



A good government is one that is ethical, open and transparent - a government that works for the benefit of its citizens, not those in power. We must keep political donations from impacting legislative decisions. Our land policy must be based on the highest and best use for our residents, not the highest political donations for our Councilmembers.

With over a decade of municipal government experience, I know how government works and in too many instances, how it doesn't work. Too often, democracy in this city is about who can get the biggest checks, not who has the best ideas. City Council seats become seats for life with the power of incumbency. As your Councilperson, I will fight to ensure that your government operates under the highest ethical standards and works for the benefit of residents, not just the powerful. I'll put an end to big checks for big favors and work to ensure that our ethical watchdogs have the funding and power they need to hold City Council accountable.

Together, we'll build a more ethical and equitable government by:

- Instituting term limits for City Council;
- Requiring a public budget hearing for City Council's annual budget;
- Make the Inspector General a permanent position and give the office authority to investigate allegations of City Council wrongdoing;
- Limiting councilmanic prerogative and end "pay-to-play" in land and zoning deals;
- Reforming campaign finance laws;
- Increasing funding for the Board of Ethics

Term Limits for City Council

As I've talked to voters throughout the District, I've noticed a disconcerting trend -- people are frustrated with city government and feel powerless to change it. When I tell people I'm running against a district incumbent, more often than not the response is relief that they have "a real choice." And that's what our elections should be about - candidates presenting their ideas and visions for the city and letting the voters choose. Unfortunately, far too often incumbents go

unchallenged and unchecked - and that's by design, not an accident. The Philadelphia Citizen observed that:

In the last 35 years, only 13 incumbent Council members who had served a full four-year term have lost their seats to a challenger. We don't have elections. We have coronations.¹

With relatively short term limits for Mayor (two four-year terms) and unlimited terms for Council - we've disproportionately shifted the balance of power to City Council, away from the strong Mayor form of government in our Charter. That's why the first bill I will introduce into City Council will be legislation creating term limits for City Councilmembers. Under this bill, City Councilmembers will be prohibited from serving more than three [3] consecutive four-year terms. Twelve years allows for a meaningful term to advance policy goals, while at the same time ensuring regular competition and the opportunity for new ideas. I will introduce this legislation upon taking office and work to build the necessary coalitions to get it passed. It's time to end the days of Council seats for life. As former Mayor Ed Rendell observed, "We would have a more effective and efficient city government if we [had City Council term limits]."

Require a Public Hearing for the City Council Budget

Each spring, every department and agency that receives city funding prepares public testimony where their performance and spending from the past year is scrutinized and where they discuss their plans for the upcoming year. Every major city department and agency, with the exception of one, undergoes this annual examination: Philadelphia City Council.

City Council has a \$17 million dollar annual budget, but refuses to provide for a public hearing about how that money will be spent. As the Philadelphia Inquirer observed, "There is no way else to view this: Council operates under a different set of rules than it enforces for the rest of Philadelphia's government."²

¹ *The Philadelphia Citizen*, "The Fix: Term Limits for City Council", <https://thephiladelphiacitizen.org/the-fix-term-limits-for-city-council/>

² *Philly.com*, "Council Probes \$4 Billion City Budget, Rejects Hearing on Its Own Budget", <http://www.philly.com/philly/news/politics/Council-probes-4-billion-city-budget-rejects-hearing-on-its-own-budget.html>

If elected, I will fight to give the taxpayers an opportunity to ask questions as to how City Council spends its budget every year and to provide for more transparency and accountability for your tax dollars.

Give the Inspector General Power to Investigate City Council

The Inspector General's office is a critical partner in rooting out corruption throughout the City of Philadelphia. In the last decade, the office has recovered over \$70 million dollars of taxpayer money through investigations into fraud and wrongdoing by city contractors and employees. Unfortunately, there is one group of city workers that the Inspector General doesn't have jurisdiction to investigate - Philadelphia City Council.

If elected, I will continue the fight to change the Charter to make the Inspector General a permanent position and to give the Inspector General's office jurisdiction over City Council. Philadelphia residents shouldn't have to look to the federal government to investigate wrongdoing and stamp out corruption.

Limit Councilmanic Prerogative and End Pay-to-Play

Philadelphia City Council is under scrutiny because of numerous reports of land sales benefitting friends and political donors of council members to the exclusion of other interested parties. In some cases, the land was designated for affordable housing, only to be flipped and sold at a large profit. A loss to both taxpayers as well as those in need of an affordable home. These incidents happened because a legislative tradition called councilmanic prerogative permeates every land use decision in Philadelphia. As explained in a report from Pew Charitable Trusts:

In Philadelphia, the vast majority of land use decisions, small or momentous, are made individually by City Council's 10 members, who represent geographical districts across the city. The practice, which is grounded in legislative tradition rather than law, is known as 'councilmanic prerogative.'³

³ *Pew Charitable Trusts*, "Philadelphia's Councilmanic Prerogative," <https://www.pewtrusts.org/-/media/assets/2015/08/philadelphia-councilmanic-report--with-disclaimer.pdf>

Councilmanic prerogative means that individual council members, rather than professional planners or land use experts, have the final say over who gets what land and how that land is used. It creates an incredible potential for abuse, with Pew noting:

Critics contend that the use of councilmanic prerogative, which frequently occurs out of the spotlight, **undermines government accountability and transparency**. They argue that it too often is **used arbitrarily**, that it **hinders development**, that it increases **public mistrust** of government, that it works to the **advantage of the politically connected**, and that its exercise sometimes allows narrow concerns to get in the way of citywide goals.⁴

Councilmanic prerogative can be a useful tool to ensure that community input is factored into important decisions -- however, left unchecked and abused, prerogative becomes a way for the politically well-connected or financially supportive voices to drown out the public. As the Philadelphia Coalition for Affordable Communities noted, "Publicly held land is not meant to be a land grab for friends of council members who flip the properties for profit."

How do we fix it? There is a direct connection between councilmanic prerogative and campaign donations. Those in the development and business community have long been targets for district councilmember fundraising efforts. When your district councilperson has almost unchecked power over your ability to purchase city-owned land, develop land you own or allow your type of business to operate or exist in certain neighborhoods, it creates a system where individuals feel pressure to contribute in order to do business.

This is known as "pay-to-play" and it was a pervasive problem with city contracts going to the most prolific political givers. It wasn't until then Councilman Nutter who pushed for strict attribution laws to around non-competitively bid city contracts. This had a tremendous impact on keeping those who stood most to gain from writing giant checks to those decision makers.

In order to curb the abuses of councilmanic prerogative, we must extend and strengthen our pay-to-play laws to cover all land and zoning transactions that go through City Council. **If elected, I will introduce the strictest prohibition on developer political contributions that the law allows.**

⁴ Ibid

We must get political dollars out of the development process to restore residents' faith and trust in government and ensure that every piece of city land goes to the highest use, not the highest donor.

Reform Our Campaign Finance Laws to Level the Playing Field Against Incumbents

If elected, I will make strengthening our campaign finance laws another legislative priority. Campaign finance laws serve three important purposes. First, disclosure requirements ensure that voters know who is financially backing a candidate. Second, limitations on giving ensure that donors are not able to disproportionately influence elections or candidates. Lastly, attribution and contracting rules ensure that those who are giving to candidates are not receiving an unfair benefit as a result of that influence. While the Ethics Board does a great job at enforcing our disclosure requirements, our limitations and pay-to-play rules are designed by City Council to give an almost insurmountable advantage to incumbents.

Campaign finance limits are supposed to level the playing field, but instead, the current system ensures that challengers to incumbents have little to no shot at winning. Our current system provides for campaign finance limitations on a calendar year basis - instead of based on the election cycle. This means that an individual donor would have four opportunities to "max out" to an incumbent council member, while a challenger might only receive one or two opportunities.

The current system allows people to flood incumbent bank accounts and further encourages pay-to-play politics in our system, while keeping all but the most wealthy or connected citizens on the sidelines.

We should be creating a campaign finance system that allows people from all socio-economic backgrounds the opportunity to run - not just the elite or legacy candidates.

If elected, I would introduce a bill that would change campaign finance laws to apply the limits to election cycle rather than the calendar year. In addition to reducing the amount of pre-election year money an incumbent could raise, this would also ensure that our electeds spent more time governing and less time fundraising during their four-year terms.

Limit the Influence of Dark Money in Our Elections

While most of the focus of Philadelphia's campaign finance law has centered on the dollar limitations enacted by City Council, the victory can be found buried in the contracting section of the Philadelphia Code — 17-1400, which governs non-competitively bid contracts. This is the provision that helped wipe out the dark cloud known as "pay-to-play" that enveloped City Hall in previous mayoral administrations.

In short, the law disqualifies individuals and businesses from receiving no-bid city contracts if they give more than allowed under campaign finance limits. The key provision is one that considers donations as coming from the same source if they are made by immediate family members, business partners, officers, or directors, as well as political action committees controlled by the business, affiliates or partners. These strict rules prevent companies doing business with the city from skirting campaign finance laws by bundling contributions from employees, business partners or family members.

The biggest issue with the law as written is that disqualification from city contracting opportunities is triggered by contributions *to* candidates. In the most recent Mayoral election where independent expenditure groups out-raised and outspent the combined candidates by a 2-to-1 margin, it is clear that we need to expand the law to go beyond direct contributions. We must also expand the scope of behavior covered by pay-to-play.

If elected to City Council, I broadly extend our pay-to-play rules. First, I will introduce a bill restricting individuals who attempt to purchase city-owned land or seek zoning changes by the legislative process from making political donations to the Councilmember for the District where the land is located. **Our land policy must be based on the highest and best use for our residents, not the highest political donations for our Councilmembers.** Second, I would reduce the amount of "dark money" flooding our elections by extending pay-to-play rules from direct contributions to a candidate to indirect contributions to dark money PACs that are working to influence the outcome of a covered election.

Increase Funding to Board of Ethics

When the Board of Ethics was established in 2006, it was given a budget of \$1 million dollars. Thirteen years later, the Board has taken on expanded roles and responsibilities, yet has only seen its budget increase by about \$75,000. The Ethics Board budget would have had to increase by a quarter million dollars just to keep pace with inflation. The Board must have the

resources it needs to perform its important functions of monitoring the City campaign finance laws and filings, training City employees regarding their ethical obligations and tracking and monitoring lobbying efforts throughout the city. I will fight to ensure that the Ethics Board has the resources it needs to ensure an ethical and transparent government.