emergency. Typically, mutual aid
4 agreements are entered into by
5 governments; however, these agreements
6 may also exist between other types of
7 organizations such as with the
8 nonprofit and private sectors.

9 Pre-event mutual aid
10 agreements allow for jurisdictions to
11 plan in advance how assistance will be
12 provided during an emergency, such as:
13 How requests for assistance should be
14 made and processed; how resources will
15 be mustered, deployed, and be
16 mobilized; and what costs will be
17 reimbursed.

18 The National Incident
19 Management System, the nation's system
20 for managing emergency incidents and
21 events, states: Pre-incident
22 agreements among all parties providing
23 or requesting resources are necessary
24 to enable effective and efficient
25 resource management during incident

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2 operations. The Federal Emergency
3 Management Agency supports this
4 doctrine outlined in the National
5 Incident Management System by
6 maintaining a policy on the mutual aid
7 agreements in relation to
8 reimbursement following federally-
9 declared disasters.

10 This policy encourages
11 jurisdiction to establish written
12 mutual aid agreements before an event
13 occurs. This is -- Attachment A is
14 the policy; it should be with your
15 testimony.

16 The US Department of Homeland
17 Security identifies establishing
18 mutual aid agreements as a critical
19 task for local government to complete.
20 It reinforces this requirement by
21 directing Federal Homeland Security
22 grant funds towards several national
23 priorities, including strengthening
24 preparedness-planning and building
25 regional-planning processes in

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2 communities.

3 As discussed previously in

4 this testimony, to manage the

5 consequences of large emergencies,

6 assistance across jurisdictional

7 boundaries is often necessary.

8 Failure to have mutual aid agreements

9 in place prior to a disaster often

10 slows down the response to and

11 recovery from these emergencies.

12 Several recent events

13 illustrate the importance of mutual

14 aid assistance following a disaster.

15 To provide you with a frame of

16 reference for the dollar cost of

17 mutual aid response on large-scale

18 disasters, the Federal Emergency

19 Management Agency reimbursed state and

20 local governments across the nation

21 more than \$146 million in mutual aid

22 assistance, which was provided to

23 Louisiana during the Hurricane Katrina

24 response. Additionally, mutual aid

25 agreements provided to Louisiana in

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2 the aftermath of Hurricane Rita was in
3 excess of \$11 million.

4 In the aftermath of the World
5 Trade Center attacks, many counties
6 surrounding New York City provided
7 personnel and equipment to support
8 response and recovery operations.

9 One such county was Nassau
10 County, New York, located on Long
11 Island, which is a continuous county
12 to the City of New York. From
13 September 11th through November 30,
14 2001, the Nassau County Police
15 Department provided more than 400
16 police personnel, including fully
17 equipped and trained specialized
18 police units, to supplement the city's
19 exhausted resources and personnel.

20 Nassau County alone
21 contributed in excess of \$7 million in
22 assistance to the City of New York.
23 And Nassau County -- if the City of
24 New York and Nassau County had had in
25 place a mutual aid agreement prior to

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2 9/11, Nassau County would have been
3 able to be reimbursed for their
4 eligible straight-time labor costs.
5 This agreement did not exist and led
6 to millions of dollars in lost federal
7 reimbursement for Nassau County.

8 More than a year after the
9 attack and in recognition of the need
10 for improvement in the area of multi-
11 jurisdiction response coordination,
12 the New York City Fire Department
13 retained a consulting firm to evaluate
14 the agency's response to the attacks
15 and identify recommendations to
16 improve preparedness for future
17 emergencies.

18 One of the primary findings of
19 the report included that resources
20 were not properly coordinated or used
21 on September 11th, although the
22 department did request aid from
23 emergency services in surrounding
24 communities.

25 The report provided several

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2 recommendations to enhance

3 coordination:

4 The FDNY should develop a
5 mutual-aid policy and sign agreements
6 with other fire departments and
7 agencies, allowing it to plan and
8 operate joint responses to incidents
9 that require additional resources
10 beyond its own.

11 Increasing the resource pool
12 available through mutual aid
13 agreements and interagency training
14 will materially enhance the
15 department's ability to mobilize large
16 amounts of resources in a short period
17 of time. Such a system will not only
18 allow the FDNY to make targeted and
19 measured response to a broader variety
20 of incidents but will improve the
21 coverage available to the city on a
22 sustainable basis with limited
23 investment.

24 In October of 2007, my office
25 began working with the State of New

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2 Jersey, Burlington, Camden and
3 Cumberland, Gloucester and Salem
4 Counties in New Jersey, as well as the
5 City of Camden on a cross-border
6 evacuation plan. This plan provides
7 guidance to transportation, law
8 enforcement, and emergency management
9 agencies serving Greater Philadelphia
10 and conducting evacuation operations
11 between Philadelphia and New Jersey.

12 This plan is divided into
13 several strategies, including:
14 Regional response, evacuee movement,
15 evacuee evaluation and support, and
16 emergency response support. In
17 developing these strategies, all
18 parties determined that establishing a
19 mutual aid agreement was essential.

20 The mutual aid agreement
21 before you today establishes the
22 necessary mechanisms to request,
23 deploy, and demobilize personnel and
24 equipment and recoup costs for those
25 activities should the parties

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2 determine to seek reimbursement. It
3 is important to note that this mutual
4 aid agreement does not interfere with
5 what are already customary responses
6 to incidents on the bridges that cross
7 the Delaware River.

8 In summary, ratifying this
9 mutual aid agreement is vital to:
10 Establishing a clear communication
11 chain for requests; organizing the
12 requests; deployment and
13 demobilization process; and
14 identifying a mechanism for cost
15 recovery.

16 Once again, thank you for the
17 opportunity to testify. I welcome any
18 questions you might have on this
19 important topic.

20 COUNCILWOMAN MILLER: Okay,
21 thank you.

22 Excuse me but are you going to
23 testify also?

24 MR. O'KEEFE: I am not.

25 COUNCILWOMAN MILLER: Excuse

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2 me?

3 MR. O'KEEFE: I am not going to
4 testify.

5 COUNCILWOMAN MILLER: I
6 couldn't hear you. Is that a yes or a
7 no?

8 MR. O'KEEFE: That's a no.

9 COUNCILWOMAN MILLER: Okay,
10 thank you.

11 Are there any questions by any
12 committee members of this witness?

13 COUNCILMAN JONES: I just have
14 one quick one.

15 COUNCILWOMAN MILLER:
16 Councilman Jones.

17 COUNCILMAN JONES: Good
18 morning.

19 Is there a reason why we are
20 contracting with the State of New
21 Jersey as opposed to the individual
22 counties and we are -- I mean, it's
23 just -- how do we -- why did we choose
24 the state versus the entity of the
25 counties?

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2 MS. MARROCOLO: That's a good
3 question. The State of New Jersey's
4 emergency management system is very
5 centralized in the New Jersey State
6 Police, and their counties are not able
7 to enter into individual mutual aid
8 agreements. And so the New Jersey
9 State Police superintendent signs on
10 behalf of all of the counties.

11 However, it is important to
12 note that the five counties across the
13 river have reviewed this agreement and
14 are in agreement with the terms and
15 conditions.

16 COUNCILMAN JONES: Thank you.

17 COUNCILWOMAN MILLER: Do they
18 also have to have a mutual aid
19 agreement, such as we're doing today,
20 in New Jersey to service Philadelphia?

21 MS. MARROCOLO: This agreement
22 will cover both responses to
23 Philadelphia and responses to New
24 Jersey.

25 COUNCILWOMAN MILLER: Okay.

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2 Thank you.

3 Are there any other questions
4 of this witness?

5 (No further questions.)

6 COUNCILWOMAN MILLER: Okay.

7 It's a rough one this morning. We're
8 waiting for Councilman Clarke so we can
9 move this bill out of committee. We
10 need a quorum.

11 So we're going to recess for,
12 like, two minutes.

13 COUNCILMAN JONES: Madam
14 Chairwoman, while --

15 COUNCILWOMAN MILLER: Great,
16 Councilman Jones.

17 COUNCILMAN JONES: Yeah. And I
18 wasn't -- I had made a commitment to
19 the chairperson that I wasn't going to
20 ask any questions so that we could move
21 onto parks and the question of
22 Fairmount Park, but since we have an
23 intermission, I'll ask a couple of
24 questions.

25 Have we had problems in the

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2 past with reimbursement? And I know
3 we played a major role with the
4 recovery for the Katrina efforts. And
5 also, I understand that were involved
6 in the Lebanese evacuation, and we
7 used Philadelphia as a port of
8 distribution for refugees.

9 Have we had a problem in the
10 past generally getting reimbursed for
11 any recovery or rescue efforts that
12 we've had?

13 MS. MARROCOLO: I wouldn't
14 classify it as a problem. It's a
15 bureaucratic process to get reimbursed
16 from the federal government. And in
17 going though, obviously, as you're
18 familiar, any bureaucratic process,
19 there's always obstacles to be
20 overcome. And so having agreements
21 like this makes it easier to clear
22 those obstacles.

23 In respect to the Katrina
24 reimbursement, I know the City did
25 receive reimbursement for that.

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2 Generally, after a large disaster, a
3 jurisdiction can expect to recoup
4 about 80 percent of its total costs if
5 their documentation is in proper
6 order.

7 COUNCILMAN JONES: Have there
8 ever been instances where Jersey has
9 come to our aid, New Jersey?

10 MS. MARROCOLO: There are
11 instances. It typically happens on the
12 bridges, like on the Walt Whitman or
13 the Ben Franklin, where the Jersey
14 first-responder resources and
15 Philadelphia first-responder resources
16 will meet in the middle of the bridge.
17 And so that was why a part of this
18 agreement does not interfere with that
19 customary response.

20 Now, as far as a larger
21 response into Philadelphia or into New
22 Jersey, I'm not aware of that.

23 COUNCILMAN JONES: Thank you so
24 much.

25 COUNCILWOMAN MILLER: I want to

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2 clarify this. I didn't really ask him
3 not to answer any questions because
4 that's his prerogative. However, you
5 know, to add to what Councilman
6 Greenlee said earlier, during --
7 towards the end of Council, we're
8 trying to get as many bills through
9 fast, so we sort of had to squeeze this
10 hearing in the middle of the
11 Councilman's hearing, and we just
12 wanted to make sure that everybody has
13 a chance to understand what's going on
14 and ask whatever questions they want to
15 ask.

16 Thank you.

17 COUNCILMAN GREENLEE: And,
18 Madam Chair, if I could. Madam Chair,
19 if I could. If any of the Committee on
20 Law and Government is listening, if
21 they could come back down, 'cause we
22 have to reestablish the quorum.
23 Hopefully, we'll be finished this
24 hearing soon and we'll be back into Law
25 and Government.

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2 I see two members right here.

3 COUNCILWOMAN MILLER: All

4 right. I don't believe there are any
5 other questions for you.

6 Are there any other questions
7 by the committee members for this
8 witness?

9 (No further questions.)

10 COUNCILWOMAN MILLER: Thank
11 you. Thank you for testifying.

12 Any other witness wishing to
13 testify on this bill?

14 (No response.)

15 COUNCILWOMAN MILLER: Seeing
16 none, this concludes the public hearing
17 on the Committee of Public Safety, and
18 we will now go into our public meeting.

19 The Chair recognizes
20 Councilman Greenlee.

21 COUNCILMAN GREENLEE: Thank
22 you, Madam Chair.

23 I move that Bill No. 080425 be
24 reported out of this committee with a
25 favorable recommendation and move

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2 further that the rules of Council be
3 suspended so as to allow for first
4 reading at our next session of
5 Council.

6 (Motion duly seconded.)

7 COUNCILWOMAN MILLER: Okay.

8 All those in favor signify by saying
9 aye.

10 All opposed?

11 Okay, the ayes have it, and
12 Bill No. 080425 will be reported out
13 of this committee with a favorable
14 recommendation and further move that
15 the rules of Council be suspended so
16 as to permit first reading at our next
17 session.

18 This concludes the public
19 hearing on Bill No. 080425, and the
20 bill will be reported out of this
21 committee. And this concludes our
22 hearing.

23 Thank you. Thank you,
24 Councilman Greenlee.

25 COUNCILMAN GREENLEE: Thank

1 6/10/08 PUBLIC SAFETY COMMITTEE - BILL 080425

2 you.

3 COUNCILWOMAN MILLER: Thank

4 you, Marianne, for coming in to

5 testify. Thank you.

6 (Proceedings end at

7 12:05 p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the
proceedings of the City of Philadelphia
Council Committee on Public Safety are
contained fully and accurately in the
stenographic notes taken by me on Tuesday,
June 10, 2008, and that this is a true and
correct statement of same.

JOSEPHINE CARDILLO
Registered Professional Reporter

(The foregoing certification
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