

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND ECONOMIC
DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, September 17, 2015
1:05 p.m.

PRESENT:

COUNCILMAN W. WILSON GOODE, JR., CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILL 150614 - An ordinance amending Chapter
17-1600 of The Philadelphia Code, entitled
"Economic Opportunity Plans," to provide for
the preparation and filing of an annual report
by the Finance Director that analyzes the
extent of workforce diversity on projects...

- - -

1
2 COUNCILMAN GOODE: Good
3 afternoon. This hearing is called to
4 order. This is a public hearing of the
5 Commerce and Economic Development
6 Committee on Bill No. 150614.

7 My name is W. Wilson Goode,
8 Jr., Chair of the Committee. To my left
9 is the Vice Chair, Councilman Mark
10 Squilla. To my immediate left is the
11 primary sponsor of the bill, Councilwoman
12 Blondell Reynolds Brown, and to her left
13 is Councilman Brian O'Neill.

14 The title of the Bill 150614,
15 amending Chapter 17-1600 of The
16 Philadelphia Code, entitled "Economic
17 Opportunity Plans," to provide for the
18 preparation and filing of an annual
19 report by the Finance Director that
20 analyzes the extent of workforce
21 diversity on projects and contracts
22 requiring Economic Opportunity Plans and
23 identifies appropriate workforce
24 diversity goals for future projects and
25 contracts, all under certain terms and

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2 conditions.

3 Councilwoman Brown has some
4 opening remarks.

5 COUNCILWOMAN BROWN: Thank you
6 very much, Mr. Chairman.

7 Good afternoon to my
8 colleagues, Chairman Goode, and the
9 members of the City Council's Committee
10 on Commerce and Economic Development. In
11 June of 2015, I was proud to introduce
12 Bill No. 150614, along with my colleague
13 and friend and guru when it comes to this
14 type of issue, Chairman W. Wilson Goode,
15 Jr.

16 A diverse workforce is defined
17 as, and I quote, "a workforce that
18 includes African Americans, Hispanic
19 Americans, Asian Americans, Native
20 Americans, women, and disabled persons,"
21 end quote. In order to hold contractors
22 and others accountable, we need a clear
23 and accurate picture comparing workforce
24 diversity goals before a project is
25 approved by Council and then detailing

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2 the actual results after the project is
3 completed. Data becomes central to this
4 issue of accountability.

5 Goals are vital to the process,
6 but they only represent the beginning of
7 workforce diversity development. We are
8 interested in the results. As a majority
9 minority city, we must remain intentional
10 about growing a diverse workforce. This
11 legislation is intended to move us in
12 that right direction.

13 For these reasons and others, I
14 ask for support from my colleagues this
15 afternoon. And, again, I want to thank
16 Chairman Goode for being a leader and a
17 beacon on this issue of diversity.

18 Thank you, Mr. Chairman.

19 COUNCILMAN GOODE: Thank you,
20 Councilwoman.

21 Our first witness is Angela
22 Dowd-Burton.

23 (Witness approached witness
24 table.)

25 MS. DOWD-BURTON: Good

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2 afternoon, Chairman Goode and members of
3 the Committee on Commerce and Economic
4 Development. My name is Angela
5 Dowd-Burton. I am Executive Director of
6 the Office of Economic Opportunity.

7 I am here today to provide
8 testimony in support of Bill No. 150614,
9 which is sponsored by Councilwoman Brown.
10 This bill amends Chapter 17-1600 of The
11 Philadelphia Code requiring the
12 preparation and filing of an annual
13 report that includes the analysis of
14 workforce diversity on projects and
15 contracts requiring an Economic
16 Opportunity Plan and goals to be included
17 in future Economic Opportunity Plans.

18 The Administration is dedicated
19 to maximizing the opportunity for
20 minority, women, and disabled workers
21 within the City of Philadelphia. The
22 Economic Opportunity Plan, or EOP, is an
23 effective tool for engaging the
24 contracting community in the pursuit of a
25 diverse workforce. We currently report

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2 on the collective diversity of the
3 workforce on private and non-profit
4 sector projects that are privately
5 monitored. We have only recently
6 initiated the tracking of African
7 American, Asian American, Hispanic
8 American, I should add Native American,
9 and women workers on City projects
10 through LCP Tracker, a software for the
11 collection of certified payrolls.

12 The Administration believes
13 this legislation will advance the mission
14 of the Office of Economic Opportunity in
15 its continued execution of the Inclusion
16 Works: Strategic Plan. It will give the
17 City an opportunity to explore in more
18 depth the supply of a diverse workforce
19 by trade and provide a more comprehensive
20 understanding of the need for local
21 apprenticeship programs to match the
22 demand for workers created by the growth
23 in the construction industry. This bill
24 will support broader efforts towards
25 addressing unemployment and promoting

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2 training opportunities in the building
3 trades. A diverse workforce is integral
4 to building a strong, competitive, and
5 inclusive economy.

6 Because diverse workforce goals
7 in the Economic Opportunity Plans will be
8 data driven, the cooperation of the
9 Philadelphia Building Trades Unions would
10 be valuable in establishing benchmarks
11 based upon their membership data.

12 Without their cooperation, we will have
13 to rely upon past achievements on City
14 and City-related projects and available
15 U.S. census data.

16 Thank you for this opportunity
17 to testify and propose amendments to Bill
18 150614. The amendments propose changes
19 that include clarifying the date for when
20 the first report must be filed.

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

23 COUNCILMAN GOODE: Let me first
24 note for the record Councilwoman Jannie
25 Blackwell is here as well.

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2 I guess the obvious question
3 is, there are workforce goals now?

4 MS. DOWD-BURTON: Yes.

5 COUNCILMAN GOODE: And they are
6 data driven. What are they based upon?

7 MS. DOWD-BURTON: They're based
8 on the original MACCID report that was
9 issued in 2009.

10 COUNCILMAN GOODE: So they are
11 not updated goals?

12 MS. DOWD-BURTON: They are not
13 as yet updated goals, that's correct.

14 COUNCILMAN GOODE: So the
15 process you would use under this bill
16 would be to do that on an annual basis?

17 MS. DOWD-BURTON: That's
18 correct.

19 COUNCILMAN GOODE: I don't have
20 any other questions.

21 Any questions for this witness?
22 (No response.)

23 COUNCILMAN GOODE: Seeing none,
24 thank you very much.

25 MS. DOWD-BURTON: Thank you.

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2 COUNCILMAN GOODE: Anyone else
3 to testify on this bill?

4 MR. ALI: Yes. I want to
5 testify.

6 COUNCILMAN GOODE: Mr. Ali.
7 (Witness approached witness
8 table.)

9 COUNCILMAN GOODE: Good
10 afternoon. Please state your name for
11 the record and proceed with your
12 testimony.

13 MR. ALI: Good afternoon,
14 Chairman Goode. My name is Jihad Ali.
15 I'm a representative of a group of union
16 and non-unionized contractors. I'm here
17 to testify on behalf of Bill No. 150614.
18 I'd like to say good afternoon to all the
19 distinguished members of the Committee of
20 Commerce and Economic Development.

21 I think this is an outstanding
22 bill. I think when listening to the
23 previous testimony, I think the word that
24 caught me by surprise was that the
25 systems that are in place could be

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2 effective tools. And that's the
3 clarifying word, could be, because right
4 now they're not.

5 You know, it's shocking to sit
6 here in 2015 and to realize that we
7 haven't been tracking anything since
8 2009. And it's further shocking when you
9 think that the City annually spends \$7
10 billion a year. So if we look back for
11 the last six years, we spent \$42 billion
12 and didn't track a damn thing, you know.
13 And it's frustrating for me, because I
14 deal with the people on this end. You
15 deal with the people on your end and the
16 constituents, but I see the results of
17 when you don't see our share of the
18 economic pie coming to us.

19 So I think this is another
20 example of outstanding leadership from
21 all of you. And I've said it before many
22 times that I've come down here before.
23 You always have been on the forefront,
24 but it's once you leave these Council
25 Chambers, some things fall apart, you

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2 know. And I think another important part
3 of this bill is that you're putting it
4 underneath of the Finance Director. I
5 think that's significant.

6 And for a point of clarity, I
7 wanted to know when you have in here that
8 it will be on the City's website, is that
9 the City of Philadelphia's website or
10 will it also be on OEO's website?

11 COUNCILMAN GOODE: It's the
12 City of Philadelphia's website as
13 determined by the Administration.

14 MR. ALI: And is there anything
15 that can stop the future Administration
16 from removing that underneath the
17 authority of the Finance Director without
18 coming back to Council for approval?

19 COUNCILMAN GOODE: That
20 authority is actually within the Charter
21 and that's why it's written this way
22 within the bill as well. But the Mayor
23 has the ability to determine which agency
24 would do it, if the Finance Director does
25 not do it directly.

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2 MR. ALI: Because one thing I
3 think the Council needs to be cautious
4 about is if we -- if this should move
5 underneath the Commerce Director
6 authority and if Ms. Burton is underneath
7 the Commerce Director, then it's a
8 potential conflict, because the Commerce
9 Director will be an interested party in
10 seeing that the commerce of the City is
11 developed, so forth, so on. However, the
12 person that will have responsibility for
13 putting this will be underneath his
14 control, and I think we should be
15 cautious about that, because that very
16 well may be the reason why we are here in
17 2015 talking about we didn't track a damn
18 thing since 2009. So I think that that's
19 significant.

20 And I think that from all the
21 testimony that I've had the pleasure to
22 come down here and talk to y'all over the
23 years, it's like I remember when
24 Councilwoman Blackwell would say,
25 Something must not be working, because

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2 people are coming in my office all day
3 long. People come in all your offices
4 all day long. I'm not getting
5 opportunities. And I saw a long time
6 ago, you know, you go to these
7 authorities, everybody comes in. They
8 articulate whatever it is to get the
9 proposal approved. Oh, we support, we're
10 going to do this, we're going to put this
11 plan in place. And as soon as it gets
12 past that, there's no follow-up. It's
13 not -- it might not even come up again,
14 because the City's language has been "may
15 be," "may request," "may follow up," and
16 it wasn't until Councilwoman Blackwell --
17 Councilwoman Blondell Reynolds Brown
18 changed that language on the W Hotel,
19 along with the cooperation of you all,
20 that we finally had something going
21 directly to the Chief Clerk's office.

22 So I want to thank you all for
23 doing this, because this is timely, and
24 it just shows what has happened to us as
25 a people. You know, we spent an

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2 incredible amount of money, and it's all
3 good for the commerce, but there was
4 somebody that suffered, and the ones that
5 suffered were the ones we were looking
6 out for from the door, and they suffered
7 because we trusted somebody. But I think
8 the most important word when you said,
9 Councilwoman, "intentional." The other
10 word is "vigilant," and this Council
11 needs to be vigilant that your will is
12 going to be carried out and you need to
13 always have surveillance that it's being
14 carried out the way that you saw.

15 Thank you for giving me the
16 opportunity to talk to you today.

17 COUNCILMAN GOODE: Thank you
18 for your testimony.

19 Any questions for this witness?

20 (No response.)

21 COUNCILMAN GOODE: Seeing none,
22 we will move -- anyone else to testify on
23 this bill?

24 MS. DOWD-BURTON: Councilman,
25 may I give a clarification?

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2 (Witness approached witness
3 table.)

4 MS. DOWD-BURTON: For the
5 record, I just want to make sure that the
6 public and that the Committee
7 understands, we, the Administration, has
8 in fact been collecting data by race and
9 by gender throughout the Administration.
10 It is only recently that we've collected
11 this data electronically. We have all of
12 the data in hard copy.

13 And so I just wanted to
14 pinpoint that there are advances as it
15 relates to transparency. And we also
16 have a dashboard on our website that will
17 allow you to see the workforce and the
18 diversity, as well as the minority and
19 female participation.

20 Thank you.

21 COUNCILMAN GOODE: Thank you.

22 Is there anyone else to
23 testify?

24 MR. ALI: Councilman, can I
25 respond?

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2 (Witness approached witness
3 table.)

4 MR. ALI: My name is Jihad Ali,
5 and I just want to make a comment. What
6 good is it if the Administration is
7 keeping the information or collecting the
8 information, it's in hard copy, and me as
9 a citizen, I can't access it, unless I
10 get an attorney and I file a Right to
11 Know request? What good is that
12 information? Is this a play on the word
13 "transparent"? Is it transparent that
14 they have it, but I have to jump through
15 hoops to get it? I don't think that
16 that's the intent of this Council. And
17 when we talk about what they're doing
18 now, the dashboard, everything has
19 clarifications when you drill down. Yes,
20 they do have a dashboard, but if you look
21 at that dashboard, it will say we only
22 track certain things. Some things we
23 don't track. We don't track the
24 diversity man hours across the board.

25 So, once again, this Council is

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2 doing the right thing at the right time
3 right now in this city, and I applaud you
4 all for sticking to it. And, Councilman
5 Goode, like Councilwoman Blondell said,
6 we all would have to acknowledge, you
7 have been the leader on the forefront of
8 this, and you all have done a tremendous
9 job.

10 Thank you so much.

11 COUNCILMAN GOODE: Thank you.

12 We will move from our public
13 hearing into a public meeting to consider
14 the bill.

15 The Chair recognizes
16 Councilwoman Reynolds Brown for a motion
17 on the amendment to Bill 150614.

18 COUNCILWOMAN BROWN:
19 Mr. Chairman, I make a motion that Bill
20 No. 150614 be amended.

21 (Duly seconded.)

22 COUNCILMAN GOODE: All in
23 favor?

24 (Aye.)

25 COUNCILMAN GOODE: Those

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2 opposed?

3 (No response.)

4 COUNCILMAN GOODE: The bill is
5 amended.

6 The Chair recognizes
7 Councilwoman Brown for a motion on Bill
8 150614, as amended.

9 COUNCILWOMAN BROWN:

10 Mr. Chairman, I make a motion that Bill
11 No. 150614, as amended, be moved out of
12 Committee with a favorable recommendation
13 and further move that the rules of
14 Council be suspended so as to permit
15 first reading at the next scheduled
16 session.

17 (Duly seconded.)

18 COUNCILMAN GOODE: All in
19 favor?

20 (Aye.)

21 COUNCILMAN GOODE: Those
22 opposed?

23 (No response.)

24 COUNCILMAN GOODE: Bill No.
25 150614, as amended, is reported out of

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2 this Committee with a favorable
3 recommendation and suspension of the
4 rules to allow first reading at our next
5 Council session.

6 This concludes our public
7 meeting.

8 Thank you very much.

9 (Committee on Commerce and
10 Economic Development concluded at 1:25
11 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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