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MEETING OF THE COMMISSIONERS

August 27, 2020

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COMMISSIONERS PRESENT:

- LISA DEELEY, CHAIRWOMAN
- AL SCHMIDT, COMMISSIONER
- OMAR SABIR, COMMISSIONER

HELD AT:

3500 Scotts Lane
Philadelphia, Pennsylvania

REPORTED BY: Patricia Slater

Strehlow & Associates, Inc.

(215) 504-4622

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PROCEEDINGS

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CHAIRWOMAN DEELEY: Good

morning. I call this meeting on
August 27, 2020 to order.

First, I have an
announcement:

The Philadelphia City
Commissioners met virtually in an
executive session on July 9, 2020
to consult with our attorney on a
legal matter.

Now before we hear public
comment, I would like -- I would
just like to remind everyone on
how the public comment works.

Philadelphia residents and
tax payers shall be afforded the
chance to make public comment.
Speakers shall identify themselves
and state where they live, or if
they are a non-resident of
Philadelphia but they are a

1 Philadelphia taxpayer.

2 Public comment is not an
3 opportunity for dialogue or Q and
4 A. It is public comment. Each
5 speaker is allowed two minutes.
6 However, I may extend this time at
7 my discretion. I may also allow
8 additional speakers at my
9 discretion.

10 All public comments must be
11 relevant and germane to our
12 business. This means that the
13 subject matter of all comments
14 must be limited to issues which
15 are currently before the Board for
16 consideration, or which may come
17 before the Board for consideration
18 at a future meeting.

19 If anyone wishes to provide
20 documents, petitions, photographs
21 or other materials to members of
22 the Board should give copies of
23 those items to the secretary for
24 distribution.

1 Finally, it is my
2 responsibility to preserve the
3 order and decorum of the meetings.
4 As such, profane, slanderous,
5 discriminatory, or personal
6 attacks will not be tolerated.
7 Speakers shall give this Board the
8 respect that is given to other
9 government bodies, such as, City
10 Counsel and the State Legislature.

11 We will now proceed to
12 public comment.

13 Is there any public comment?

14 UNIDENTIFIED SPEAKER: I.

15 CHAIRWOMAN: Please step
16 forward and state your name for
17 the record.

18 MS. MURPHY: Good morning,
19 Commissioner's and Deputy's. My
20 name is Nora Murphy and I'm a
21 resident of Philadelphia.

22 I make this statement on
23 behalf of -- (inaudible).

24 According to the website

1 announcement, the Board has made
2 these hearings -- it's a massive
3 warehouse with multiple entrances,
4 but your announcement for this
5 meeting didn't provide an entrance
6 location, which makes it hard for
7 the public to find this space
8 which discourages the public.

9 It's also half a mile from
10 the nearest bus stop, and it is
11 about a 20 to 25 minute drive from
12 City Hall and your offices on
13 Spring Garden.

14 We've had online meetings
15 since COVID, so why are we here.
16 It's kind of baffling. I'd like
17 to ask questions about this
18 decision. You can answer here or
19 by e-mail. I'll be happy to post
20 your answers online. The answers
21 should be public.

22 Number 1: Why did you move
23 the meeting to this location when
24 the space at the Spring Garden

1 offices is close to public
2 transportation.

3 2: Why did you cut off the
4 Zoom component when we can just
5 continue that form of
6 communication, so that more
7 members of the public can safely
8 participate.

9 3: Why don't you record
10 your meetings for the public, and
11 why don't you post the transcripts
12 or minutes of the public meetings
13 like normal public agencies do.

14 4: What is the reason for
15 your policy for not answering the
16 publics questions during these
17 meetings.

18 Moving these closely open
19 meetings to this difficult to
20 access location and needlessly
21 cutting off online participation
22 makes a mockery of the Sunshine
23 Act. You are preparing for the
24 next election at a critical time.

1 This is not the time to --
2 (inaudible). If you actually want
3 to include the public, then you
4 should act in away for the public
5 to participate online so that more
6 people can participate with the
7 meetings, and remain safe from
8 COVID exposure and have the
9 opportunity for the public comment
10 in a public form. The Sunshine
11 Act --

12 CHAIRWOMAN DEELEY: One
13 minute.

14 MS. MURPHY: -- including
15 public meeting to this location.
16 This location and communication is
17 not good. Please restore the
18 online format as well as the in
19 person option.

20 Thank you.

21 CHAIRWOMAN DEELEY: Thank
22 you.

23 MS. MURPHY: I have a
24 comment that --

1 (Inaudible.)

2 MS. MURPHY: -- she is not
3 able to attend --

4 CHAIRWOMAN: She will have
5 to be here. There was a vote for
6 people to submit public comment,
7 so that individual is welcome to
8 do that.

9 Thank you.

10 MS. MURPHY: She's asked me
11 to represent her here --

12 CHAIRWOMAN DEELEY: I'm
13 sorry, Nora. She is not here.
14 She's unable to tell me that --

15 MS. MURPHY: She wrote an
16 e-mail --

17 CHAIRWOMAN DEELEY: You can
18 leave her comment for the
19 secretary.

20 Thank you.

21 MS. MURPHY: Thank you very
22 much.

23 CHAIRWOMAN DEELEY: I will
24 now call on Commissioner Sabir for

1 a report of the -- I'm sorry, I'm
2 sorry. I apologize.

3 Please, for public comment.

4 MR. GARELLA: Good morning.

5 Commissioners, my name is Rich
6 Garella. I'm a resident and tax
7 payer in Philadelphia.

8 First, I want to comment
9 that the Sunshine Act, if you had
10 an executive session, which you
11 just announced, the Sunshine Act
12 requires that you specify the
13 reason for that. You have to
14 specify whether there is
15 litigation, what that litigation
16 is, or what the legal topic is.
17 You can't just say legal advice.
18 You need to explain to the degree
19 that the public can understand why
20 you need to have that executive
21 session. That was a Pennsylvania
22 Supreme Court decision.

23 Secondly, we sent you an
24 open letter signed by many groups

1 last month, which spoke about the
2 vulnerability -- before it was
3 introduced, legal vulnerabilities
4 that had been introduced by
5 failing to follow various election
6 requirements, and by failure to
7 have procedures that would
8 protect those legal
9 vulnerabilities. We asked you to
10 respond and hoped that you would
11 address these problems before they
12 arise in November. We received no
13 response, and we still hope to.

14 Thirdly -- by the way, that
15 letter was signed by many
16 organizations, like Pennsylvania
17 State NAACP and national
18 organization, council of churches,
19 c-mac (sic), and many more.

20 Thirdly, since you're not
21 reading e-mail comments and we
22 have no reason to know, those
23 people commenting don't even know
24 if you've read them, I'm able to

1 make sure the other members of the
2 public have them. I'm going to
3 read a comment from Meg Berlin who
4 was also unable to attend in
5 person. It's very brief.

6 She says:

7 "I'm disappointed that in
8 this time of COVID, you are not
9 putting your meeting tomorrow" --
10 meaning today, "On Zoom.
11 Something that you've been able to
12 do previously."

13 CHAIRWOMAN DEELEY: Two
14 minutes --

15 MR. GARELLA: Can I finish
16 these sentences --

17 CHAIRWOMAN: No. Thank you.

18 MR. GARELLA: Okay. Thank
19 you.

20 CHAIRWOMAN DEELEY: We will
21 now call on Commissioner Sabir for
22 a report of the secretary.

23 Commissioner Sabir.

24 COMMISSIONER SABIR: All

1 comments that were e-mailed by
2 9:45 were shared with the
3 Commissioner's and Deputy's at 10
4 a.m. and have been provided to
5 each Commissioner at the beginning
6 of our meeting, and are available
7 at the public commenter to
8 receive. One comment from Meg
9 Berlin, I have received it and ask
10 that it be moved into the record.

11 COMMISSIONER SCHMIDT: I
12 also reviewed it and agree it
13 should be moved into the record.

14 CHAIRWOMAN DEELEY: I also
15 reviewed it.

16 Please move it into the
17 record.

18 (Letter was moved into the
19 record at this time.)

20 CHAIRWOMAN DEELEY: I will
21 now proceed to new business.

22 I won't take up much time
23 with my motion, because this is
24 keeping us from a whole lot of

1 work that we need to get back to.

2 I would just like to thank
3 all of our dedicated staff who
4 worked tirelessly to prepare the
5 grant proposal. Our lawyers at
6 the law department negotiated a
7 grant agreement, and especially
8 Center for Tech and Civic Life for
9 this generous opportunity.

10 This grant will help us to
11 give the voters in Philadelphia
12 the safe, smooth, and secure
13 election that they deserve. If
14 approved, we will be able to move
15 forward in implementing plans to
16 process applications and ballots
17 more quickly. We will be able to
18 open a sufficient number of
19 polling places throughout the
20 City.

21 Additionally, we will have
22 the opportunity to set up a
23 considerable number of satellite
24 election offices throughout the

1 City, and we added a realistic
2 number of pollers along with the
3 ability to provide the essential
4 election day numbers with ample
5 PPE (sic).

6 I would just like to note
7 that the motion that I am about to
8 make on the agreement will not
9 change the Board's independent
10 consideration of election day
11 plans moving forward, including
12 both of those specific decisions
13 when appropriate.

14 I motion that the Board
15 approve the grant agreement dated
16 August 21, 2020 between the City
17 of Philadelphia and the
18 nonpartisan, nonprofit Center for
19 Tech and Civic Life.

20 Do I have a second?

21 COMMISSIONER SCHMIDT: Second.

22 CHAIRWOMAN DEELEY: All in
23 favor.

24 (All respond with I.)

1 CHAIRWOMAN DEELEY: The
2 motion carries.

3 Is there any more new
4 business?

5 COMMISSIONER SCHMIDT: I do,
6 Chairwoman.

7 The first thing, I can
8 assure that the polling places are
9 open, safe, and convenient for
10 election day. It's to make sure
11 that the election polling places
12 are well compensated by increasing
13 the compensation for election
14 board workers and polling places.
15 I hope you will be able to open
16 and staff as many of the normal
17 polling places as possible, and
18 provide a level of service to the
19 voters in Philadelphia.

20 I would like to make two
21 motions that I believe will
22 support these efforts. These will
23 set us on the right path for a
24 successful election.

1 I'd like to motion that the
2 November 3, 2020 general election
3 we set compensation for the
4 election board workers at 200
5 workers with the additional
6 compensation of \$50 for
7 participating in election training
8 as provided by the staff, and \$5
9 for the judges elections for
10 picking up and returning election
11 materials.

12 Do I have a second?

13 COMMISSIONER SABIR: Second.

14 CHAIRWOMAN DEELEY: In
15 favor?

16 (All respond with I.)

17 CHAIRWOMAN DEELEY: Motion
18 carries.

19 COMMISSIONER SCHMIDT: I
20 have one additional motion,
21 Chairwoman.

22 I make a motion that after
23 the November 3, 2020 general
24 election, we set compensation for

1 each non-public polling place
2 location at \$110 per division plus
3 an additional \$200 for cleaning.

4 Do I have a second?

5 CHAIRWOMAN DEELEY: Second.

6 COMMISSIONER SCHMIDT: I.

7 CHAIRWOMAN DEELEY: All in
8 favor?

9 (All respond with I.)

10 CHAIRWOMAN DEELEY: Motion
11 carries.

12 COMMISSIONER SCHMIDT: That's all I
13 have.

14 CHAIRWOMAN DEELEY: Thank
15 you.

16 Is there any more new
17 business?

18 (No response.)

19 COMMISSIONER DEELEY:
20 Hearing no new business or old
21 business, this meeting is
22 adjourned to the call of the
23 Chair.

24 Thank you.

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(Witness excused.)

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(Whereupon, the deposition
concluded at or about 11:12 a.m.)

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CERTIFICATE

I, hereby certify that the witness was duly sworn by me and that the proceedings is a true record of the testimony given by the witness.

Court Reporter - Notary Public

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