

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON LAW AND GOVERNMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, April 28, 2014
10:10 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS 130878, 140014, 140015, and 140131
RESOLUTIONS 130884 and 140035

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COUNCILMAN GREENLEE: Good morning, everyone. This is the Committee on Law and Government.

We have established a quorum with Councilman Henon, Councilman O'Brien, and Councilwoman Reynolds Brown, who has been appointed to the Committee today.

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

THE CLERK: Bill No. 140131, an ordinance amending Chapter 21-1700 of The Philadelphia Code, entitled "Publication of Notices by City," by revising provisions concerning how notices of regulations proposed by departments, boards and commissions shall be published and advertised; all under certain terms and conditions.

COUNCILMAN GREENLEE: Thank you. Our first witness?

THE CLERK: Joan Decker.

(Witnesses approached witness

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 table.)

3 COUNCILMAN GREENLEE: And,
4 Commissioner, this isn't to you, because
5 your remarks are very short, but just for
6 everyone coming up, if you have written
7 testimony, it will be made part of the
8 record. We'd appreciate, because we have
9 a lot of witnesses on these bills today
10 and we don't want to get backed up into
11 another hearing, if you could summarize
12 any statements you make, and in any
13 event, if your statements could be
14 relatively brief, we'd appreciate it.

15 Commissioner.

16 COMMISSIONER DECKER: Good
17 morning. I'll summarize my testimony
18 even though it's still very short.

19 My name is Joan Decker. I'm
20 the Commissioner in the Records
21 Department and I'm here today to testify
22 in favor of Bill No. 140131. And as you
23 mentioned -- well, this bill was first
24 introduced by Councilmember Sanchez in
25 February of this year, and this bill

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 amends The Philadelphia Code. It adds to
3 the requirement to advertise in
4 newspapers of the highest circulation,
5 paid circulation in the City, as well as
6 the legal newspaper the posting of
7 various notices and regulations online of
8 City departments, boards, and
9 commissions.

10 We fully support this
11 legislation. This will enable many
12 members of the public to have broader
13 access, very convenient 24-by-7 access to
14 these notices. We will post them as well
15 as any updates to them that follow the
16 initial posting.

17 And thank you very much for the
18 opportunity to testify today, and I'm
19 happy to answer any questions you may
20 have.

21 COUNCILMAN GREENLEE: Thank
22 you, Commissioner. And I understand an
23 amendment is being proposed to add a
24 90-day effective date, is that correct --

25 COMMISSIONER DECKER: That's

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 correct.

3 COUNCILMAN GREENLEE: -- to
4 make technical changes?

5 COMMISSIONER DECKER: That's
6 correct.

7 COUNCILMAN GREENLEE: And I
8 should have mentioned in the beginning,
9 Councilwoman Sanchez -- and her statement
10 will be made part of the record -- has
11 given a statement obviously in support of
12 the bill, saying it would, as the
13 Commissioner said, bring our method of
14 getting advertising out online and it's,
15 as she says, a commonsense update to our
16 procedures that will create minimal
17 administrative burden while significantly
18 benefiting the public, and her statement
19 will be made part of the record also.

20 Any questions for Commissioner
21 Decker on this bill?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, can't get any quicker than that,
25 Commissioner.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COMMISSIONER DECKER: That's
3 right. Thank you very much.

4 COUNCILMAN GREENLEE:
5 Ms. Marconi, why don't you call the other
6 two at least that we have.

7 THE CLERK: Robert Ballenger
8 and Amy Laura Cahn.

9 COUNCILMAN GREENLEE: If you
10 could both come up.

11 (Witnesses approached witness
12 table.)

13 COUNCILMAN GREENLEE: Mr.
14 Ballenger, we have your written
15 testimony, so if you could just
16 summarize, I'd appreciate it.

17 MR. BALLENGER: Yes. Thank
18 you. Thank you, Councilman Greenlee.

19 Good morning, Councilman and
20 members of the Committee on Law and
21 Government. My name is Robert
22 Ballenger --

23 COUNCILMAN GREENLEE: A little
24 closer to the mic, please.

25 MR. BALLENGER: Sure. My name

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 is Robert Ballenger. I'm an attorney at
3 Community Legal Services in the Energy
4 Unit. I do have occasion to review the
5 print publication of regulations every
6 day, of proposed regulations, so this is
7 an area I have some experience in.

8 I fully support this bill.
9 This bill would provide significant
10 additional assurance that the public has
11 an opportunity to be informed about and
12 participate in the regulatory process for
13 City departments. Commissioner Decker
14 has explained in her testimony the
15 current process. I won't revisit that.

16 This would supplement the
17 current print publication with online
18 publication. This is the form in which
19 many members of the public now expect to
20 receive notice. So I think it's an
21 important thing to do.

22 I just wanted to close with I
23 think an important statement from the
24 annotations of Section 8-407 of the
25 Philadelphia Home Rule Charter where this

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 requirement originates. The annotation
3 that I'd like to read is I think apt in
4 this circumstance.

5 It states, Since members of the
6 public will be the ones who will be
7 affected by regulations, fairness to them
8 prompts the requirement that they be
9 afforded, as a rule, an opportunity to be
10 heard on proposed regulations. Such
11 hearings are intended to protect persons
12 who will be affected from arbitrary
13 administrative action. They should also
14 serve to bring to the attention of
15 administrative officials facts necessary
16 for the exercise of informed judgment in
17 the promulgation of regulations.

18 So providing notice is a
19 two-way street. It's an important thing
20 both for the public and for those who set
21 regulations, and I think this is a great
22 bill to advance openness and transparency
23 in City government.

24 Thank you. I'm happy to answer
25 any questions you may have.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Ballenger.

4 Ms. Cahn, and then if there's
5 any questions.

6 MS. CAHN: Thank you very much.
7 You have my written testimony. I'm just
8 going to sum up very quickly, and thank
9 you for the opportunity to testify.

10 My name is Amy Laura Cahn. I'm
11 here as a staff attorney on behalf of the
12 Public Interest Law Center of
13 Philadelphia. I work on our
14 environmental justice work, but I'm here
15 on behalf of all of our attorneys who
16 work on a range of issues, including
17 housing, education, disability rights,
18 voting, employment discrimination, and we
19 all agree that we are in support of this
20 bill. We work with residents throughout
21 Philadelphia who struggle to participate
22 in government, who struggle to understand
23 how government works, and we think this
24 is an excellent step in enhancing
25 transparency.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

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

4 Any questions from the
5 Committee for Mr. Ballenger or Ms. Cahn?

6 (No response.)

7 COUNCILMAN GREENLEE: Seeing
8 none, thank you both very much.

9 Is there anyone else here to
10 testify on Bill No. 140131?

11 (No response.)

12 COUNCILMAN GREENLEE: Seeing
13 none, Ms. Marconi, will you please read
14 the title of the next two bills and the
15 resolution before us, please.

16 THE CLERK: Bill No. 140014, an
17 ordinance amending Title 2 of The
18 Philadelphia Code to provide for the
19 powers and duties of the Department of
20 Prisons created under Section 3-100 of
21 the Home Rule Charter; and further
22 amending Title 20 of The Philadelphia
23 Code to provide for the salary of the
24 Commissioner of Prisons, all under
25 certain terms and conditions.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Bill No. 140015, an ordinance
3 providing for the submission to the
4 qualified electors of the City of
5 Philadelphia of the proposal set forth in
6 a Resolution approved by Council
7 proposing an amendment to The
8 Philadelphia Home Rule Charter to
9 transfer the functions of certain City
10 agencies with respect to penal,
11 reformatory and correctional institutions
12 to a newly-created Department of Prisons
13 and Board of Trustees of Philadelphia
14 Prisons and add certain duties to such
15 department; and authorizing the
16 appropriate officers to publish notice
17 and to make arrangements for the special
18 election; all under certain terms and
19 conditions.

20 And Resolution 140035,
21 resolution proposing an amendment to The
22 Philadelphia Home Rule Charter to create
23 the Department of Prisons, to transfer
24 the functions of certain City agencies
25 with respect to penal, reformatory and

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 correctional institutions to a
3 newly-created Department of Prisons and
4 Board of Trustees of Philadelphia
5 Prisons, and to provide for additional
6 duties of the Department, and providing
7 for the submission of the amendment to
8 the electors of Philadelphia.

9 COUNCILMAN GREENLEE: Thank
10 you. Our first witnesses on --
11 Councilman Jones, did you want to say
12 anything?

13 COUNCILMAN JONES: Thank you,
14 Mr. Chairman. I'll hold my comments
15 until after presentations.

16 COUNCILMAN GREENLEE: Sure.
17 Our first witnesses, Ms.
18 Marconi?

19 THE CLERK: Michael Resnick and
20 Louis Giorla.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREENLEE: Good
24 morning to all of you.

25 MR. RESNICK: Good morning,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Councilman.

3 COUNCILMAN GREENLEE: Whoever
4 would like to start, please identify
5 yourself and proceed.

6 MR. RESNICK: Sure. My name is
7 Michael Resnick. I'm Director of Public
8 Safety for the City of Philadelphia.
9 Being mindful of the calendar and the
10 number of witnesses you have, I'll try to
11 be brief. I know you have our prepared
12 testimony.

13 COUNCILMAN GREENLEE: Yes.

14 MR. RESNICK: The bills and
15 resolutions before you are proposed by
16 the Administration and were sponsored by
17 Councilman Jones. We'd like to thank him
18 for that. There are two paragraphs from
19 the prepared testimony that I just would
20 like to read.

21 We're all familiar with the
22 bills and the resolution and that they
23 will, in a sense, have the Charter
24 reflect what's going on practically in
25 practice today. The Department of

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Prisons will be created. It will no
3 longer be under the Department of Human
4 Services. So as a practical matter, the
5 Prisons has been operating as if they
6 were an independent department for 26
7 years. This practice was formally
8 initiated by Mayor Goode by Executive
9 Order in April 6th, 1988. The favorable
10 passage of this legislation package will
11 formally establish the Department of
12 Prisons through The Philadelphia Code and
13 Charter and will ensure the continuation
14 of critical reintegration services beyond
15 this Administration and Council.

16 It is important to note that by
17 making this change, we will not incur any
18 additional costs and the shift will not
19 impact prison operations. It will,
20 however, elevate the Prisons Commissioner
21 to the same level as Police and Fire and
22 other Commissioners. It will afford the
23 Commissioner the needed leeway in
24 managing the prison operations and,
25 importantly, it will place the Office of

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Rise, Reintegration Services for
3 Ex-Offenders, within the Prison System
4 and ensure that that important work lasts
5 beyond this Administration and this
6 Council.

7 That concludes the testimony.
8 We'll be available for questions.

9 COUNCILMAN GREENLEE: Thank
10 you.

11 Commissioner, did you want to
12 add something?

13 COMMISSIONER GIORLA:
14 Councilman, good morning. Lou Giorla,
15 Prison Commissioner. As Mr. Resnick
16 said, this reflects the reality of today.
17 The Prisons contracts for their own
18 services. We handle our own internal
19 discipline. We handle our own hiring.
20 Every other aspect that reflects an
21 operating department is conducted by the
22 Prisons. Our relationship with DHS,
23 which Charter-wise we're under, is merely
24 a relationship on paper. There are no
25 budgetary ties or anything that causes us

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 to be subject to their direction.

3 Thank you.

4 COUNCILMAN GREENLEE: Thank
5 you.

6 Did you want to add something?

7 MR. HART: Councilman, thank
8 you. I don't have prepared testimony,
9 but to support what --

10 COUNCILMAN GREENLEE: Just
11 identify yourself for the record.

12 MR. HART: Bill Hart, the
13 Executive Director --

14 COUNCILMAN GREENLEE: We know
15 you, but...

16 MR. HART: -- for reentry
17 initiatives.

18 Essentially, I'll say some of
19 the benefits of moving this legislation
20 forward and having RISE particularly
21 underneath the purview of the Prisons,
22 clearly there's an opportunity to start
23 maximizing some of the efficiencies of
24 combining resources with both our staff
25 and what the Prisons does. Early

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 intervention as best practices would
3 suggest is identifying challenges and
4 needs early, addressing them while our
5 guys are in detention and having the,
6 I'll say, the benefits of combined
7 assessment, combined programming and what
8 we're doing with fatherhood, with family
9 reunification behind the walls, and the
10 continuity of that care with both pre and
11 post detention, that, along with the
12 seamless delivery of services.

13 The project that we're working
14 on now, it's still in its infancy stage,
15 but to be able to identify clients that
16 are on the mental health, the active
17 mental health roster, assess them early,
18 ensure there's a continuity of, I'll say,
19 insurance care, so upon release, they're
20 mainly moved into care to facilitate that
21 process so we can, I'll say, minimize the
22 frequent flyers that are incarcerated,
23 not necessarily because of criminality
24 but because of behavior and mental health
25 challenges.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Lastly, I'll say another
3 benefit is allows for better strategic
4 planning, both with service providers,
5 internal operations with the Prison
6 System, and then the things that we do
7 from the external service delivery model
8 to, again, to manage that continuity of
9 care, what takes place with our guys in
10 detention to ensure that those services
11 are available to them immediately upon
12 release.

13 Thank you, Councilman.

14 COUNCILMAN GREENLEE: Thank
15 you, Mr. Hart. And just a technical
16 question here. I believe all three bills
17 have an amendment to deal with changing
18 the date.

19 MR. RESNICK: I believe so,
20 Councilman.

21 COUNCILMAN GREENLEE: Okay.
22 Thank you.

23 Questions?

24 Councilman Henon.

25 COUNCILMAN HENON: Thank you,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Mr. Chairman.

3 Good morning.

4 (Good morning.)

5 COUNCILMAN HENON: And thank
6 you for coming in. Just a couple quick
7 questions. You touched on most of it.

8 Charter changes are very
9 serious --

10 MR. RESNICK: Yes, they are.

11 COUNCILMAN HENON: -- here in
12 the City of Philadelphia, and there's all
13 different kinds of opinions whether we
14 should have Charter changes or not or
15 make executive discretions with certain
16 initiatives that we're trying to do. How
17 does -- and, again, a little more
18 specifically, how does, for no pun
19 intended, how does this handcuff you
20 being where you are now as opposed to
21 separating and having your own
22 department?

23 MR. RESNICK: I'll let the
24 Commissioner talk a little bit more
25 extensive about that, but bottom line is,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 because the Prison is not its own
3 department with a -- a Charter department
4 with a chartered Commissioner, he does
5 not have the ability under Civil Service
6 to appoint his exempt top deputies, his
7 management team.

8 COMMISSIONER GIORLA: Yeah.
9 Good morning, Councilman. Commissioner
10 Giorla from the Prisons.

11 The Charter change and
12 subsequent creation of the Department of
13 Prisons will give, at the minimum, myself
14 or my successors the ability to appoint
15 exempt deputies. I believe it affords
16 ten deputies to each operating
17 department, although I don't think the
18 Prisons would need ten. It would give
19 the Commissioner the legal discretion to
20 either reach within the department for
21 qualified individuals or select from
22 outside the department. It would also, I
23 believe, accelerate the process for
24 appointing high-ranking deputies. It
25 wouldn't require the timeline that Civil

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Service may require.

3 Whenever one of these positions
4 sustains a vacancy, as we're going to see
5 in the next couple years with the DROP
6 program, it's a critical vacancy. It has
7 an extremely, extremely wide impact on
8 operations, and fulfilling -- or filling
9 those is something that's really where
10 time is of the essence and where you want
11 the most qualified individuals to step in
12 as quickly as possible.

13 COUNCILMAN HENON: So it gives
14 you the ability to react in an emergency
15 basis in a more timely fashion that's
16 appropriate for you to manage the system;
17 is that correct?

18 COMMISSIONER GIORLA: Yes, sir.

19 COUNCILMAN HENON: Your
20 employees, would it change which
21 employees are represented aside from some
22 of the staff that you have around you?
23 They would still all be represented
24 employees?

25 COMMISSIONER GIORLA: Yes.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 There'll be no change in the employee
3 representation. The correctional
4 officers, sergeants, and lieutenants are
5 represented by District Council 33, Local
6 159. Our treatment professionals -
7 psychologists, social workers, social
8 work supervisors - are represented by
9 District Council 47. Captains and
10 above - captains, deputy wardens,
11 wardens, and deputy commissioners - are
12 non-represented employees, and our social
13 work administrators are non-represented
14 employees.

15 COUNCILMAN HENON: And
16 technically your budget is your budget
17 anyway as proposed by the City of
18 Philadelphia. So that would not change,
19 correct?

20 COMMISSIONER GIORLA: No, sir.
21 Budget preparation, budget testimony,
22 budget approval, and budget monitoring
23 all take place within the department.

24 COUNCILMAN HENON: How about
25 now under the Department of Welfare, is

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 your contracts and vendors that you deal
3 with, would they be under City
4 procurement or state procurement?

5 COMMISSIONER GIORLA: No. All
6 of our contracts are monitored by City
7 procurement, and we don't have any
8 contracts to straddle both departments.
9 All of our contracts are unique to the
10 Prisons.

11 COUNCILMAN HENON: And your
12 budget, is that a part of the Department
13 of Health's budget or is it separate?

14 COMMISSIONER GIORLA: We get a
15 partial subsidy from the Department of
16 Public Health, not DHS, to help in mental
17 health treatment. Approximately 30
18 percent of our mental health treatment
19 contract is subsidized by the Department
20 of Public Health.

21 COUNCILMAN HENON: And that
22 would continue, I would imagine so?

23 COMMISSIONER GIORLA: Yes, sir.

24 COUNCILMAN HENON: Okay.

25 Great.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Thank you. I have no further
3 questions.

4 COUNCILMAN GREENLEE: Thank
5 you, Councilman.

6 Any other questions?

7 Councilman O'Brien.

8 COUNCILMAN O'BRIEN: I'm
9 familiar with RISE. Could you please
10 explain to me, Mr. Resnick, the formality
11 that you want to accomplish in this
12 legislation and where I can read that
13 language? I'm having trouble identifying
14 that.

15 MR. RESNICK: I think the
16 formality, Councilman, RISE exists
17 currently under a Mayor's Executive
18 Order. So that may not and does not
19 necessarily have to perpetuate beyond
20 this Administration, because as mayors
21 come, mayors can change executive orders.
22 But what this legislation proposes to do
23 is move the reentry services that RISE
24 provides into the Prison, formalize that,
25 and make that part of Prison operations,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 so that future mayors, future
3 administrations may do away with the
4 Executive Order, but the work still
5 maintains and it's done out of the Prison
6 Department.

7 COUNCILMAN O'BRIEN: Can you
8 direct me where that language is
9 incorporated in today's consideration and
10 deliberations?

11 MR. RESNICK: I know it's in
12 here, Councilman. I don't want to take
13 up your time. I can find it and show it
14 to you after the hearing.

15 COUNCILMAN O'BRIEN: Thank you.

16 MR. RESNICK: Okay.

17 COUNCILMAN GREENLEE: Thank
18 you.

19 Councilman Jones.

20 COUNCILMAN JONES: Thank you,
21 Mr. Chairman, and thank you, members of
22 the Committee. These are the exact
23 questions that I asked when asked to
24 introduce the legislation. I know your
25 concern, Councilman Henon. Those

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 institutions are in your district, as
3 well as being Vice Chair of the Public
4 Safety Committee. So I appreciate those
5 injections as to where things were.

6 One of the things that were
7 real clear, the first wave of this notion
8 had people believing we were trying to
9 privatize prisons, which was far from the
10 case and not -- and as everyone is
11 indicating through body language, this is
12 not the case. This is just moving a
13 department that was originally under the
14 Quaker influence put under DHS, and it
15 just, in modern prison management, just
16 didn't fit.

17 Yes, we should be
18 humanitarians. Yes, we should do all of
19 those things, but some practical things
20 it did not do was allow for things like
21 federal funding. Under federal models
22 when they give grants, it doesn't come
23 through a department like Human Services.
24 It goes directly to a prison. So there
25 was some ambiguity about that.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 The second thing that I did,
3 members of the Committee, was check with
4 the labor issue and how it would impact
5 them, and as you see, there will be
6 written testimony and even
7 representatives from 33 that are here,
8 and they raised some concerns and have, I
9 think for the most part, been satisfied.

10 We also took a look at the
11 reentry piece, which I found a critical
12 component as a part of this, because it
13 was an Executive Order and from
14 Administration to Administration, they
15 have no obligation, none at all, to
16 continue a prior Executive Order, and I
17 thought it was appropriate that reentry
18 being such a critical part of our public
19 policy be a permanent department, and I
20 think once we narrow down where the
21 language is, that was one of the
22 concessions made.

23 So I think that it just makes
24 organizational sense. I think it makes
25 practical sense to move it to an

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 independent department under the City
3 Charter, same procurement, same work
4 rules that apply to other municipal
5 departments.

6 Thank you, Mr. Chairman.

7 COUNCILMAN GREENLEE: Thank
8 you, Councilman.

9 Any other questions or
10 comments?

11 (No response.)

12 COUNCILMAN GREENLEE: Thank all
13 three of you very much.

14 COMMISSIONER GIORLA: Thank
15 you, Mr. Chairman.

16 COUNCILMAN GREENLEE: Ms.
17 Marconi, how about our next two
18 witnesses.

19 THE CLERK: Wayne Jacobs and
20 Patrick Christmas.

21 (Witness approached witness
22 table.)

23 COUNCILMAN GREENLEE: Is
24 Mr. Christmas or anyone -- there he is.
25 Okay.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 (Witness approached witness
3 table.)

4 COUNCILMAN GREENLEE: Good
5 morning to you both.

6 Mr. Jacobs, why don't you
7 start. Please identify yourself for the
8 record and proceed.

9 MR. JACOBS: Yes. Good
10 morning. Wayne Jacobs, co-founder and
11 Executive Director of X-Offenders for
12 Community Empowerment.

13 COUNCILMAN GREENLEE: Go ahead.

14 MR. JACOBS: Well, I support
15 this move for one reason, and my concern
16 is the folks that's being released and
17 giving RISE the ability to be able to
18 best service those folks that's being
19 released from prison.

20 The last two budgets that the
21 Mayor passed, they had cut RISE's budget,
22 and that means -- cutting RISE's budget
23 means cutting services to folks that
24 needs them. And so by moving the prison
25 out of the DHS and placing them as an

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 independent body and including RISE, that
3 will give RISE the ability to be able to
4 go out and raise private funding whenever
5 the City decides to cut their budget. So
6 that's my reason for supporting it, is
7 because they give RISE the ability to
8 raise money to service the population
9 that I'm interested in.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 Mr. Christmas.

13 MR. CHRISTMAS: Good morning.
14 I'm Patrick Christmas, the Senior Policy
15 Analyst at the Committee of Seventy. We
16 also support this proposal. We applaud
17 Councilman Jones and City Council for
18 taking up this issue.

19 I did submit written testimony,
20 but I'll strip it down to the bare bones
21 here.

22 We support this proposal for
23 three reasons. First, the Prison System
24 is the largest City agency that is not
25 its own department. It's large. It's

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 complex. The gravity of its work is
3 serious, and it's not its own department.

4 Secondly, kind of touch on a
5 point that was already made. The fact
6 that the Prisons Commissioner does not
7 have the ability to appoint his own
8 deputies exempt from Civil Service
9 regulations is a serious managerial
10 constraint. This proposal would grant
11 him that ability. The Police Department
12 has seven of these exemptions, Fire has
13 five, and DHS has nine. So even if the
14 DHS Commissioner wanted to appoint some
15 deputies for the Prison System, they've
16 already eaten out of their ten.

17 Lastly, also as was already
18 said, the Prison System is already
19 functioning independently as a modern
20 prison system, and this Charter amendment
21 would reflect reality.

22 Thank you.

23 COUNCILMAN GREENLEE: Thank you
24 both.

25 Any questions?

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2 (No response.)

3 COUNCILMAN GREENLEE: Thank you
4 both very much.

5 Ms. Marconi, I think we have
6 two more people at least listed.

7 THE CLERK: Lisa Shelton and
8 Margaret Robertson.

9 (Witnesses approached witness
10 table.)

11 COUNCILMAN GREENLEE: Ma'am,
12 were you listed too?

13 MS. ROBERTSON: Yes, but I can
14 wait.

15 COUNCILMAN GREENLEE: Whoever
16 would like to start, please identify
17 yourself for the record and proceed.

18 MS. SHELTON: Good morning. My
19 name is Lisa Shelton and I will be
20 reading the statement on behalf of
21 Lorenzo North, Local 159 President.

22 Good morning. I've been the
23 President of Local 159 of AFSCME District
24 Council 33 and I am charged with
25 representing the thousands of City

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 employees who exercise care, custody, and
3 control over inmates in the City's Prison
4 System.

5 I would like to thank the
6 Chair, William Greenlee; Vice Chair,
7 James Kenney; and members of the Law and
8 Government Committee for the opportunity
9 to provide the views of Local 159 in
10 connection with Bill No. 140015 and
11 Resolution 140035.

12 As you know, City correctional
13 officers work in dangerous conditions to
14 deal with some of the most violent
15 inmates in the State of Pennsylvania.
16 Notwithstanding the risks we willingly
17 accept in performing these duties, yet
18 dangerous, yet essential duties, we have
19 consistently received no respect from the
20 management in the City of Philadelphia.
21 In the last year, we have had officers
22 receive major injuries by attacks from
23 inmates. A female correctional officer
24 received injuries to her eye socket after
25 being attacked by an inmate, and two

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 other officers received major facial
3 injuries after being attacked by inmates.

4 These are just a few examples
5 and, sadly, are the norm instead of being
6 isolated incidents. These incidents do
7 not make headlines nor even get reported
8 in the news. Certainly they are not
9 given the same amount of attention that
10 tragedies befalling our brothers in
11 public safety, the Police and Fire,
12 receive. But we are not looking for
13 publicity or public sympathy. However,
14 we do demand that our Commissioner and
15 management officials within the Prison
16 recognize the dangerous work we perform
17 and treat us with the respect we deserve.

18 This is an issue that the union
19 and management are presently working on,
20 and although there is a lot of work to be
21 done, I see progress.

22 Concerning Bill No. 140015 and
23 Resolution 140035, Local 159 and I ask
24 this Committee to give approval to both
25 items with the support of Local 159.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Again, my name is Lisa Shelton.

3 I also am a correctional officer of 27
4 years.

5 COUNCILMAN GREENLEE: Thank
6 you. Thank you for all the hard work you
7 do, and give our regards to Mr. North.

8 Whoever would like to go next.

9 MS. LEAKE: Jennifer Leake,
10 Vice President of Local 159.

11 COUNCILMAN GREENLEE: You don't
12 have anything else?

13 MS. LEAKE: No.

14 COUNCILMAN GREENLEE: All
15 right. Appreciate it.

16 Sir, do you have anything?

17 MR. NEWLIN: Claiborne S.
18 Newlin --

19 COUNCILMAN GREENLEE: You've
20 got to speak in the microphone.

21 MR. NEWLIN: Claiborne S.
22 Newlin. I'm the attorney for Local 159.
23 I'm here in support to aid in answering
24 any questions you might have.

25 COUNCILMAN GREENLEE: Thank

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 you.

3 Any questions?

4 (No response.)

5 COUNCILMAN GREENLEE: Seeing
6 none, again, thank you all for the work
7 you do. Thank you.

8 Ma'am, if you'd like to come
9 up, please.

10 (Witness approached witness
11 table.)

12 COUNCILMAN GREENLEE: Good
13 morning. Please identify yourself for
14 the record and proceed.

15 Let me ask, is there anyone
16 else here to testify on these bills or
17 resolutions?

18 (No response.)

19 COUNCILMAN GREENLEE: Please.

20 MS. ROBERTSON: My name is
21 Margaret Robertson and I'm here as an
22 individual who has a family member in the
23 correction system, and I'm here to
24 testify regarding my experiences.

25 I support this legislation, but

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 I'm also here to request that when you
3 establish the new Board of Trustees,
4 there should be places on that Board for
5 returning citizens and family and
6 community, because we are very much
7 affected by all the policies of the
8 Department of Prisons, specifically the
9 visiting policies and the educational
10 training and healthcare, because when
11 family members come back, if they have
12 problems that have not been addressed,
13 they're bringing them back in our
14 communities and they're bringing them
15 back without solutions.

16 In addition, I am requesting
17 that Philadelphia seriously consider the
18 position of an ombudsman for family
19 members, and the reason is -- because I'm
20 here today because I really don't know
21 any other way to address you. I don't
22 know who to go to with my problems or my
23 concerns, and we have approximately
24 20,000 people in correction systems,
25 8,000 here in the City, and we really

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 don't have any way to make our concerns
3 heard. And we are concerned -- at least
4 I am -- that at the end of a period of
5 incarceration, people return to our
6 communities unable to support themselves.
7 I know RISE is a new program, and I hope
8 it becomes even more established than it
9 is. But at present, people who are
10 leaving prisons are really suffering.
11 They're unable to support themselves and
12 even to find housing.

13 In addition, I would ask you to
14 really seriously consider the fact that
15 Philadelphians in prisons are counted for
16 congressional purposes in the counties
17 where the prisons are located, not as
18 Philadelphians for our congressional
19 representation. I think that's a problem
20 that really needs to be rectified. Why
21 should we be giving votes to other
22 counties? There are about eight counties
23 now that have congressional
24 representation based on the numbers in
25 prisons located in those counties. I

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 don't have any printed information for
3 you. I'd be happy to send it to you.

4 COUNCILMAN GREENLEE: Okay.

5 MS. ROBERTSON: Thank you very
6 much.

7 COUNCILMAN GREENLEE: I
8 appreciate that. If I could just suggest
9 that maybe you talk to Mr. Hart from
10 RISE, because he is extremely aggressive
11 and works very hard on this issue.

12 All right. Thank you. Thank
13 you very much.

14 Anyone else here to testify on
15 Bill 140014, 140015 or Resolution 140035?

16 (No response.)

17 COUNCILMAN GREENLEE: Seeing
18 none, Ms. Marconi, our last bill and
19 resolution before us, please.

20 THE CLERK: Bill No. 130878, an
21 ordinance providing for the submission to
22 the qualified electors of the City of
23 Philadelphia of an amendment to The
24 Philadelphia Home Rule Charter
25 establishing and defining the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 responsibilities of the Office of
3 Sustainability; fixing the date of a
4 special election for such purpose;
5 prescribing the form of ballot questions
6 to be voted on; and authorizing the
7 appropriate officers to publish notice
8 and to make arrangements for the special
9 election.

10 And Resolution 130884,
11 resolution proposing an amendment to The
12 Philadelphia Home Rule Charter to provide
13 for the creation of an Office of
14 Sustainability, to provide for the powers
15 and duties of such Office, and to
16 otherwise provide for incorporation of
17 the Office into the City government; and
18 providing for the submission of the
19 amendment to the electors of
20 Philadelphia.

21 COUNCILMAN GREENLEE: Why don't
22 you call our first witness, and I'll be
23 recognizing Councilwoman Reynolds Brown.

24 THE CLERK: Katherine Gajewski.

25 COUNCILMAN GREENLEE: Thank

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 you.

3 The Chair recognizes the
4 sponsor of the bill and resolution,
5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: Thank you,
7 Mr. Chairman.

8 On November 21st, 2013, I
9 introduced Bill No. 130878 and Resolution
10 No. 130884, which was co-sponsored by
11 Councilmember James Kenney. Bill No.
12 130878 and Resolution No. 130884 seek to
13 make the Office of Sustainability a
14 permanent part of City government.

15 Since the Office's inception in
16 2008, the City has become a leader in
17 environmental responsibility and
18 sustainability efforts in the region.
19 The Office of Sustainability has taken a
20 lead in implementing Greenworks, a living
21 document which aims to make Philadelphia
22 the greenest city in America.

23 Over 120 cities and counties
24 across the country have established
25 sustainability offices and positions.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Philadelphia would join other cities like
3 New York, Boston, Seattle, San Francisco
4 and more who have moved to make these
5 offices a permanent function of local
6 government.

7 Our Office of Sustainability
8 has been instrumental in securing
9 additional grants revenue for the City,
10 coordinating sustainability efforts
11 amongst City departments, and working
12 very closely with our environmental
13 sustainability communities to achieve a
14 more than 80 percent compliance rate for
15 the implementation of energy benchmarking
16 legislation, which requires commercial
17 building owners to report their energy
18 usage to the City. And I'd also like to
19 salute BOMA for being real partners
20 towards that end.

21 During this hearing, I plan to
22 offer several technical amendments that
23 were circulated in advance. They include
24 the following:

25 Currently, the date of election

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 set for the proposal is the May 2014
3 election. We are past that point when
4 Charter changes can be put on the May
5 ballot. Therefore, the date has been set
6 for November 2014.

7 Currently, the resolution
8 states the change would become effective
9 July 1, 2014. That will have to be
10 changed to July 1, 2015.

11 Lastly, the advertising
12 procedures in the ordinance have been
13 changed to comply with current
14 advertising procedures. This legislation
15 is another step in the right direction to
16 ensure that our city's long-term
17 commitment to protecting the planet for
18 our young people is indeed real.

19 For that reason and more, I'm
20 asking for the support of members today.
21 Again, I want to thank my staff, the
22 Administration, and the co-sponsor of
23 this bill, Councilman Kenney, for the
24 needed work on this bill.

25 Thank you, Mr. Chairman.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Councilwoman.

4 Ms. Gajewski, before you
5 proceed, I just want to repeat what I
6 said earlier. If you have written
7 testimony, I'd appreciate you summarizing
8 that testimony, as other witnesses have
9 done, because we do have a long list of
10 people who had asked to testify.

11 So with that, please.

12 MS. GAJEWSKI: Good morning,
13 and thank you, Councilman Greenlee and
14 members of the Committee. I'm Katherine
15 Gajewski. I serve as the Director of
16 Sustainability for the City of
17 Philadelphia and I'm here to support Bill
18 No. 130878 and Resolution No. 130884,
19 introduced by Councilwoman Blondell
20 Reynolds Brown. This legislation would
21 make the Office of Sustainability
22 permanent within City government.

23 I want to briefly recognize and
24 thank Councilwoman Reynolds Brown and
25 Councilman Kenney for their ongoing

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 leadership. Both of them have been great
3 partners to our office over the years.
4 We've also been fortunate to work with
5 other Councilmembers who have taken an
6 interest in sustainability-related issues
7 and have introduced legislation of their
8 own.

9 I will keep my testimony brief,
10 but if anyone wants to talk about this at
11 greater length, I could spend eight,
12 nine, ten hours talking about this, but
13 I'll keep it to a minute or two today.

14 I was appointed to the Director
15 of Sustainability position in 2009 and
16 have held that position for the last five
17 years, during which time we've seen
18 tremendous support both within City
19 government and beyond City government for
20 sustainability principles and initiatives
21 in Philadelphia.

22 The office was established in
23 response to a public effort back in 2008.
24 We saw a very organized constituency in
25 Philadelphia that wanted to see City

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 government really embrace sustainability
3 principles and begin to incorporate them
4 into the fabric of City government. What
5 our office serves to do is serve as a
6 central coordinating entity within City
7 government. We partner with nearly all
8 departments and agencies that have now
9 initiatives and goals within their
10 portfolio that advance the Greenworks
11 initiatives and then we also coordinate
12 with stakeholders outside of City
13 government and serve as a point of
14 contact so that federal, state,
15 government levels, and also non-profits,
16 community groups, et cetera, have a
17 contact and have an advocate within City
18 government to move initiatives forward.

19 Another core function of our
20 office is that we work across all
21 departments and agencies on an annual
22 basis to track data and metrics tied to
23 the Greenworks Philadelphia plan, and we
24 put forward an annual report, which I
25 have copies of here. So we make the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 information very transparent on a regular
3 basis, what we're doing, where we're
4 seeing opportunities, where we're
5 encountering problems, and we make sure
6 that we're moving forward.

7 Greenworks was established in
8 2009, as the Councilwoman mentioned, and
9 set forth 15 targeted goals and over 166
10 individual initiatives which we've been
11 working to implement. In our 2013
12 progress report, we're happy to report
13 that over 90 percent of those initiatives
14 are either underway or complete. And
15 we've really seen departments embrace
16 sustainability. We've seen them start to
17 bring it into the work that they do, and
18 we think there's a lot more that we can
19 be doing in the coming years, and for
20 that reason, we think that this
21 legislation is important in memorializing
22 sustainability as a core function within
23 City government.

24 In the coming years, I think
25 there's a number of challenges and

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 strategic opportunities that the City can
3 take hold of, and having an Office of
4 Sustainability in place and providing
5 leadership on these issues will help to
6 ensure that we're moving forward as a
7 city in the right direction and starting
8 to think about how we can do more in the
9 face of climate change and other serious
10 issues.

11 So with that, I will conclude
12 my testimony and be happy to respond to
13 any questions that you may have.

14 COUNCILMAN GREENLEE: Thank
15 you.

16 Any questions, comments?
17 Councilwoman Reynolds Brown and
18 then Councilman Henon.

19 COUNCILWOMAN BROWN: Given the
20 work that's been done since 2008, could
21 you speak briefly to why other
22 municipalities have moved in this
23 direction as well.

24 MS. GAJEWSKI: Sure. So in the
25 five years that I've been in this

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 position, we've seen real growth within
3 the field of urban sustainability. So
4 now I think over 250 cities across the
5 United States now have Offices of
6 Sustainability and/or Director of
7 Sustainability positions. I think it's
8 spoken -- especially coming out of the
9 recession where we've needed to do more
10 with less, I think that sustainability
11 has really spoken to City government
12 looking at areas where we can be more
13 efficient in our operations and where we
14 can begin to integrate issues that have
15 often fallen along siloed departments.

16 So I think that sustainability
17 has not only moved to increase efficiency
18 within City government, but it's also
19 begun to address some of the
20 quality-of-life issues in a way that I
21 think is relevant to the issue of our
22 time.

23 So we've seen real growth in
24 the field, and I think that will continue
25 as we look more at the extreme weather

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 that's happening, changes in energy
3 markets, so on and so forth. I think
4 that this is something that's not just a
5 passing fad, but is really becoming
6 relevant to the core of government.

7 COUNCILWOMAN BROWN: Often it's
8 said that sustainability is the future
9 and it will bring green jobs. Can you
10 speak to how the City has moved in that
11 direction as well as a result of
12 legislation in this area.

13 MS. GAJEWSKI: Sure. As some
14 of the other folks who are here to
15 testify can speak to with more expertise,
16 we have seen that the commitments that
17 the government has made in terms of both
18 policy and programs have increased
19 confidence in businesses that have come
20 to locate in Philadelphia with businesses
21 in the sustainability and energy sectors,
22 and also we've been able to attract tens
23 of millions of dollars of state and
24 federal competitive funds to advance
25 projects. SEPTA will speak to that as an

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 example. So we've been able to bring
3 more dollars to the local economy that
4 have resulted in business and job
5 opportunities.

6 COUNCILWOMAN BROWN: I see.
7 Okay, then. Thank you very much.

8 COUNCILMAN GREENLEE: Thank
9 you, Councilwoman.

10 Councilman Henon.

11 COUNCILMAN HENON: Thank you,
12 Mr. Chairman.

13 Good morning.

14 MS. GAJEWSKI: Good morning.

15 COUNCILMAN HENON: Katherine,
16 thank you for coming in. I'm going to
17 say just as I opened up with the Prison,
18 a Charter change is very serious here in
19 the City of Philadelphia, and I think
20 every member really takes all of the
21 proper stakeholder input and government
22 coordination extremely serious.

23 You were asking -- not you were
24 asking. You are, of course, in favor of,
25 but we're asked to put a referendum on

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 the ballot establishing an Office of
3 Sustainability, like other cities, which
4 is commendable, and I think the efforts
5 are great from your perspective.

6 What is your current budget for
7 the Office of Sustainability?

8 MS. GAJEWSKI: We have a modest
9 General Fund budget of approximately
10 \$750,000. The majority of our funding
11 has come from federal grants over the
12 years and private foundations.

13 COUNCILMAN HENON: What is your
14 overall budget? What is your overall
15 budget with some of the outside sources
16 in addition to the General Fund?

17 MS. GAJEWSKI: So we've brought
18 in, in addition to that, about \$41
19 million in outside funds over the last
20 five years, 41 to 42 million.

21 COUNCILMAN HENON: And how has
22 it been -- because your testimony is very
23 informative. I mean, it seems like --
24 how many staff do you have? Three?

25 MS. GAJEWSKI: There's five.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN HENON: So it seems
3 like you've done a lot with a limited
4 staff.

5 How has it been coordinating?
6 Because I know it's been an issue that
7 I've seen with other departments and
8 other issues, I'm going to say
9 manufacturing, because I think there's a
10 natural tie with manufacturing and
11 possibly the Office of Sustainability
12 with new market emergings in the
13 technology industry. I think they should
14 be working hand in hand, especially since
15 there's been a new office created for
16 manufacturing and industry. So I'd like
17 to see a little more coordination with
18 that in the future once they get up and
19 running.

20 How have you been able to
21 manage a lot of the good that some of the
22 non-profit and business worlds and the
23 private sector has been from your office,
24 how have you been coordinating and
25 managing that? Because there is a lot

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 going on there. Have you noticed a lot
3 of duplicity? Are you able to manage
4 some of that for some of the City's
5 priorities?

6 MS. GAJEWSKI: Yeah. I would
7 say that the reason we've been able to be
8 successful as a very small staff working
9 across a large portfolio and a large
10 array of partners is that at the
11 beginning of our tenure, we put out
12 Greenworks as a plan, and we very loyally
13 followed the plan over the course of the
14 last five years. We've made changes and
15 we've documented all of those for our
16 annual reporting process, but we
17 developed the plan really in partnership
18 both with City agencies. We didn't go
19 and say, You need to do this. We really
20 opened up and tried to have them bring
21 their ideas to the table, did best
22 practice scans to see what other cities
23 were doing that made sense for
24 Philadelphia, and we did the same with a
25 number of external stakeholders. So I

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 like to believe that we had strong buy-in
3 from the beginning, and we were able to
4 make these goals relevant to goals that
5 the City held in other areas. That made
6 sense not just from a sustainability
7 perspective but for other reasons as
8 well.

9 And I think another thing that
10 we've seen in the last five years, when I
11 first took this position, it was when the
12 economy was crashing and we were all
13 talking about budget cuts, and I thought
14 the last thing anyone was going to want
15 to talk about or work on was
16 sustainability, and we've actually seen
17 just the opposite, that this is really an
18 area of work that's becoming increasingly
19 relevant in a number of fields. So my
20 colleagues when they go to transportation
21 conferences or energy conferences or
22 manufacturing conferences, these are the
23 issues of our time that they are caring
24 about, that their callings across the
25 country and world are also wrangling with

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 and trying to move forward on. So we've
3 seen increasingly over the last five
4 years that this is becoming more central
5 to a number of fields, including the
6 manufacturing field as a good example.
7 So when we talk to businesses, when we
8 talk to stakeholders, they're wanting to
9 tie this more and more to a number of
10 sectors and a number of areas.

11 And just one example to your
12 point about the Charter change, because I
13 do recognize the seriousness of the
14 Charter change. Part of our portfolio is
15 managing the City's energy use and
16 looking at opportunities to conserve and
17 reduce energy exposure. We've been
18 paying utility bills for as long as
19 there's been electricity. We're the
20 largest electricity user in the City of
21 Philadelphia. That's just one example of
22 where there hasn't been consistent
23 leadership or personnel structure within
24 City government over the decades on that
25 particular issue, and without that

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 leadership, there's been real
3 schizophrenia in how we've managed the
4 City's energy budget.

5 COUNCILMAN JONES: Point of
6 information.

7 COUNCILMAN GREENLEE:
8 Councilman Jones.

9 COUNCILMAN JONES: Fifteen
10 hundred electric bill accounts we've had,
11 \$60 million in electric. One of the
12 reasons why this department was so
13 important was that when our budget tanked
14 in the last four years, we needed to
15 systematically reduce as an expense our
16 energy, and it would be good if she would
17 speak on that effort to overall reduce
18 that energy. That's why that department
19 was critical.

20 MS. GAJEWSKI: Thank you,
21 Councilman. Yes. So to that point, a
22 very complex, very large part of the
23 City's budget and we have not had
24 consistent leadership looking at that
25 portfolio, and so I think having an

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Office of Sustainability provides
3 consistency on parts of our operation
4 that may not have been necessarily things
5 that were considered at the onset of City
6 government, but have now become
7 increasingly relevant. So just one
8 example of where consistency in
9 leadership hasn't always been placed by
10 the Administration on to government
11 operations and where I think we have
12 suffered as a result of it is the
13 government.

14 COUNCILMAN HENON: Where do you
15 see the division? So you would be an
16 independent City agency doing the work,
17 ongoing continuing work, reducing our
18 energy costs to the City. I mean \$60
19 million in electric bills, I'm sure that
20 the rate of return on some of the savings
21 that you have been able to offer the City
22 is -- I don't think you can -- you may be
23 able to quantify the amount of savings
24 that we had so far over the last five
25 years and looking in the future. Where

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 do you see -- independently where do you
3 see the office going? What is the vision
4 of the office aside from some of the
5 things that you're working on? Because
6 it sounds like you got a lot done in a
7 short period of time. What are some of
8 the pie-in-the-sky visions of the office
9 and how you see it commingling with some
10 of the other agencies?

11 MS. GAJEWSKI: Sure. I think
12 two things. And I really acknowledge
13 that we're at the very beginning of
14 sustainability planning within City
15 government. There's really a lot more
16 that can be done and hopefully will be
17 done.

18 I feel strongly the thing that
19 we're working on right now and we're
20 really thinking about how we make sure
21 that we sustain this work and do
22 information transfer to Council, to
23 advocates, to future Administrations, but
24 I really see climate change as the
25 challenge of our time. With the extreme

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 weather that we're seeing as a City
3 government, we're really understanding
4 now what the impacts already are and will
5 be over the coming years and decades, and
6 that we have the opportunity now to be
7 proactive in planning forward for those
8 coming realities or we can be reactive
9 and suffer the consequences. And that
10 sounds very dire, but I think there's
11 also a lot of opportunities emerging for
12 the City to position itself competitively
13 to be on the forefront of resiliency
14 planning. And I think that really
15 starting to look at how we operate as a
16 city both in terms of City government and
17 the City at large, in terms of greenhouse
18 gas reductions and climate resiliency, I
19 think that's the vision that we need to
20 start placing over a lot of the decisions
21 at the City government level and I think
22 that we need to have leadership to do
23 that.

24 COUNCILMAN HENON: Without a
25 doubt. I mean, reducing our carbon

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 footprint here in the City and region --
3 well, we'll speak for the City. I mean,
4 obviously in the world, in our country,
5 but in the City is important. I think
6 it's -- are you as an office engaged in
7 some of the other long-term strategic
8 planning that we have with the Planning
9 Commission; more importantly, I think the
10 Water Department and our schools?
11 Because I think if we're headed in this
12 direction, I think what you have done and
13 the vision of an Office of Sustainability
14 should certainly be incorporated in
15 longer term plans and visions of what
16 we're -- I mean, some of the
17 implementation takes a long time, and I
18 would like to see the office be a part of
19 some of those strategic planning.

20 MS. GAJEWSKI: Yeah. I agree
21 with you entirely. We've been able to
22 wrap the Greenworks goals into the
23 Philadelphia 2035 long-term plan. We
24 incorporated the goals into the Zoning
25 Code. We've worked with both SEPTA and

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 PHA to support them in developing
3 sustainability plans that were largely
4 modeled off of Greenworks. Also, Center
5 City District, University City District,
6 and other organizations outside of
7 government had been also working to bring
8 the Greenworks concepts into their plans.
9 And I think there's more opportunity to
10 do that.

11 I think another challenge for
12 all of us and something that I hope to
13 take a lead on in the next year is really
14 looking at, to your point, greenhouse gas
15 emissions, where we are as a city and
16 what we would need to do over the coming
17 years to really reach deep reduction
18 levels, and certainly that has to happen
19 in partnership with not only City
20 departments but entities outside of City
21 government to really have true impact
22 that we need to have.

23 COUNCILMAN HENON: Maybe we
24 should open a satellite office in our
25 Fleet Department.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 MS. GAJEWSKI: They're making
3 some good progress.

4 COUNCILMAN HENON: You bet.
5 Yes, they are. Thank you.

6 I have no further questions.

7 COUNCILMAN GREENLEE: Thank
8 you, Councilman.

9 Councilman O'Brien.

10 COUNCILMAN O'BRIEN: Thank you,
11 Mr. Chairman.

12 I would just like to echo the
13 other Councilpersons' sentiments. It
14 seems like you're moving mountains with
15 shovels. Drawing down \$42 million in
16 grants is an extraordinary achievement.
17 I would like to give -- and I apologize
18 that Commissioner Giorla is not here, but
19 I'd like to give him a shout-out for what
20 they're doing up at the Department of
21 Corrections. My staff has introduced me
22 to the composting that they're doing.
23 They're taking all the organic materials
24 in an extraordinary way. I met with the
25 cook, and the infrastructure that they

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 built up there that they're looking to
3 expand and the material is just
4 wonderful. I wish I could use it at my
5 own residence. But it provides not only
6 sustenance to your conversation, but
7 they're developing orchards up there.
8 They are cooperating with community
9 gardens and making those materials
10 available. They're connecting with
11 others that are having trouble recycling
12 some of their trees. It's just an
13 extraordinary extension and validation of
14 how important this conversation is.

15 This is off the wall. It's
16 tangential. In your research and
17 developing of greenhouse strategies going
18 forward, do you have any thoughts on
19 issues involving Styrofoam, the
20 challenges that it would bring or any
21 strategies on how to deal with that
22 material?

23 MS. GAJEWSKI: Yes. So we --
24 and, actually, we've been talking with a
25 number of Council offices about where the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 next wave of waste reduction efforts
3 might be in Philadelphia. I'm certainly
4 looking at Styrofoam and plastic bags as
5 something that we're interested in, both
6 thinking about how we change behavior to
7 limit use and ultimately litter of those
8 materials, but also we've been working
9 with our partners in the waste industry
10 as technology evolves. We currently can
11 only offer limited Styrofoam collection
12 and recycling programs, but we're
13 encouraging kind of the latest technology
14 to see how we might be able to bring that
15 to Philadelphia.

16 So I think there are
17 potentially opportunities on the waste
18 reduction side of things in terms of the
19 recycling of Styrofoam. We're waiting
20 and seeing what might the next generation
21 be.

22 COUNCILMAN O'BRIEN: If you
23 have any thoughts on that, could you
24 please communicate with Matt Braden from
25 my office?

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 MS. GAJEWSKI: Sure. Yeah.

3 I'd be happy to follow up.

4 COUNCILMAN GREENLEE: Thank
5 you, Councilwoman.

6 Any other questions for
7 Ms. Gajewski?

8 (No response.)

9 COUNCILMAN GREENLEE: Seeing
10 none, thank you very much.

11 MS. GAJEWSKI: Thank you very
12 much.

13 COUNCILMAN GREENLEE: Ms.
14 Marconi, call the three. If we could
15 call the next three witnesses, please.

16 THE CLERK: Andrew Sharp, Jeff
17 Bartos, and Byron Comati.

18 (Witnesses approached witness
19 table.)

20 COUNCILMAN GREENLEE: Good
21 morning.

22 Mr. Sharp, I think your name
23 got called first. Please identify
24 yourself for the record and proceed.

25 MR. SHARP: Sure. My name is

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Andrew Sharp and I am the Director of
3 Outreach at PennFuture. PennFuture is a
4 statewide environmental advocacy
5 organization. We are also the lead
6 organization behind the Next Great City
7 Coalition. So we've been working since
8 2005 on this, on bringing folks together
9 around this issue.

10 I'm here today to urge you to
11 support the Charter change legislation
12 obviously. In the past six years, the
13 City has made enormous progress. We have
14 130 new acres of park space, 100,000 new
15 trees, miles of bike lanes, a city
16 reconnecting with its waterways, an
17 increase in alternative energy use from 2
18 to 14 percent. So we really made a ton
19 of progress, and really most of this
20 would have been unimaginable without the
21 tireless work of the Mayor's Office of
22 Sustainability.

23 We've obviously worked closely
24 with the office and we've seen firsthand
25 the value in having a trusted partner, an

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 ally in City government.

3 As Katherine said, cities are
4 increasingly taking a lead on climate
5 change and sustainability. While our
6 Congress is mired in gridlock, cities
7 like Philadelphia and cities all across
8 the globe are making an impact on climate
9 change by curbing emissions from
10 transportation and building use. They're
11 reducing waste and encouraging green
12 business growth.

13 So while we've made a ton of
14 progress here, there is clearly so much
15 more to do here. So in addition to
16 making the Office of Sustainability
17 permanent, we would suggest that the
18 City's Greenworks plan be extended beyond
19 the Nutter Administration and it becomes
20 sort of the official plan for the City of
21 Philadelphia so we can track our progress
22 and set new goals for the future.

23 Thanks, and I'm happy to take
24 any questions.

25 COUNCILMAN GREENLEE: Thank

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 you, Mr. Sharp.

3 Whoever would like to go next,
4 please identify yourself and proceed.

5 MR. BARTOS: Good morning,
6 Councilman and members of the Committee.

7 COUNCILMAN GREENLEE: Good
8 morning.

9 MR. BARTOS: My name is Jeff
10 Bartos. I'm the CEO of Mark Group. We
11 are an energy efficiency analysis and
12 upgrade company proudly based at the Navy
13 Yard in Philadelphia. We started here in
14 2010 with me and we now employ 180 people
15 spread out over six offices in the
16 region. We could have -- not to
17 paraphrase Bill Cosby -- we could have
18 chosen anywhere and we chose
19 Philadelphia. Having an Office of
20 Sustainability made an important
21 difference as we evaluated various
22 cities, and having that policy push and
23 initiative made it easier for us to use,
24 and the Navy Yard was a perfect place for
25 us to locate. It made it easy for us to

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 pick Philadelphia. We are very happy we
3 did, and we strongly urge you to move
4 this legislation forward, because we
5 think for companies like ours and others
6 in the efficiency and sustainability
7 space, having this office and legislation
8 supporting this office is important as we
9 grow our businesses.

10 COUNCILMAN GREENLEE: Thank
11 you, Mr. Bartos. I appreciate it.

12 Sir, please identify yourself
13 and proceed.

14 MR. COMATI: Yes. My name is
15 Byron Comati. I'm with SEPTA. Good
16 morning, Councilman Greenlee and members
17 of the Committee on Law and Government.
18 Thanks for the opportunity to appear
19 today on behalf of SEPTA and give you
20 some testimony. It is obviously written,
21 but I'd like to just highlight a few
22 points.

23 I have a responsibility for
24 long-range planning, strategic planning,
25 and sustainability planning within my own

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 organization, and that's very relevant
3 for today's discussions and presentations
4 for you to consider.

5 We see ourselves, SEPTA, as a
6 very integral key partner with the City
7 of Philadelphia, with Greenworks
8 Philadelphia vision, and we see ourselves
9 very much part of the dialogue and the
10 strategic planning that goes into what
11 makes Greenworks effective. And that
12 goes to the metrics that are developed,
13 the transportation, obviously the transit
14 elements in particular looking at vehicle
15 miles traveled, how we can reduce that
16 kind of footprint, the emissions
17 reductions that we obviously as having
18 automobiles and vehicles of the SEPTA
19 fleet in play, how do we interact, how do
20 we assess what kind of value proposition
21 we can bring to changes. For example, we
22 have hybrid buses in our fleet. They
23 were obviously procured with an idea to
24 try to make a huge dent in the visionary
25 aspects of looking at getting vehicle

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 miles traveled down but also emissions
3 control. I use that as an example just
4 to give a sense of perspective.

5 The Office of Sustainability
6 has given us guidance on many issues and
7 in fact helped us design our own
8 sustainability program, which we
9 colloquially call Sep-tainability. This
10 is a program that has its own set of
11 metrics which are very specific to SEPTA
12 and its idealized strategic going-forward
13 type of planning.

14 We also have collaborated in
15 single-stream recycling programs with the
16 City of Philadelphia in the Office of
17 Sustainability and as performance
18 contracting strategies, climate change
19 resiliency analyses and, of course,
20 stormwater management practices, all of
21 which have SEPTA impacts.

22 Just to toot our own horn, if
23 you don't mind, in 2012 SEPTA actually
24 received a gold level recognition under
25 the American Public Transportation

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Association's sustainability commitment,
3 which is a pretty high award, and it's
4 the highest recognition achieved by an
5 East Coast transit authority.

6 In conclusion, I would very
7 much say that the sustainability program
8 in the Office of Sustainability in the
9 City of Philadelphia has made a big
10 difference to how we think about our own
11 sustainability issues and has made our
12 organization take the philosophy of
13 sustainability two or three steps
14 forward. We look at economic, social,
15 and environmental sustainability as being
16 the cornerstones of how we think about
17 the future.

18 SEPTA sustainability has become
19 a universal principle integrated in all
20 aspects of our operations, and we
21 acknowledge, in conclusion, the
22 assistance of the Office of
23 Sustainability.

24 Thank you for your time.

25 COUNCILMAN GREENLEE: Thank

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 you, Mr. Comati. Just a real quick
3 question from me to you. You mentioned
4 the hybrid vehicles. Where are you as
5 far as percentage-wise of --

6 MR. COMATI: Of the total
7 fleet? We were just over half about a
8 year ago. That number will be exceeded
9 when we bring on another 200 buses in the
10 next 14, 15 months from now.

11 COUNCILMAN GREENLEE: Great.
12 Thank you.

13 Any questions for the panel?
14 Councilwoman Reynolds Brown.

15 COUNCILWOMAN BROWN: Good
16 morning, gentlemen, and thank you for
17 your important testimony.

18 Mr. Bartos, let me say thank
19 you for choosing Philadelphia. I'm
20 thrilled to hear that because of the work
21 of this office, it made a difference in
22 your management decision. You came here
23 when? You arrived at the Navy Shipyard
24 when?

25 MR. BARTOS: October of 2010.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILWOMAN BROWN: And has
3 the company been able to grow from a jobs
4 standpoint?

5 MR. BARTOS: Yes. I think on
6 that date when we had the big press
7 conference, we had six or seven
8 employees, and we're now at 183. Not all
9 based in Philadelphia, but all
10 headquartered out of Philadelphia. All
11 our corporate office's operations are
12 here at the Navy Yard.

13 COUNCILWOMAN BROWN: Very well.
14 Thank you very much.

15 MR. BARTOS: Thank you for your
16 question.

17 COUNCILWOMAN BROWN: Thank you,
18 Mr. Chairman.

19 COUNCILMAN GREENLEE: Thank
20 you.

21 Any other questions or
22 comments?

23 (No response.)

24 COUNCILMAN GREENLEE: Seeing
25 none, I must mention since SEPTA is here,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 recognize Frances Jones back there, who
3 is our consistent help in anything
4 dealing with SEPTA. Thank you, Frances.

5 Thank you all very much.

6 (Thank you.)

7 COUNCILMAN GREENLEE: Ms.
8 Marconi, if you could please call the
9 rest of the witnesses that are on our --
10 at least that are on our list.

11 THE CLERK: Angel Rodriquez,
12 Missy Quinn, Chris Lewis, and Amy Laura
13 Cahn.

14 (Witnesses approached witness
15 table.)

16 COUNCILMAN GREENLEE: Other
17 than the names that were called, is there
18 anyone else here to testify on this bill
19 and resolution?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, whoever would like to go first,
23 please identify yourself and proceed.

24 MR. LEWIS: Good morning,
25 Mr. Chairman.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN GREENLEE: Good
3 morning.

4 MR. LEWIS: My name is
5 Christopher Lewis. I'm the Chair of the
6 Philadelphia Energy Authority. I've
7 submitted written testimony on behalf of
8 the Authority in support of this
9 important legislation that would make the
10 Mayor's Office of Sustainability a
11 permanent part of City government.
12 Rather than repeat the written testimony,
13 what I'd like to do is just share a few
14 observations.

15 Many people think of
16 sustainability from the environmental
17 side, but there's also an important
18 business side. There are basically three
19 ways a business can increase its return
20 on investment. One is to increase its
21 revenues. A second is to reduce its
22 expenses, and the third and final way is
23 to get more productivity out of the
24 assets and investment it has.

25 What sustainability does is

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 give us those last two. We can't
3 increase revenues, but we can reduce
4 expenses and we can get better
5 effectiveness and efficiency out of our
6 assets, and that's what the Mayor's
7 Office of Sustainability is all about.

8 We've worked with the office on
9 many projects over the last two years,
10 and I'd like to mention three of them.
11 First, we are working with the office on
12 a comprehensive energy report for the
13 City. There's a saying that goes, If you
14 don't know where you're going, any path
15 will take you there. And it's important
16 to document what has been done from an
17 energy efficiency perspective, what
18 remains to be done, and how best to get
19 there, and that's what this report will
20 do.

21 Secondly, we worked with the
22 Mayor's Office of Sustainability on an
23 energy efficiency incentive program which
24 would give City departments a real
25 incentive to conserve energy and to take

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 steps to implement energy efficiency
3 measures.

4 Finally, we've been working
5 with MOS on guaranteed energy savings
6 projects. We've worked with them. We're
7 now entering the measurement and
8 verification phase for the quadplex.
9 We've also worked with them in exploring
10 whether those guaranteed energy savings
11 projects would help the City at other
12 City facilities.

13 If there are no questions, I'll
14 turn it over to the next witness.

15 COUNCILMAN GREENLEE: Well,
16 that's the way it'll have to go anyway.
17 We'll hear from everyone and then we'll
18 take any questions there.

19 Please, Ms. Cahn.

20 MS. CAHN: Thanks very much,
21 and, again, my name is Amy Laura Cahn.
22 I'm here representing the Public Interest
23 Law Center of Philadelphia and I do our
24 environmental justice work.

25 In particular, I have been

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 working for two and a half years on our
3 garden justice legal initiative. I
4 provide legal and policy support and do
5 community legal education with community
6 gardeners and market farmers, and no
7 agency in the City has been more
8 impactful or more of a partner in this
9 work than the Mayor's Office of
10 Sustainability. So I very much support a
11 Charter change to provide for the
12 creation of an Office of Sustainability.
13 And I just want to give a couple of
14 examples of that work.

15 MOS has been a partner of our
16 garden justice work from go. When the
17 City's many land-holding agencies, many,
18 began revising their disposition policies
19 two years ago prior to the creation of
20 the Land Bank, MOS staff was instrumental
21 in making certain that the needs and
22 perspectives of the City's growing
23 constituency of community gardeners and
24 market farmers were incorporated into
25 these policies. MOS staff also stewarded

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 the Mayor's Food Policy Advisory Council
3 from its nascent stage to a diverse and
4 vibrant council, a council that I believe
5 is poised to take national leadership on
6 a range of issues, including urban ag,
7 but also anti-hunger work, food waste,
8 and food procurement.

9 Finally, MOS has demonstrated
10 the policy expertise and institutional
11 knowledge necessary to support the
12 Department of Parks and Recreations to
13 become the City's lead agency on urban
14 agriculture. Basically we are now
15 implementing the policies from two years
16 ago. Department of Parks and Rec Farm
17 Philly Program will make a huge
18 difference to gardeners and farmers and
19 thus to food and open space access
20 citywide. MOS has been a significant
21 collaborative partner in the creation of
22 Farm Philly.

23 I'm also here on behalf of my
24 clients, the Eastwick Friends and
25 Neighbors Coalition. As members of

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Council are aware, Eastwick residents
3 have historically been hard hit by
4 catastrophic flooding events as well as
5 chronic stormwater problems. Residents
6 have reported to this Council that
7 Eastwick flooding is occurring with
8 increasing frequency and intensity.
9 Climate change projections allow us to
10 anticipate increased flooding, stormwater
11 runoff, salt water intrusion, erosion,
12 draught, and heat-related stress, not
13 just for Eastwick but for communities
14 throughout the City. MOS is our link
15 between Philadelphia and a national
16 conversation on climate adaptation
17 planning. We need a citywide plan for
18 residents and neighborhood resiliency.
19 MOS offers expertise and leadership and
20 the ability to coordinate amongst
21 multiple agencies necessary to make this
22 happen. I rely on MOS to assist us in
23 becoming healthier, safer, and more
24 sustainable, and I urge the Committee and
25 the full Council to pass this

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 legislation. I'm also here -- my clients
3 from EFNC were hoping to be there, but
4 they really wanted for me to express
5 their support of this legislation as
6 well.

7 COUNCILMAN GREENLEE: Thank
8 you, Ms. Cahn.

9 Mr. Rodriguez.

10 MR. RODRIGUEZ: Good morning,
11 Councilmembers.

12 COUNCILMAN GREENLEE: Good
13 morning.

14 MR. RODRIGUEZ: Thank you for
15 having me. My name is Angel Rodriguez.
16 I'm the Vice President of Community and
17 Economic Development for Asociacion
18 Puertorriquenos en Marcha. I'm here in
19 support of the bill. I've submitted
20 written testimony, so I'll just
21 summarize.

22 Basically I'm here to tell you
23 that the community development industry
24 has adopted a lot of sustainability
25 practices, as you can see throughout the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 development in the City. Specifically,
3 Energy Star, stormwater management
4 criteria, and LEED certifications,
5 primary of which you have Paseo Verde,
6 which in Philadelphia and in the country
7 is the first LEED platinum ND
8 certification, LEED platinum mid-rise
9 certification, and LEED platinum home
10 certification, first in the nation and
11 here in Philadelphia, North Philadelphia,
12 which is part of the issue of bringing
13 sustainability to the City.

14 A lot of that wouldn't have
15 been able to happen if we didn't have
16 education. A lot of it is not enough
17 just to build the building; they have to
18 educate our residents and also our
19 stakeholders. The Office of
20 Sustainability has been instrumental in
21 that and making this a part of the
22 conversation in how we develop and how we
23 build in the City.

24 I'm familiar with the
25 organization from back when I sat on the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Green Economy Task Force, and we knew
3 that Philadelphia could be at the
4 forefront of it. This and all the
5 efforts in the past five years and smart
6 regulations have been a boon to this city
7 and also in terms of development
8 economically and also healthy living.

9 Thank you.

10 COUNCILMAN GREENLEE: Thank
11 you. And I think we're all familiar with
12 the great job APM has done in the
13 neighborhood. So congratulate you and
14 everyone involved with it.

15 MR. RODRIQUEZ: Thank you.

16 COUNCILMAN GREENLEE: If we
17 could hear from Ms. Quinn and then we'll
18 have any questions.

19 Ms. Quinn, we have your written
20 testimony, so if you could just
21 summarize, we'd appreciate it.

22 MS. QUINN: And I promise I
23 won't read that whole thing.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 MS. QUINN: Good morning and
3 thank you, Chairman Greenlee and the
4 Committee on Law and Government, for
5 hearing my testimony today. My name is
6 Missy Quinn and I am here in my capacity
7 as Vice Chair of BOMA of Philadelphia,
8 which is the Building Owners and Managers
9 Association. I am pleased to offer
10 BOMA's full support for the proposed
11 legislation that would make the Office of
12 Sustainability a permanent part of the
13 City government.

14 Energy efficiency and
15 sustainability have long been and will
16 continue to be of utmost importance to
17 BOMA Philadelphia, its member buildings
18 that make up the skyline, as well as our
19 parent organization, BOMA International.

20 BOMA is proud to have
21 collaborated with the City and other
22 organizations over the years as we have
23 collectively pursued the goal of becoming
24 the greenest city in America. Our
25 organization has worked closely with

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Katherine Gajewski, Alex Dews, and other
3 outstanding members of the Office of
4 Sustainability, and we were an active
5 voice in the City's recent benchmarking
6 legislation during the legislative and
7 regulation phase working cooperatively
8 with Councilwoman Blondell Reynolds Brown
9 as well as the Office of Sustainability.

10 By its very nature, our
11 industry is extremely competitive. We
12 are always seeking ways to differentiate
13 our buildings so as to attract new
14 tenants and meet the ever-changing
15 demands of today's space users. Suffice
16 it to say, sustainability is core among
17 the demands of today's tenants.

18 While we have not always been
19 in sync with the outcome of certain
20 legislative priorities, BOMA has always
21 been invited to the table in an inclusive
22 fashion and our voice has always been
23 heard. We feel a permanent Office of
24 Sustainability will support the coalition
25 of governmental, non-profit, and

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 commercial entities within the area as we
3 move into the future. It will serve as a
4 vital touch point for the area's entire
5 sustainability movement, coordinating
6 among the various City agencies and
7 between the City and both private and
8 non-profit sectors. Again, we ask the
9 Committee to vote to approve.

10 Thank you for this opportunity
11 to provide testimony today, and I am
12 happy to field any questions.

13 COUNCILMAN GREENLEE: Thank
14 you, Ms. Quinn.

15 Are there any questions,
16 comments?

17 Councilwoman Reynolds Brown.

18 COUNCILWOMAN BROWN: Yes. Good
19 morning, and thank you all for your
20 presence and for offering testimony in
21 favor of this initiative, which really
22 brings us in alignment with 100-plus
23 cities across the country.

24 Let me underscore the value of
25 bringing all stakeholders to the table

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 and to say publicly how much I deeply
3 appreciate the partnership with BOMA when
4 we worked for many, many months around
5 the benchmarking bill and ended up at a
6 place that was different than either of
7 us had in mind, and for me that goes to
8 the essence of finding common ground
9 around measures that really are designed
10 to move the needle around sustainability.
11 So I thank you very, very much for that
12 work effort.

13 Thank you all very much.

14 COUNCILMAN GREENLEE: Thank
15 you, Councilwoman.

16 Any other questions, comments?

17 (No response.)

18 COUNCILMAN GREENLEE: Seeing
19 none, thank you all very much for coming.

20 One more time. Anyone else
21 here to testify on Bill 130878 or
22 Resolution 130884?

23 (No response.)

24 COUNCILMAN GREENLEE: Seeing
25 none, that concludes the hearing of the

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 Committee on Law and Government. We will
3 now go into our public meeting.

4 The Chair recognizes Councilman
5 Henon.

6 COUNCILMAN HENON: Thank you,
7 Mr. Chairman. I move that an amendment
8 for Bill No. 140131 be voted by this
9 committee.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been
12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing
18 none, the amendment is adopted.

19 Councilman Henon.

20 COUNCILMAN HENON: I move that
21 Bill No. 140131, as amended, be reported
22 out of committee with a suspension of
23 rules and a favorable recommendation as
24 to be read at the next Council session.

25 (Duly seconded.)

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN GREENLEE: It's been
3 moved and seconded.

4 All in favor?

5 (Aye.)

6 COUNCILMAN GREENLEE: Opposed?

7 (No response.)

8 COUNCILMAN GREENLEE: Hearing
9 none, Bill No. 140131, as amended, is
10 reported out of this committee favorably
11 with a rules suspension.

12 Councilman Henon.

13 COUNCILMAN HENON: Thank you,
14 Mr. Chairman. I move that the amendment
15 to Bill No. 140014 be adopted.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing
24 none, the amendment is adopted.

25 Councilman Henon.

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN HENON: Thank you,
3 Mr. Chairman. I move that Bill No.
4 140014, as amended, be voted out of
5 committee with a favorable recommendation
6 with a suspension of rules as to be read
7 at our first -- first reading at our next
8 Council session.

9 (Duly seconded.)

10 COUNCILMAN GREENLEE: It's been
11 moved and seconded.

12 All in favor?

13 (Aye.)

14 COUNCILMAN GREENLEE: Opposed?

15 (No response.)

16 COUNCILMAN GREENLEE: Hearing
17 none, Bill No. 140014, as amended,
18 reported out favorably with a rules
19 suspension.

20 Councilman Henon.

21 COUNCILMAN HENON: Thank you,
22 Mr. Chairman. I move that Bill No.
23 140015, the amendment be adopted.

24 (Duly seconded.)

25 COUNCILMAN GREENLEE: It's been

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 moved and seconded.

3 All in favor?

4 (Aye.)

5 COUNCILMAN GREENLEE: Opposed?

6 (No response.)

7 COUNCILMAN GREENLEE: Hearing

8 none, the amendment is adopted.

9 Councilman Henon.

10 COUNCILMAN HENON: I move that
11 Bill No. 140015, as amended, be moved out
12 of this committee with a favorable
13 recommendation and a suspension of rules
14 for the first reading at our next Council
15 session.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing

24 none, Bill No. 140015, as amended,

25 reported out of this committee favorably

1 4/28/14 - LAW & GOV. - BILL 130878, etc.
2 with a rules suspension.

3 Councilman Henon.

4 COUNCILMAN HENON: Thank you,
5 Mr. Chairman. I move for the adoption of
6 the amendment for Bill No. 130878.

7 (Duly seconded.)

8 COUNCILMAN GREENLEE: It's been
9 moved and seconded.

10 All in favor?

11 (Aye.)

12 COUNCILMAN GREENLEE: Opposed?

13 (No response.)

14 COUNCILMAN GREENLEE: Hearing
15 none, the amendment is adopted.

16 Councilman Henon.

17 COUNCILMAN HENON: Thank you,
18 Mr. Chairman. I make a motion to Bill
19 No. 130878, as amended, with a suspension
20 of the rules as to be permitted to be
21 read at our next Council session.

22 (Duly seconded.)

23 COUNCILMAN GREENLEE: It's been
24 moved and seconded.

25 All in favor?

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 (Aye.)

3 COUNCILMAN GREENLEE: Opposed?

4 (No response.)

5 COUNCILMAN GREENLEE: Hearing

6 none, Bill No. 130878, as amended,

7 reported out of this committee favorably

8 with a rules suspension.

9 Councilman Henon.

10 COUNCILMAN HENON: Thank you,

11 Mr. Chairman. I move that Resolution

12 140035, as amended -- I move the

13 amendment for Resolution 140035 be

14 adopted.

15 (Duly seconded.)

16 COUNCILMAN GREENLEE: It's been

17 moved and seconded.

18 All in favor?

19 (Aye.)

20 COUNCILMAN GREENLEE: Opposed?

21 (No response.)

22 COUNCILMAN GREENLEE: Hearing

23 none, the amendment is adopted.

24 Councilman Henon.

25 COUNCILMAN HENON: Thank you,

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 Mr. Chairman. I move that Bill No.
3 140035, as amended, be moved out of
4 committee with a favorable
5 recommendation.

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, Resolution 140035, as amended, is
14 reported out of this committee favorably.

15 Councilman Henon.

16 COUNCILMAN HENON: Thank you,
17 Mr. Chairman. I move for the adoption of
18 the amendment to Resolution No. 130884.

19 (Duly seconded.)

20 COUNCILMAN GREENLEE: It's been
21 moved and seconded.

22 All in favor?

23 (Aye.)

24 COUNCILMAN GREENLEE: Opposed?
25 (No response.)

1 4/28/14 - LAW & GOV. - BILL 130878, etc.

2 COUNCILMAN GREENLEE: Hearing
3 none, the amendment is adopted.

4 Councilman Henon.

5 COUNCILMAN HENON: Thank you,
6 Mr. Chairman. I move for the adoption of
7 Resolution No. 130884, as amended.

8 (Duly seconded.)

9 COUNCILMAN GREENLEE: It's been
10 moved and seconded.

11 All in favor?

12 (Aye.)

13 COUNCILMAN GREENLEE: Opposed?

14 (No response.)

15 COUNCILMAN GREENLEE: Hearing
16 none, Resolution 130884, as amended,
17 reported out of this committee with a
18 favorable recommendation.

19 There being no further business
20 before this committee today, thank you
21 all for your participation.

22 (Committee on Law and
23 Government concluded at 11:30 a.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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