

MEETING OF THE COMMISSIONERS

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WEDNESDAY, FEBRUARY 09, 2022

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COMMISSIONERS PRESENT:

LISA DEELEY, CHAIRWOMAN
SETH BLUESTEIN, COMMISSIONER
OMAR SABIR, COMMISSIONER

HELD AT:

Philadelphia Gas Commission
1515 Arch Street, 18th Floor
Philadelphia, Pennsylvania

REPORTED BY: Samantha Clearfield

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CHAIRWOMAN DEELEY: Good morning. I call the February 9, 2022 meeting of the Philadelphia City Commissioners to order.

First I will preserve the order and decorum of these meetings. Everyone in attendance should be on notice that shouting out or interrupting the proceedings will not be tolerated.

Those who violate will be asked to leave. The Sunshine Act permits anyone attending a public meeting to object to a perceived violation at any time during the meeting.

If you choose to do so, please succinctly state your objection, objecting is not an opportunity for speechmaking.

Before we get started, we must swear-in our newest Commissioner Seth Bluestein, who will be filling out the term of Commissioner Al Schmidt. Commissioner Bluestein, please

1 rise, raise your right hand and repeat after
2 me. I, Seth Bluestein do solemnly swear ...

3 COMMISSIONER BLUESTEIN: I, Seth
4 Bluestein do solemnly swear ...

5 CHAIRWOMAN DEELEY: That I will
6 support, obey and defend the Constitution of
7 the United States ...

8 COMMISSIONER BLUESTEIN: That I will
9 support, obey and defend the Constitution of
10 the United States ...

11 CHAIRWOMAN DEELEY: And the
12 Constitution of the Commonwealth of
13 Pennsylvania ...

14 COMMISSIONER BLUESTEIN: And the
15 Constitution of the Commonwealth of
16 Pennsylvania ...

17 CHAIRWOMAN DEELEY: And the
18 Philadelphia Home Rule Charter ...

19 COMMISSIONER BLUESTEIN: And the
20 Philadelphia Home Rule Charter ...

21 CHAIRWOMAN DEELEY: And that I will
22 discharge the duties of my office with
23 fidelity ...

24 COMMISSIONER BLUESTEIN: And that I

1 will discharge the duties of my office with
2 fidelity.

3 CHAIRWOMAN DEELEY: Thank you,
4 Commissioner, and congratulations.

5 COMMISSIONER BLUESTEIN: Thank you.

6 CHAIRWOMAN DEELEY: We will now move to
7 public comment. Commenter's shall state where
8 they live or if they are not a resident of
9 Philadelphia that they are a Philadelphia
10 taxpayer. Public comment is not an
11 opportunity for dialogue or Q and A, it is
12 public comment a chance for you to tell us
13 what you think.

14 Each speaker shall have 2 minutes.
15 However I may extend this time at my
16 discretion. All public comments must be
17 relevant or germane to board business.

18 Finally it is my responsibility to
19 preserve the order and decorum of the meetings
20 as such profane, slanderous, discriminatory or
21 personal attacks will not be tolerated.

22 Is there anyone here for public
23 comment? We will now move to Vice Chair and
24 Secretary Sabir for emailed public comments.

1 COMMISSIONER SABIR: Good morning.

2 CHAIRWOMAN DEELEY: Good morning.

3 COMMISSIONER SABIR: As of 9:45 a.m.,
4 there were no public comments emailed.

5 CHAIRWOMAN DEELEY: Given no public
6 comment, we will now proceed to old business
7 and I call on Joe Lynch for a report from the
8 Executive Director.

9 MR. LYNCH: Good morning,
10 Commissioners.

11 CHAIRWOMAN DEELEY: Good morning, Joe.

12 MR. LYNCH: Congratulations
13 Commissioner.

14 County Board Report: Committee people
15 nomination petition will be available starting
16 at noon today on our website at
17 Philadelphiavotes.com. Petitions must be
18 printed double-sided or they cannot be
19 accepted.

20 Candidates who are unable to print
21 their petition from the website can retrieve
22 them from our City Hall office, room 142.
23 There has not been any change to the committee
24 person nomination petition schedule.

1 Nomination petitions can be circulated
2 starting on February 15th at the earliest and
3 must be filed by March 8th at 5:00 p.m.

4 The Voter Registration Unit: For the
5 election cycle to date, they have processed
6 51,666 applications of which 2,950 were paper.
7 We have sent out 31,347 ID cards along with
8 46,697 five-year notices.

9 Imaging and Data units are processing
10 applications, return ID cards and return
11 letters.

12 Correspondence unit is pulling deceased
13 from the dupe room.

14 Polling Place Unit: As of now, the
15 unit is going out periodically checking
16 various addresses to validate residences.
17 Several hearings are being prepared for
18 scheduling later as it gets closer to election
19 day. All polling places will be contacted
20 later on in February for verification for the
21 Primary Election.

22 CHAIRWOMAN DEELEY: Thank you, Joe.
23 We'll now move on to new business. I have two
24 motions.

1 First I motion that the position of
2 Secretary of the Board of the City
3 Commissioners be transferred from Commissioner
4 Sabir to Commissioner Seth Bluestein. Do I
5 have a second?

6 COMMISSIONER SABIR: Second.

7 COMMISSIONER BLUESTEIN: Second.

8 CHAIRWOMAN DEELEY: I vote aye, all in
9 favor?

10 COMMISSIONER SABIR: Aye.

11 COMMISSIONER BLUESTEIN: Aye.

12 CHAIRWOMAN DEELEY: Motion carries.

13 Over the break we saw a shocking ruling come
14 out of the Commonwealth Court in the McLinko
15 case, which ruled that the mail-in voting
16 portions of Act 77 unconstitutional.

17 The McLinko decision was immediately
18 appealed to the Pennsylvania Supreme Court. I
19 want it known that I and indeed we as a Board
20 support the state's appeal and believe that
21 the Supreme Court should uphold mail-in voting
22 as set forth in Act 77.

23 Because of the appeal, the Commonwealth
24 Court's order has been stayed. Mail-in voting

1 is still legal and there is no immediate
2 effect on the election or voting.

3 Therefore the Commissioners' office is
4 proceeding as normal: Mailing out permanent
5 absentee and mail-in applications, processing
6 mail-in applications and mail-in ballots when
7 they are finalized.

8 Voters on the annual mail voter list
9 will begin to receive their yearly application
10 in the mail in the next week. This is not
11 junk mail. It is important election
12 information. They should fill it out and
13 return it. Postage prepaid to us as soon as
14 possible.

15 I cannot overstate how devastating the
16 McLinko decision would be to Philadelphia
17 voters if it were upheld. But it is not
18 enough just to state that mail-in voting has
19 been embraced by a large number of
20 Philadelphia voters.

21 So I asked the staff to dig into the
22 numbers. On average more than one-third of
23 Philadelphia voters have cast their vote using
24 mail-in ballots during the past four

1 elections.

2 During the 2020 cycle, roughly
3 40 percent of Philadelphia voters used mail-in
4 ballots. More than 140,000 Philadelphia
5 voters have voted using mail-in ballots in
6 more than one election.

7 More than 50,000 Philadelphia voters
8 have voted by mail-in ballots exclusively
9 since Act 77 went into effect. Nearly 60,000
10 Philadelphia voters cast their first vote
11 using mail-in ballots.

12 Despite the pandemic, turnout has
13 increased in the past three elections. The
14 2020 General, the 2021 Primary and the 2021
15 General compared to the equivalent four years
16 prior. Without mail-in ballots cast in the
17 past three elections, the total would have
18 been lower.

19 In addition the City has invested
20 millions of dollars towards implementing
21 mail-in voting and doing it right. Some of
22 that was offset by the CTCL grant such as
23 \$37,941 for drop boxes, \$750,000 in
24 communication and \$5.2 million in equipment.

1 We also are spending several million in
2 non-grant funds to outfit the warehouse for
3 the equipment and to secure the ballot
4 processing center against possible threats.

5 The first phase of these investments
6 you saw in last year's elections and you will
7 see the results of our next phase during the
8 2022 Primary.

9 Additionally we have created a new unit
10 dedicated solely to mail ballots where we are
11 investing over \$200,000 in salary this fiscal
12 year alone.

13 We have successfully implemented
14 mail-in voting and are looking to improve. If
15 we were to go backwards, it would be just as
16 hard and costly. Though mail-in voting is
17 still a frequent target of lies from those who
18 wish the 2020 election had turned out
19 differently, we have not seen the fraud or
20 misuse that is alleged.

21 Instead we see too many barriers to
22 voting. Requirements that some claim
23 prevented fraud such as the secrecy envelope
24 and the dates on the envelope are excluding

1 legitimate votes every election.

2 I say this all the time, but we need to
3 make it easier to vote not harder. In
4 conclusion, I and this Board will continue to
5 fight using all legal means either in courts
6 of law or the courts of public opinion to
7 ensure that all Philadelphians can vote in the
8 easiest most convenient ways possibly.

9 In the McLinko case, the decision from
10 the Commonwealth Court was wrong.
11 Philadelphians have embraced mail-in voting in
12 large numbers and we will make sure that we
13 are part of the process of getting this
14 corrected.

15 Therefore I motion that we ask the Law
16 Department to prepare an amicus brief for the
17 Board in the case of McLinko versus
18 Commonwealth of Pennsylvania. Do I have a
19 second?

20 COMMISSIONER SABIR: Second.

21 CHAIRWOMAN DEELEY: I vote aye.
22 Commissioner Bluestein?

23 COMMISSIONER BLUESTEIN: Aye.

24 CHAIRWOMAN DEELEY: Commissioner Sabir?

1 COMMISSIONER SABIR: Aye.

2 CHAIRWOMAN DEELEY: Motion carries.

3 Commissioner Bluestein, do you have any items
4 to add to the agenda?

5 COMMISSIONER BLUESTEIN: I do not.

6 CHAIRWOMAN DEELEY: Commissioner Sabir,
7 do you have any items to add to the agenda.

8 COMMISSIONER SABIR: Madam Chair if I
9 may. I want to take a moment to recognize
10 Black History month and the leaders that have
11 set the path before us. We stand on the
12 shoulders of great people like Octavious
13 Catto, Martin Luther King, John Lewis, Rosa
14 Parks, Ida B. Wells and countless others.

15 I'm proud of the work we're doing to
16 ease access to voting for every Philadelphian
17 and we continue to fight for the rights of all
18 Americans.

19 Also I see Commissioner Schmidt. It
20 looks a little bit funny seeing you on the
21 other side my friend but thank you for your
22 service and we definitely look forward to
23 working with you in your new capacity with the
24 Committee of 70.

1 CHAIRWOMAN DEELEY: Thank you,
2 Commissioner Sabir. With no items remaining
3 on the agenda, this meeting is adjourned to
4 the call of the chair. Thank you all.

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6 (Whereupon the meeting concluded at 11:11 a.m.)

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

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

Court Reporter-Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

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