



Connect with your Neighbors.....Change the World

2019 Council Questionnaire – Incumbent

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CANDIDATE CERTIFICATION

Candidate Name: **Derek S. Green**

Office Sought **Councilmember At-Large**

I have read the attached questionnaire responses and certify that the information provided is accurate and the opinions stated accurately reflect my own positions.

Candidate Signature: _____

Date: **3/5/19**

Please complete, sign and return this form via email in Word format to:

gmgilman@igc.org and mail a copy with the signature page to

Gloria Gilman

121 S Broad St, Suite 1720

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BACKGROUND

1. What, if any, elected or appointed government office(s) have you held, in addition to Council member?

Chair, Philadelphia Gas Commission

2. What do you consider your three greatest achievements while serving in Council?

Through our job fairs, interview coaching sessions, and resume writing workshops, my office has enabled 195 people to receive job interviews. From this number, 104 were hired.

In response to discriminatory business practices geared to LGBTQ persons of color, I passed Bill # 170334 that enables the Commission on Human Relations to cease operations of businesses that persistent violate the City’s Fair Practices Ordinance.

Finally, I passed a legislative package (Resolution # 160981, Bills #160971, #160972) that created best value procurement policies for Philadelphia. As an active member of the National League of Cities, 2nd Vice President of the Pennsylvania Municipal League, and board officer for the National Black Caucus of Local Elected Officials, I have seen how best value procurement has enabled local and minority owned businesses the opportunity to do more business with their local jurisdictions. In this regard, I believe that this legislation will increase the growth of these businesses and help us to reduce poverty in our City.

3. Background and viability questions:

a. What other endorsements have you received?

In addition to Neighborhood Networks, I am seeking endorsements for my re-election campaign. In 2015, I was endorsed by the following organizations: AFL-CIO (Phila. Council), AFSCME DC 577, IAFF Local 22, Teamsters, TWU Local 234, UFCW Local 1776, Clean Water Action, Americans for Democratic Action, Education Voters of PA, Philadelphia Federation of Teachers, Liberty City Democrats, Philadelphia Inquirer, Philadelphia Sunday Sun, Philadelphia Tribune, Philly for Change, Black Clergy of Philadelphia & Vicinity.

b. How do you plan to win? **In 2015, I was successful in receiving over 68,000 votes for my primary election win for Councilmember At-Large. In spite of being outraised by various candidates, I received the highest vote total in the 2015 primary. During my campaign, I was able to bring together a diverse group of supporters from various sections of the City based on my experiences as a City employee, nonprofit leader, small business lender, attorney, Committeeperson, and Autism advocate. I plan to use this model again in 2019.**

c. How much money have you raised? **\$157,100 (cash on hand)**

How much do you expect to raise? **\$350,000**

4. What three things would you most want to accomplish if elected to another term?

Use legislative and public policy initiatives to reduce our 26% poverty rate, improve the education and infrastructure of the School District, and reform our criminal justice system (e.g., ending cash bail, more resources for returning citizens, etc.).

ISSUES

Although many of the questions below call for a simple yes or no answer, please feel free to provide an explanation for any of your choices. If you have not yet come to a final decision, please state which way you are leaning and what additional information you would need before deciding, if any.

I. Economic Development

Would you:

1. Raise the City minimum wage to \$15 an hour, either directly or by imposing an impact fee on businesses paying less than \$15?

Yes. I voted for Bill # 180846 which set a standard of \$15 as Philadelphia's 21st Century Minimum Wage. Further, this bill includes a multiplier based on the Consumer Price Index so that this \$15 standard can continue to increase over time.

2. Take \$200 million of City pension funds now invested in the stock market to invest in neighborhood economic development projects?

Considering that the City's pension funds are approximately 47.4% funded and cost the General Fund almost \$700 million per year, we need to leverage every dollar in the pension fund in order to get to a better funding level. However, I do believe that we should use city deposits to leverage banks to invest in neighborhood economic development projects. A public bank is one way to achieve this goal.

3. Require City-funded or tax-abated projects to employ a high percentage of City resident workers, especially low and moderate income city residents?

Yes.

4. Create a program to provide technical assistance and start-up funding for cooperative, worker-owned businesses?

Yes. Through Resolution # 170971, I held "hearings regarding initiatives to support employee ownership, including as a retirement strategy for small business owners." Further, I negotiated with the Administration to add \$75,000 to the FY2018 budget to fund a program for co-op outreach and technical assistance. After an RFP process, the Philadelphia Area Cooperative Alliance ("PACA") was awarded these funds in 2018.

5. Reform PIDC, the City's main economic development funding agency, so that its Board has a majority of public and community members, rather than Chamber of Commerce appointed members?

Yes. Considering that PIDC is a nonprofit, joint venture created by the City and the Chamber of Commerce, I believe that the Mayor should use their appointment powers to place small business owners from neighborhood commercial corridors on the PIDC Board.

6. Require the City to withdraw subsidies from corporations that fail to provide jobs or other benefits to City residents?

Yes.

7. Bar or limit privatization of City property and work done by City employees? More specifically are there any circumstances under which you would sell PGW?

Yes. Generally, I am opposed to the privatization of city public spaces and institutions. In numerous cases, these ideas are presented as a benefit to the City when in fact they are not. The proposed sale of PGW is a prime example. As Counsel to former Councilwoman and Gas Commission Chair Marian Tasco, I am very familiar with the details of this transaction. It is from this perspective that I believe that public hearings should have been held on this proposal. Through this process, it would have been demonstrated why this proposal was not good for the City.

The City's current, annual minimum municipal obligation to the pension fund is approximately \$700 million. However, the true net proceeds of the proposed sale of PGW to UIL

would have been \$200 million not \$400 million. The \$400 million amount does not take into account the loss of the annual \$18 million franchise payment to the City from PGW. Using a discounted cash flow analysis, this loss is equal to \$200 million and consequently, the true net value of the proposed sale is \$200 million which is about 1/3 of the City's annual pension payment. If PGW had been sold to UIL or another bidder, the City would not be in a position to consider a Green New Deal for Philadelphia that could bring in revenue to the City that exceeds the actual net amount of the proposed sale.

8. Sponsor and sign legislation to create a Philadelphia Public Bank?

Yes. Through Resolution # 160045, I held hearings to begin the discussion of creating a public bank in Philadelphia. Further, I negotiated with the Administration to fund and issue an RFP to hire a consultant to create a feasibility study for a public bank.

II. Taxation

Would you:

1. Increase taxes to support City and/or School District services, and if so, which ones?

Yes. Revise the 10-year Tax Abatement.

2. Reduce taxes as an economic development strategy, and, if so, which ones?

As a former small business lender in North Philadelphia, I saw how the growth of local businesses can impact poverty in families and communities. In this regard, I believe that we need to develop and create policies that help our small businesses to grow and thrive so that they can create jobs for our communities and consequently reduce poverty in our City. Additionally, we need to modify our corporate tax structure so that we can support small businesses and insure that big corporations pay their fair share. However, our Pennsylvania Constitution restricts our ability to modify our current tax structure. Under Section 1, Article 8 of the Pennsylvania Constitution, "[a]ll taxes shall be uniform." This Uniformity Clause restricts our ability to tax small businesses differently than large corporations. In comparison to the constitutions of many other states, we need to call on our Pennsylvania General Assembly to amend the Uniformity Clause so that we can have an equitable corporate tax structure in our City.

3. Support the Soda Tax? Please explain your answer.

Yes. I voted for Bill # 160176 which created the Sugar-Sweetened Beverage ("Soda") Tax in Philadelphia.

4. Support the 10-year Tax Abatement Program for new development as it currently exists? If not, what specific changes would you make?

Various ideas have been proposed with regards to the 10-year Tax Abatement, from Councilmember Bass' bill to eliminate the abatement to Councilmember Domb's bill to reduce as well as expand the abatement to targeted, moderate to low income areas of our City. Regardless, I believe that the 10-year Tax Abatement legislation should be changed. Enacted in 1997, this legislation was passed at a time when the City had just escaped a possible bankruptcy. Over the next 20 years, the City's economy has made significant changes from this earlier period. We need to continue to promote, responsible growth while addressing negative outcomes of this legislation.

I have not developed a definitive decision regarding the best way forward concerning this issue. However, and in order to make a determination, I will examine these proposals.

5. Bring suit to challenge the nonprofit status of the University of PA and other huge non-profits if they don't agree to make payments in lieu of taxes to the City?

Yes.

III. Education

Would you:

1. Enact a plan that would help regulate charter schools by making their budgetary practices transparent, ridding them of conflicts of interest, and stopping them from cherry-picking their student bodies? If so, what would that plan look like?

Yes. For various years, the School District was not willing to provide greater oversight of charter schools. Although the District would close traditional public schools, it appeared to have a fear of Harrisburg and would not close poorly performing charter schools. In contrast, we need a uniform method of evaluating all schools. In this regard, the District's Charter School Office should be reformed so that it can properly evaluate and provide oversight of all charter schools in our City.

2. Provide universal pre-k to all 3 and 4 year olds in the City?

Yes.

3. Compute the cost/benefit ratio for the School District of all proposed KOZ zones before they're approved by Council?

Yes.

4. Develop a plan to deal with the bankruptcy facing the School District due to the growth in the number of charter schools in the City, all of whose expenses must by law be paid by the District? Please explain.

As the son of a retired School District of Philadelphia teacher and the father of a son on the Autism Spectrum who attends a District school, I am deeply concerned regarding the fiscal health of the School District. Accordingly, I envision a better future for public education in Philadelphia. One where we live up to the standard stated in our state constitution. Under Article 3, Section 14 of the Pennsylvania Constitution, "[t]he General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth." In comparing the amount of state funding for the School District versus other urban education systems that are funded based on the same state constitutional language, it is clear that the standard of our own state constitution is not being met. As a member of City Council, I voted to provide over \$600 million in additional dollars to the School District. However, the School District is not receiving a fair level of funding from the Commonwealth and over the years we have had to increase funding at the local level to make up for this deficit. As we await the decision in the *William Penn School District v. PA Dept. of Education* litigation, Philadelphia should form a coalition with other county officials to lobby Harrisburg for a fair, weighted funding formula that provides more state funds for Philadelphia's public school children but also for children throughout Pennsylvania. Due to the elimination of the charter school reimbursement and the growth of cyber charter schools, numerous schools (urban, suburban, and rural) are

feeling the impact of a lack of a fair funding formula and this result provides an opportunity to from a unique coalition to address this issue.

IV. Criminal Justice

Would you:

1. Grant the civilian police review board subpoena power with the ability to suspend or fire police officers found to engage in misconduct?

Although I support this concept, the ability to suspend or fire police officers would have to be a part of their collective bargaining agreement with the City. Further, this ability would have to be implemented in a way that did not inhibit a Police Commissioner's command and leadership, through Internal Affairs, to discipline and remove officers from the Department.

2. Use savings from closing the House of Corrections to invest in job training programs and opportunities for formerly incarcerated people, in an effort to combat mass incarceration?

Yes. As an African American man who was once racially profiled while leaving his office as an Assistant District Attorney, our criminal justice system needs major reform. In particular, Philadelphia needs to end its cash bail system. When a person is arrested, it means that law enforcement believes that there is probable cause that a crime has been committed. Yet, probable cause is simply an allegation of a crime and not a determination of guilt by a court or a jury of their peers. Due to our cash bail system, a person who cannot afford to pay bail will be detained in jail for an average of 100 days before appearing before a judge to have their case heard. In Council, I have pushed for the elimination of cash bail and have partnered with the Philly Community Bail Fund, No 215 Jail Coalition, Media Mobilizing Project, and other partners to advocate for criminal justice reforms. Accordingly, I authorized, through Resolution # 170838, the Special Committee on Criminal Justice Reform to hold hearings to assist bail funds in Philadelphia. Until cash bail is eliminated, I will continue to support community based organizations that bail out those that cannot afford bail. In addition to my work to end cash bail in Philadelphia, I have partnered with JustLeadershipUSA and #Closethecreek coalition to advocate that the savings from the closing of the House of Corrections should be used for locally-run, community based services for returning community members.

3. Bar employers from denying jobs to ex-offenders without a specific job-related basis?

Yes.

4. End the stop and frisk program?

Yes.

V. Housing

1. Do you think Philadelphia is facing a housing crisis? If so, why? If not, why not? What changes would you make to bring housing policy more in line with your vision?

2. Would you:

- a. Enact a rent stabilization program?

I supported Bill #170854-AA which requires a good cause for residential evictions. With regards to a rent stabilization program, I am reviewing this concept. Proponents of rent control state that these laws stop property owners from evicting tenants for higher paying tenants. Opponents argue that rent control promotes gentrification because property owners will convert moderate income units into higher price condos and that similar landlords will not enter the real estate industry. Considering these contrasts, I will continue to assess this legislation.

- b. Enact inclusionary zoning requirements to compel inclusion of affordable units in all market rate developments?

I could support these requirements if the units created are truly affordable. As the Chair of the Disabilities Committee, I, and fellow Disabilities advocates, opposed Bill # 180739 (Housing Trust Sub Fund) because this legislation allowed higher income people to receive assistance from this new sub fund. Considering the significant number of people with Disabilities who are low income, we believe that the sub fund should be used at the standard income level for the Housing Trust Fund.

- c. Support a dedicated fund to provide technical assistance and startup funding for land trusts and housing co-ops?

Yes.

- d. End, limit or curtail Councilmanic prerogative over land disposition?

Our City's Home Rule Charter has made the disposition of land in Philadelphia problematic. Issues involving Councilmanic prerogative cannot be resolved until the Home Rule Charter is revised. Under the Charter, the City cannot acquire or convey land except by legislation. Consequently, decisions regarding land use fall to those elected officials that represent the constituents that will be most impacted ("near neighbors") by changes to land use. However, I would support revisions to our Home Rule Charter.

- e. Require the land bank to prioritize the disposition of properties for low-income and cooperatively owned developments?

Yes.

VI. Climate Justice

- 1. What, if anything, can the city do to address the fundamental factors driving climate change?

Climate change is not just a future threat to be avoided, but – with the planet having already experienced one degree Celsius warming due to human activity, which has caused the rising sea levels, severe storms, and other extreme weather events we see right now – a present danger requiring significant human adjustments to avoid far worse damage. The Intergovernmental Panel on Climate Change ("IPCC"), a body consisting of hundreds of climate researchers convened by the United Nations, issued a report that outlined a truly ambitious timeline for shifting systems from heating, to cooking, to transportation, to industry away from fossil fuels.

In this regard, the City can take various steps towards addressing climate change. Some of these steps include enhancing the Philadelphia Energy Authority's ("PEA") Solarize Philly

initiative, providing additional funding to help residents to weatherize their homes, developing additional Power Purchase Agreements so that more municipal energy can come from solar power, and transitioning all City vehicles from gas to electric power.

2. Do you support a Green New Deal for Philadelphia and, if so, what does that mean to you and what will you do if elected to City Council to implement it?

I believe that a Green New Deal for Philadelphia is one way to address climate change. Accordingly, I supported the PEA and the Office of Sustainability in its selection as one of the 20 cities for the Bloomberg American Cities Climate Challenge Initiative. Also, and as the Chair of the Philadelphia Gas Commission, I encouraged PGW's participation in this successful effort. Finally, I believe that we need to begin the process to transition PGW into an energy provider that is not dependent upon fossil fuels, In this regard, I introduced Resolution #181081 to begin this process and to discuss and develop ideas concerning the future of PGW.

3. What is your position on the proposal to build a new Liquefied Natural Gas Plant in Southwest Philadelphia?

I believe that the City should develop a Green New Deal energy plan. To begin this effort, I co-sponsored Bill #180965 which will enable the City to purchase 20% of its municipal energy needs from a solar energy provider. As Chair of the Philadelphia Gas Commission, I believe that we need to transform PGW into an energy provider that is not dependent upon fossil fuels. However, most of PGW's customers are moderate to low income and we need to use PGW revenue to keep rates low, operate this utility, and invest in its very old infrastructure. I believe that the Passyunk LNG project will reduce diesel gas use and create new revenue, which will not come from moderate or low income Philadelphians, and can be used by PGW to invest in alternative energy projects similar to the City's solar energy project and can be a bridge toward a non-fossil fuel future for PGW as a part of a Green New Deal plan.

VII. Money In Politics

In light of the recent indictments involving elected officials, what is your position on:

- a. Accepting gifts or services
- b. Accepting donations from corporate PACs that do work for the city
- c. Public financing of city elections

As the co-author of the legislation that created our current campaign finance system (Bills # 051024, #050301-A) and Ethics Board (Bill #050014), I am a strong proponent of transparency for elected and appointed officials. I believe that all gifts, services, and corporate PAC donations must be disclosed. Further, I introduced Bill # 190083 to require disclosures of contributions to individuals and/or organizations that are not affiliated with a campaign but make expenditures to influence elections. Due to the poorly decided *Citizens United v. Federal Election Commission* case, this legislation is needed to inform the public who is contributing "dark money" to individuals and organizations that are trying to influence our elections. I also introduced legislation to create a system of public financing of city elections (Resolutions #170696, #180249)(Bills #170680, #180241). Finally, this legislation would also amend the Home Rule Charter in order to provide a ballot question for voters regarding public financing of city elections.

VIII. General Statement

Use this space to provide any further information that you would like us to consider about your candidacy, not covered by the questions above.

In 1943, my grandfather was able to purchase our family farm outside of Greenville, North Carolina. For African American families, children had to walk to a segregated school after working their family farm. Consequently, many children had little time in school due to the length of time for morning farm work and the walk to school. Although not formerly educated, my grandfather stressed the importance of education. In this regard, he led a group of farmers to purchase a school bus so that their children could have a better education. As the leader of this group, all of my uncles (Augustus, Adolphus, Lenon, Jesse, and Eddie were responsible for driving the bus, my Dad was the youngest son & rebel who didn't want to drive the bus).

Although I never met my paternal grandfather, his belief and actions that entrepreneurs can impact social change and improve the quality of life of our communities has informed my worldview. Through my work with CDCs, civic organizations, school groups, and special needs nonprofits, I have seen the investments that small business owners have made in our communities. Further, I believe that poverty is the number one issue in our City and our ability to grow small businesses in Philadelphia can reduce poverty. Considering this background and belief, I decided to run for City Council and hope to return to this body to continue my work to address this issue.