

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE OF THE WHOLE

Room 400, City Hall  
Philadelphia, Pennsylvania  
Tuesday, April 8, 2014  
10:25 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE  
COUNCILWOMAN CINDY BASS  
COUNCILWOMAN JANNIE BLACKWELL  
COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN WILLIAM K. GREENLEE  
COUNCILMAN KENYATTA JOHNSON  
COUNCILMAN CURTIS JONES, JR.  
COUNCILMAN JAMES KENNEY  
COUNCILMAN DENNIS O'BRIEN  
COUNCILMAN DAVID OH  
COUNCILMAN BRIAN J. O'NEILL  
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ  
COUNCILWOMAN BLONDELL REYNOLDS BROWN  
COUNCILMAN MARK SQUILLA  
COUNCILWOMAN MARIAN B. TASCO

BILLS 140144, 140145, and 140146  
RESOLUTION 140159

- - -

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COUNCILMAN JONES: Good

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morning, everyone. This is a public

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hearing of the Committee of the Whole

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regarding Bills No. 140144, 140145,

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140146, and Resolution No. 140159.

7

Would you please read the title

8

of the resolution and bills.

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MS. LEWIS: Bill No. 140144, an

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ordinance to adopt a Capital Program for

11

the six Fiscal Years 2015 through 2020

12

inclusive.

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Bill No. 140145, an ordinance

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to adopt a Fiscal 2015 Capital Budget.

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Bill No. 140146, an ordinance

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adopting the Operating Budget for Fiscal

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Year 2015.

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And Resolution No. 140159,

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providing for the approval by the Council

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of the City of Philadelphia of a Revised

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Five Year Financial Plan for the City of

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Philadelphia covering Fiscal Years 2015

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through 2019, and incorporating proposed

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changes with respect to Fiscal Year 2014,

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which is to be submitted by the Mayor to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the Pennsylvania Intergovernmental  
3           Cooperation Authority (the "Authority")  
4           pursuant to the Intergovernmental  
5           Cooperation Agreement, authorized by an  
6           Ordinance of this Council approved by the  
7           Mayor on January 3rd, 1992 (Bill No.  
8           1563-A) by and between the City and the  
9           Authority.

10                   COUNCILMAN JONES: Thank you  
11           all very much.

12                   Will the witnesses please  
13           approach the witness table and we can  
14           begin.

15                   (Witnesses approached witness  
16           table.)

17                   COUNCILMAN JONES: Controller  
18           Butkovitz, good morning.

19                   CONTROLLER BUTKOVITZ: Good  
20           morning.

21                   Good morning, Mr. President and  
22           members of City Council. I am Controller  
23           Alan Butkovitz. I'm here today to  
24           testify on the Controller's Fiscal Year  
25           2015 Operating Budget request.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   I am joined today by Deputy  
3 City Controllers Bill Rubin, Gerry  
4 Micciulla, and John Thomas, as well as  
5 our Administrative Services Director,  
6 Andrea Rose.

7                   The Mayor's proposed Fiscal  
8 Year 2015 Operating Budget to the City  
9 Controller's Office includes a General  
10 Fund appropriation of \$7,696,397.

11                   I would like to publicly thank  
12 all of my our office's employees who  
13 continued to provide quality needed  
14 service to the citizens of Philadelphia.  
15 I cannot say enough about the hard work,  
16 professionalism, and dedication they  
17 deliver every day. They continue to  
18 sacrifice and do their part to help our  
19 City meet our current financial  
20 challenges. They are to be commended and  
21 congratulated.

22                   In spite of a decrease in 26  
23 staff positions since 2008, my office  
24 continues to issue reports that not only  
25 help the City save money, but also

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           improve the quality of life in  
3           Philadelphia.

4                   Our Post Audit Unit audited all  
5           43 City departments included in our  
6           Annual Auditor's Report issued six  
7           performance/special audits, four reports  
8           on internal controls related to four  
9           opinion audits, three  
10          information/technology reviews, and two  
11          opinions on the City's Five Year  
12          Forecasted Statements. In those reports,  
13          we made 203 new recommendations to  
14          safeguard City and School District  
15          assets, enhance financial management,  
16          strengthen internal accounting controls,  
17          and improve economies and efficiencies.

18                   In all, these audit reports  
19          identified financial reporting errors,  
20          compliance deficiencies, cost reductions,  
21          and increased revenues totalling more  
22          than \$443,875,000.

23                   Our Post Audit Unit was awarded  
24          the 2013 Gold Knighton Award, which  
25          recognizes the best performance audits in

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           North America. It was awarded by the  
3           Association of Local Government Auditors.  
4           Our office was recognized with this top  
5           national award for our audit of the  
6           provisional ballots cast in the City of  
7           Philadelphia's 2012 presidential  
8           election.

9                     Our objective was to determine  
10           the reasons for the widespread use of  
11           provisional ballots during the election.  
12           We found errors occurred because of poll  
13           worker mistakes or errors arising in the  
14           creation of poll books.

15                    This recognition of the highest  
16           rated performance audit of any major city  
17           in the nation is an outstanding  
18           achievement for the Controller's Office  
19           and for the citizens of Philadelphia.

20                    Our Pre-Audit Division provides  
21           oversight of the City's payment and  
22           purchasing processes. Pre-Audit  
23           monitors, reviews, and approves or  
24           disapproves all requisitions for payment  
25           of City funds and responds to daily

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           requests for information regarding vendor  
3           payments. This division processed more  
4           than 300,000 payment vouchers  
5           representing more than \$4.8 billion in  
6           expenditures.

7                       Based on recommendations from  
8           Pre-Audit, the Procurement Department  
9           implemented changes which strengthened  
10          its controls over the process for  
11          receiving competitive bids. The  
12          recommended changes included the  
13          following: Establishing a master record  
14          for all bid receipts and reconciling the  
15          bids on hand to the master record before  
16          bid openings, which has decreased  
17          Procurement's risk of misplacing bids.

18                      The Pre-Audit Division also  
19          conducted several important  
20          investigations and audits, including  
21          follow-up audits on the City's recreation  
22          facilities and the Bridge Maintenance  
23          Unit's processes and procedures for the  
24          approximately 343 City-owned bridges,  
25          which carry hundreds of thousands of

1 4/8/14 - WHOLE - BILL 140144, etc.

2 motorists every day.

3 Most recently, our Pre-Audit  
4 Division has uncovered severe rutting and  
5 a pothole on a taxiway at the airport. I  
6 have asked the City Solicitor to take  
7 action against the contractor to rectify  
8 this situation.

9 Our Fraud and Special  
10 Investigations Unit, working in  
11 conjunction with Community Affairs,  
12 actively worked over 50 cases related to  
13 allegations of employee misconduct or  
14 fraud and more than 75 citizen complaints  
15 related to government services. A few of  
16 the more memorable cases are as follows:

17 In a current joint effort with  
18 the School District, investigators from  
19 the Controller's Office and the School  
20 District's Office of Inspector General,  
21 we were able to identify public employees  
22 taking scrap metal and other materials  
23 from their workplace and selling it to  
24 scrap recyclers for personal gain;

25 An investigation concerning an



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           allegation that food vendors were  
3           operating unsafe and illegal sidewalk  
4           grills resulted in prompt enforcement  
5           action by the Departments of Health and  
6           Licensing and Inspections;

7                     After a tragic drowning death  
8           of a child in a City public pool, the  
9           Office immediately mobilized and  
10          inspected every pool within days of the  
11          tragedy. This office plans to inspect  
12          the pools again early this summer,  
13          monitor the operations, and work with  
14          Parks and Recreation's staff to minimize  
15          the occurrence of future tragedies.

16                    Our reinvigorated Policy  
17          Department added a new dimension to our  
18          office's work in Fiscal Year '14.  
19          Continuing our success from last year in  
20          uncovering flaws in the City's Actual  
21          Value Initiative, we released three major  
22          policy reports this fiscal year. These  
23          included the following:

24                    Recommendations to improve real  
25          estate tax collections provided

1 4/8/14 - WHOLE - BILL 140144, etc.

2 opportunities to improve collectability  
3 and our balance sheet;

4 Anchor procurement initiative,  
5 an innovative approach to economic  
6 development through our hospitals and  
7 universities that could create thousands  
8 of new jobs;

9 Analysis of the Keystone  
10 Opportunity Zone program. The City  
11 awarded \$385 million in tax credits to  
12 create fewer than 4,000 jobs. This  
13 report also revealed that the City has  
14 provided poor record-keeping of the KOZ  
15 program.

16 All of these reports were  
17 models of data-driven policy analysis  
18 that we believe can help our City make  
19 better decisions on how to allocate  
20 scarce resources and adopt policies that  
21 show real results for our local economy.

22 We have accomplished all this  
23 despite being short 26 positions since I  
24 took office a little over eight years  
25 ago.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Although I am proud of all the  
3 accomplishments which I have mentioned,  
4 the loss of these positions has impacted  
5 our ability to conduct more performance  
6 and special audits and has limited our  
7 ability to conduct ad hoc requests for  
8 contract and other audits from City  
9 departments that could result in cost  
10 recoveries for the City.

11 To address the shortfall in  
12 staff, I have hired two auditor trainees  
13 and will be hiring ten more from the  
14 auditor trainee list that is being  
15 created now.

16 In addition, I have spoken to  
17 the Budget Director and have been assured  
18 we will be able to add five additional  
19 employees within this fiscal year to  
20 assist with our auditing divisions.  
21 Filling these positions will bring our  
22 office to a more complete staffing level.  
23 These additions will also allow our  
24 office to use fewer outside contractors  
25 while giving us more flexibility to react

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to financial issues as they arise.

3                     My goal for the current year is  
4           to continue identifying as much waste,  
5           fraud, and inefficiencies in City  
6           government as possible in order to save  
7           taxpayers' money.

8                     Our department is drafting an  
9           RFP for a paperless audit engagement work  
10          flow system, which will allow us to save  
11          not only resources like paper and ink,  
12          but it will allow our team to work much  
13          more efficiently as they prepare the  
14          required audits.

15                    I will continue working on  
16          issues and solutions to make Philadelphia  
17          a better place for those who live and  
18          work here. And, most importantly, I will  
19          continue to find more revenues that are  
20          owed to the City and identify performance  
21          and management efficiencies throughout  
22          City government so we can have the added  
23          resources needed to fund the programs  
24          that provide necessary City services.

25                    I appreciate this opportunity

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to present testimony, and I thank Acting  
3           Council President Jones and the members  
4           of City Council for your cooperation. I  
5           look forward to working with you in the  
6           coming year.

7                       My staff and I will be happy to  
8           answer any questions.

9                       COUNCILMAN JONES: Thank you,  
10          Mr. Controller. I actually read your  
11          reports, because some of it triangulates  
12          some of the questions we ask by way of  
13          each individual department.

14                      One that comes to mind that I'd  
15          like you to drill down on, which has  
16          ramifications for our entire budget, is  
17          the real estate collections process, and  
18          if you could give us a little more detail  
19          about that particular report. It's 120  
20          million lost in real estate taxes.

21                      CONTROLLER BUTKOVITZ: Well,  
22          essentially we did an analysis that  
23          showed about 120 or 150 million out of  
24          the 500 million that has been reported as  
25          actually recoverable because the other

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           money is too long ago and the properties  
3           are not marketable for the values that  
4           are owed.

5                       We also did a commentary on the  
6           question of the tax lien sales, which  
7           provides us a possible opportunity for a  
8           quick infusion of cash, but I think we  
9           noted that there would be -- that we  
10          would also lose control of the  
11          foreclosure process. So that the hazard  
12          to be safeguarded in that issue is to  
13          assure that there's not a gross sale of  
14          all the liens in a way that would result  
15          in them being cherry-picked for the most  
16          valuable liens and that the City would be  
17          impeded from getting evictions or  
18          possession of the lower valued properties  
19          because it no longer retained title.

20                      COUNCILMAN JONES: So in your  
21          opinion, our real receivable is about, as  
22          opposed to half a billion that we cite,  
23          about 120 million?

24                      CONTROLLER BUTKOVITZ: Yes.

25                      COUNCILMAN JONES: All right.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 The second report that I'd like you to  
3 drill down into the issue of KOZs and  
4 what's going on with that. Could you  
5 elaborate that. We do have Commerce  
6 coming up and we're --

7 CONTROLLER BUTKOVITZ: Yeah.

8 We had the first empirical study of how  
9 the KOZ program works, because this is a  
10 general tax-free program at certain  
11 locations that was sold on the basis that  
12 the City would more than make up in wage  
13 tax revenue what it lost in business  
14 taxes and other City taxes, and the  
15 finding was that the City has lost about  
16 \$338 million in revenue because of the  
17 tax credits and has received about \$38  
18 million that it would not otherwise have  
19 received in wage tax revenues, and that  
20 there is a difference across the type of  
21 industry sector that in areas like  
22 warehousing and manufacturing, the City  
23 does get a very good return for its tax  
24 credits. I think we spent about \$10  
25 million in tax credits in those sectors,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and we were getting about a \$1.50 in wage  
3           tax revenues for every dollar that we  
4           spent. So that we could say that there  
5           is a very clear cause and effect  
6           relationship in those sectors between the  
7           tax credits and creating jobs.

8                         However, the great bulk of the  
9           tax credits went into finance and  
10          insurance and real estate transactions,  
11          and because the way the state law is  
12          structured, they were taken advantage of  
13          by these LLCs and partnerships which, for  
14          the most part, did not have any  
15          employees. So that partnerships were  
16          able to be smart businessmen and avail  
17          themselves of this available tax credit,  
18          but I think in one case we found a \$50  
19          million collection of tax credits that  
20          resulted in the creation of not one  
21          single job.

22                        So the recommendations that  
23          came out of that were, first of all, the  
24          City and actually the State should have a  
25          tighter requirement of tracking jobs.



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           You can't just take the word of people in  
3           whose interest it is to have tax credits  
4           to come in and say that we will have and  
5           we believe we did create X number of jobs  
6           in return for these free taxes. And, in  
7           fact, the City, I believe, shreds all the  
8           documents that would prove that point  
9           after three years. So we had to look at  
10          the gross changes in wage tax numbers and  
11          then use all sorts of formulas and models  
12          about the average salary within jobs and  
13          certain categories to create the picture  
14          of what's actually happening. We think  
15          there should be a requirement that  
16          recipients of the tax credits provide  
17          very specific information about the  
18          number of jobs that in fact resulted from  
19          the tax credits, and more to the point,  
20          we think that it indicates that it makes  
21          more sense to target these tax credits to  
22          specific industries that have  
23          demonstrated that you're going to get  
24          jobs created out of it.

25                           COUNCILMAN JONES: That would

1 4/8/14 - WHOLE - BILL 140144, etc.

2 follow logic, I would think.

3 I'm going to yield and

4 recognize Councilman Goode.

5 COUNCILMAN GOODE: Thank you,

6 Mr. Chairman.

7 My question was actually about

8 KOZs too, but I'll just state it in a

9 different way.

10 Your analysis shows that \$384

11 million was given in tax credits to 617

12 businesses, 243 million in business and

13 income receipts taxes, 15 million in net

14 profits tax, 97 million in real estate

15 taxes, 28 million in use and occupancy

16 taxes. In fact, when you drill down on

17 the analysis, as you stated, we actually

18 gave 148 million in business tax credits

19 and another 12 million in net profits tax

20 credits for a total of 160 million to

21 businesses that didn't even have

22 employees.

23 CONTROLLER BUTKOVITZ: Yes.

24 COUNCILMAN GOODE: So the

25 question is, even though this is a state

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           program, what implications it has for  
3           City tax policy and City tax incentive  
4           programs and what do you see as the  
5           analysis -- what does the analysis teach  
6           us about tax policy and its impact on  
7           jobs? But I guess a little bit more  
8           specifically, what does it say about tax  
9           incentives that are by-right rather than  
10          actually needed?

11                         CONTROLLER BUTKOVITZ: Well,  
12          there's been this mantra in City  
13          government for probably at least 20 years  
14          now that if we just eliminate business  
15          taxes, they will come here and they will  
16          create a lot of jobs. So we think, first  
17          of all, that proposition, like every  
18          proposition, needs to be tested  
19          scientifically and empirically. We've  
20          had so much experience with these  
21          programs that we should have some numbers  
22          by now.

23                         So we did do the analysis, and  
24          it turns out we're spending \$10 in tax  
25          revenue for every dollar in wage tax

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           revenue that we create in that program,  
3           and in the areas that you just cited,  
4           we're giving away hundreds of millions of  
5           dollars in tax credits for zero return in  
6           wage taxes.

7                        So I think the City needs to  
8           reconsider that general philosophy, that  
9           tax credits per se are going to generate  
10          prosperity or wealth. You know, we've  
11          taken other initiatives such as the  
12          Anchor Program Initiative. I tend to  
13          believe that Keynesianism and creating  
14          demand and purchasing power and fixing  
15          infrastructure and building things has a  
16          greater impact on employment than tax  
17          policy. And to the extent that -- we're  
18          not suggesting that we do away with tax  
19          credits, but we think that there's a  
20          burden of proof that if you're getting  
21          tax credits, it's got to be good not just  
22          for the business that's getting the tax  
23          credit, it's got to be good for the City  
24          and for the potential of employment.

25                       And, finally, we do have

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           specific numbers on the different impact  
3           that these tax credits have on different  
4           sectors of the economy. So I think the  
5           report, while generally pointing out that  
6           the City was not getting a fair return  
7           for its investment in tax credits, did  
8           show that in the manufacturing sector and  
9           in warehousing and those areas that we  
10          indicated, the City is getting more than  
11          a dollar-for-dollar -- they're get \$1.50  
12          for a dollar invested in tax credits so  
13          that the Council -- well, this is  
14          actually a state law. So it's not a  
15          matter of the Council redoing it, but the  
16          Legislature, and to the extent the  
17          Council, thinks about tax credits, that  
18          we think it makes more sense to target  
19          them and to make the recipients of them  
20          on an ongoing basis prove their case that  
21          this is having an impact on average  
22          Philadelphians and improving employment.

23                    COUNCILMAN GOODE: Clearly, we  
24                    gave away hundreds of millions of dollars  
25                    in tax credits that created no jobs and

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           overall the cost per job was \$100,000.  
3           As a member of the Jobs Commission, we've  
4           asked the Commerce Department and the  
5           economic development agencies to create a  
6           measurement tool and to report back on an  
7           annual basis. That has not happened yet.

8                     In the absence of that, do you  
9           plan to do any other analyses with regard  
10          to economic development programs that  
11          would look at what we are doing and what  
12          we should be doing in terms of local tax  
13          policy and/or specifically tax incentives  
14          and the fact that it should be targeted  
15          rather than by-right?

16                    CONTROLLER BUTKOVITZ: I think  
17          that this study is probably going to be  
18          the report that we do at least this year  
19          on tax policy, but this idea of jobs and  
20          what we can do to use the City's power to  
21          create jobs is a central focus of the  
22          office. So we've looked at it in the  
23          Anchor report. Now we've looked at in  
24          terms of the KOZs, and I'm sure we will  
25          look at it from every other vantage point

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           necessary to get policies that make sense  
3           to create local jobs. As I say, I  
4           think -- I mean, we have tremendous  
5           opportunities at the port. We have  
6           opportunities in manufacturing, which  
7           this Council has begun to take the lead  
8           in pointing out that had generally been  
9           not focused on by the top leadership of  
10          the City, and I think that we think part  
11          of our role is to make the case for  
12          rational policy by the City that's  
13          actually going to create jobs for the  
14          people who live in Philadelphia.

15                    COUNCILMAN GOODE: Thank you.

16                    Thank you, Mr. Chairman.

17                    COUNCILMAN JONES: Thank you.

18                    Before recognizing Councilwoman  
19          Bass, I would ask one question. So I  
20          know about -- and, Wilson, your memory is  
21          better than mine. I know we have KOZs,  
22          Enterprise Zones, Empowerment Zones, and  
23          now what's your new designation,  
24          Councilwoman Blackwell?

25                    COUNCILWOMAN BLACKWELL:

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Promise Zones.

3 COUNCILMAN JONES: Promise

4 Zones and TIF areas.

5 So if a company came in and  
6 recognized a particular parcel on one of  
7 those or sometimes they overlap areas and  
8 says, What is the exact benefit I can get  
9 for my type of business, could anybody in  
10 the City of Philadelphia articulate to  
11 the dollar what that company would get?

12 CONTROLLER BUTKOVITZ: No. I  
13 think one of the things that the KOZ  
14 report demonstrated is that the City  
15 isn't set up to even collect that  
16 information or ask that question. This  
17 has taken on kind of religious  
18 proportions. It is an article of faith  
19 that if the City proceeds to eliminate  
20 business taxes, that there will be a  
21 trickle-down effect and it will be good  
22 for everybody, and it just keeps getting  
23 repeated. And I think it needs to be  
24 tested. It needs to be analyzed by  
25 the -- we welcome as many people to look



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           at this issue as possible. Council  
3           should have their own staff people  
4           analyze it, because we chronically get  
5           into these debates that if we could get  
6           to a zero point on City taxes or City  
7           business taxes, that there would be such  
8           a benefit for us that it would make up  
9           for itself. It is reminiscent of the  
10          Reagan Laffer curve argument, that if  
11          they cut taxes to nothing, that it would  
12          unleash so much business that we would be  
13          drowning in money, and, of course, it  
14          produced the greatest deficits in  
15          American history. It produced the  
16          biggest recession since the Great  
17          Depression and I think was generally  
18          regarded on a national basis as a  
19          colossal failure, and yet in  
20          Philadelphia, as a matter of routine,  
21          this argument is presented over and over  
22          again at a time when we see that the City  
23          cannot demolish its own owned buildings  
24          which are in danger of collapsing within  
25          24 hours, at a time when the City cannot

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           provide sufficient support for the  
3           schools to assure that they're going to  
4           have a full school year and that they're  
5           going to have the security personnel to  
6           prevent serious injury and mayhem in  
7           public schools that was forecast. It  
8           would result from the withdrawal of those  
9           supports. So it's a balancing act, of  
10          course.

11                       The City has many claims on its  
12          revenues to create a safe and a viable  
13          environment for the public and for  
14          business, which happens to live in the  
15          City just like everybody else, and that  
16          needs to be balanced against the idea  
17          that we can create more employment and  
18          more jobs and more prosperity if we do  
19          away with taxes, but there's actually a  
20          cost to doing away with each of those  
21          taxes.

22                       So there needs to be a rational  
23          way of measuring that. Just covering  
24          your eyes and taking it on faith is not a  
25          good way to proceed.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   COUNCILMAN JONES: So I would  
3           concur with you that we need to be able  
4           to quantify clearly to prospective  
5           businesses but also to the taxpaying  
6           public that if you select this particular  
7           location based on the type of business  
8           you run, the amount of employees, that we  
9           could come up with a quantifiable  
10          measurement that says, Here's your  
11          benefit, and over time here's our  
12          benefit. And if we can do that, then  
13          it's either worth it or it's not, but --

14                   CONTROLLER BUTKOVITZ: I have  
15          to take the opportunity to do an ad on  
16          one other issue, which is this stormwater  
17          fee issue, because on the one hand, the  
18          City has made a promise to manufacturers  
19          to come in to tax-free zones and has  
20          written off taxes which may be relatively  
21          small and then hit them with these huge  
22          newly crafted stormwater fees, where they  
23          may go from a jump of \$700 a month to  
24          \$4,000 a month, as a pretty decent  
25          example. And we're getting serious

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           commentary by the auto dealerships in the  
3           City that they may be forced by this one  
4           thing to move all of the auto dealerships  
5           out of the City. Some of these big  
6           literally box manufacturing companies are  
7           talking about how to pull up stakes and  
8           leave the City.

9                        So I think there's a broader  
10          question of being coherent in the policy,  
11          because if a business hears that they're  
12          going to get a tax-free deal to locate in  
13          the City and that's the reason to come  
14          in, they don't expect to get property  
15          taxes reduced from \$1,500 to zero and  
16          then get water bills increased from 700  
17          to \$4,000 a month. They think that's  
18          kind of a shell game.

19                      Too frequently in this area the  
20          left hand doesn't know what the right  
21          hand is doing.

22                      COUNCILMAN JONES: I think that  
23          is the point that we should be able to  
24          have a coherent message to businesses.  
25          Here's the location, here's your benefit,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           here's what we expect at the end of the  
3           day, and monitor and keep that commitment  
4           true, both sides, from the City's  
5           taxation policy saying, We're going to  
6           hold true and we're not going to slide a  
7           secret fee in on it, but also at the end  
8           of that period, that you are held  
9           responsible for the benefit of creating  
10          jobs. And I think we need to do a better  
11          job of that.

12                         Having said that, I'll  
13          recognize Councilwoman Bass.

14                         COUNCILWOMAN BASS: Good  
15          morning.

16                         COUNCILMAN JONES: Good  
17          morning.

18                         COUNCILWOMAN BASS: Good  
19          morning. And let me start by saying  
20          thank you so much for always being so  
21          well versed and able to discuss,  
22          dialogue, debate your reports, what  
23          you've put into them. You know them very  
24          well, and they're very well crafted. And  
25          I have to say that I read them when they

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           come out. I was very interested  
3           obviously in the one at Parks and Rec as  
4           the Chair of the Parks and Recreation  
5           Committee. And I also noticed in your  
6           testimony that you mentioned the work  
7           that your office did in reference to the  
8           young man who drowned in a City pool,  
9           very unfortunate incident. And I know  
10          that Parks and Recreation has made  
11          significant changes as a result of the  
12          work, I'm sure, that your office did and  
13          just in terms of looking at their own  
14          policies and what they could do better  
15          going forward in the future. So, number  
16          one, I just wanted to thank you for that.

17                         CONTROLLER BUTKOVITZ: Thank  
18          you.

19                         COUNCILWOMAN BASS: Also for  
20          the work that you did on the zones. I  
21          should say the Keystone Opportunity, the  
22          this zone or that zone, and just the lack  
23          of revenue that we are receiving, how  
24          much we're spending versus how much we're  
25          getting back. I think that that's very

1 4/8/14 - WHOLE - BILL 140144, etc.

2 important information.

3 I like the idea of the concept  
4 of the zones and what the idea behind it,  
5 the ideology, the promise of what it is  
6 that they are supposed to do. So I think  
7 I was probably like a lot of people who  
8 were shocked and very surprised when I  
9 saw your report and saw that it really is  
10 not being designed and crafted in a way  
11 that's being helpful to us. And so I'm  
12 hopeful that part of your work in looking  
13 at it is also maybe figuring out ways to  
14 help make it work for the City, and I  
15 don't know if that's a part of your  
16 plans.

17 CONTROLLER BUTKOVITZ: Well,  
18 yeah. First of all, we recommended that  
19 there be certain information collected  
20 and maintained. So that you don't just  
21 have the people who are getting the free  
22 tax credits say that, Honest to God, we  
23 promise we're going to do this and we  
24 think that we did do it, that the City  
25 actually make it a requirement that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           people fill out forms and demonstrate the  
3           specific number of jobs that are  
4           resulting from this.

5                        Secondly, there is this macro  
6           information that is clear that under the  
7           terms of the law as it's crafted, you  
8           don't have to be an employer to qualify  
9           for these credits, which are sold on the  
10          basis that you're creating jobs. You can  
11          be a partnership. You can be a firm that  
12          doesn't have employees, just has  
13          partners. You can be a high-end real  
14          estate firm or financial firm. And, in  
15          fact, those are the firms that have  
16          gotten the lion's share of these tax  
17          credits. So if you craft a program based  
18          on a theory that you're doing one thing,  
19          then the follow-up work should be done to  
20          make sure that that lane is created in  
21          that way.

22                       I don't think that the  
23          policymakers intended this to be a  
24          giveaway to people who are just smart  
25          businessmen. Really the whole point of



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the tax credits is to make sure that we  
3           create jobs. So if you're not creating  
4           jobs, I think it goes back to the  
5           policymakers to say, So what additional  
6           kinds of qualifications and  
7           information-gathering can we put in here  
8           to make sure that when we give up a  
9           dollar in tax revenue, we're actually  
10          doing something for jobs.

11                   COUNCILWOMAN BASS: Is there  
12          any recourse? Is there any recourse that  
13          the City could possibly have in terms of  
14          someone who is blatantly trying to skirt  
15          around what the policy and its intent  
16          was? And I don't know that there is any  
17          recourse, but I'm just, you know...

18                   CONTROLLER BUTKOVITZ: First of  
19          all, the general framework of the law is  
20          a Harrisburg problem, but I believe that  
21          the City does have some control over the  
22          awarding of these credits to particular  
23          employers. So I think you would look in  
24          terms of having a very specific  
25          application process and you would want to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           know -- you would want specific  
3           certifications and promises about the  
4           kinds of jobs and the number of jobs that  
5           are going to be created, and to the  
6           extent that the City's approvals are -- I  
7           mean, the State of Pennsylvania just  
8           doesn't come in here and approve the  
9           granting of a credit to a particular  
10          business at a certain street in  
11          Philadelphia. Philadelphia is involved  
12          in that.

13                        So you're going to have issues  
14          of whether you can put -- it's going to  
15          be a tightrope, because you can't change  
16          the state law by city fiat, but you can  
17          do a much better job of getting these  
18          applicants to make very specific  
19          verifiable promises about what they're  
20          doing and then holding them to it and, as  
21          a practical matter, trying to create that  
22          incentive so that it really does what  
23          it's supposed to, and then you work in  
24          Harrisburg to try to get amendments to  
25          the law so that this is crafted towards

1 4/8/14 - WHOLE - BILL 140144, etc.

2 job creation.

3 COUNCILWOMAN BASS: And that's

4 I think maybe the direction that we need

5 to go in on this matter, because if it

6 could be helpful, if it could be a tool

7 that's going to help us and do what it

8 was intended, create jobs, then let's try

9 to figure out how to get that aspect of

10 it back on track.

11 CONTROLLER BUTKOVITZ: Right.

12 COUNCILWOMAN BASS: So the

13 other question I had for you is, in

14 looking at the reports that you do,

15 whether it's through the Parks and

16 Recreation Department, also in your

17 testimony you mentioned that you had done

18 some work in reference to the election,

19 the 2012 presidential election, and

20 that's the election in which you

21 received -- well, you received an award

22 for the work that you did.

23 Congratulations on the award.

24 CONTROLLER BUTKOVITZ: Thank

25 you.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   COUNCILWOMAN BASS: And so my  
3 question is, when you work on particular  
4 issues, so whether it's Parks and  
5 Recreation or whether it's the work on  
6 the elections or any of the other things  
7 that you do, do you work directly with  
8 the City agencies? Do you have --  
9 particularly in terms of addressing some  
10 of the deficiencies that you might find  
11 through your audit? Is there a mechanism  
12 to sort of go back and say, These are  
13 things that we found, A, B, C, and D, and  
14 these are the things that we recommend  
15 to, let's say, Parks and Recreation or  
16 whoever?

17                   CONTROLLER BUTKOVITZ:  
18 Increasingly we have a better  
19 relationship with most of the  
20 departments. I think most of the  
21 departments -- it's very difficult to  
22 have an outside auditor come in and you  
23 know that they're going coming in to  
24 criticize you and that this has -- nobody  
25 likes that process, but over the course

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           of time that we've been there, I think  
3           we've developed a more trusting  
4           relationship, and many of the  
5           departments, even the ones that may feel  
6           that they've gotten the kind of tough  
7           treatment in our reports, understand that  
8           we have a policy of coming back short  
9           term to go over serious problems. So  
10          that maybe in the early years that I was  
11          in, there was a view that this would just  
12          pass over and it would be business as  
13          usual, and now even departments where we  
14          probably have a very difficult  
15          relationship, like Licenses and  
16          Inspections, who are kind of up to their  
17          ears with collapsing things all over the  
18          place, are now trying to work to get us  
19          answers and trying to figure out what  
20          they can do to accomplish the mission of  
21          their office when frequently what's  
22          coming out of these reports is that the  
23          City departments do not have the  
24          resources to do what they say they're  
25          doing.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN BASS: Right.

3 CONTROLLER BUTKOVITZ: We've  
4 had that a couple of times in L&I. We  
5 had an incident four or five years ago  
6 where a landing collapsed and somebody  
7 was killed, and there was a promise made  
8 that day that L&I was going to go out and  
9 inspect all of the landings in all the  
10 private apartment buildings, when we know  
11 that they're not inspecting obvious  
12 problems on buildings that are in danger  
13 of imminent collapse.

14 So there's been, to some  
15 extent, there's been a public relations  
16 campaign and it kind of put up a wall  
17 around these problems and try to deny  
18 them in the media. Now that that has  
19 broken through in areas like L&I, I think  
20 that strategy isn't working anymore and  
21 these more pressure to actually produce  
22 real results, real answers or real  
23 admissions of what the truthful state of  
24 affairs are so that things can be triaged  
25 and prioritized and we know where we

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           stand. It's similar to what we talked  
3           about in the tax field. For a long time  
4           people were talking about a half a  
5           billion dollars in taxes as if a button  
6           could be pushed and they could be  
7           collected, and if it's really \$120  
8           million, you can't budget in a half  
9           billion dollars in make-pretend money.

10                         Similarly, there's no point in  
11           giving people assurances that L&I is on  
12           top of everything and every unsafe  
13           structure is going to be torn down when  
14           we read today 260 buildings that the City  
15           owns itself would collapse within 24  
16           hours and the top people at L&I say that  
17           they do not have the money to do anything  
18           about it.

19                         COUNCILWOMAN BASS: Okay.

20                         CONTROLLER BUTKOVITZ: So  
21           there's a control mechanism at the very  
22           top that doesn't want us to penetrate  
23           these problems, and I could give you any  
24           number of -- like we had a problem on the  
25           police video surveillance cameras. We

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           put out a report showing that a third of  
3           them are not working. I mean, the City  
4           is being told that we can get by on lower  
5           levels of police manpower because we have  
6           these cameras functioning. The Council  
7           President and Councilman Jones and I  
8           think Councilman Greenlee went to  
9           Baltimore and saw a state-of-the-art  
10          system --

11                   COUNCILWOMAN BASS: And me too.

12                   CONTROLLER BUTKOVITZ: Okay.  
13          Councilwoman Bass. And very impressed  
14          with that system, and they come back and  
15          say, "Well, I guess we have a system like  
16          that," and we don't have a system like  
17          that, and the Administration's initial  
18          response was that we didn't count right  
19          and they hold a press conference and they  
20          show a bunch of SEPTA cameras functioning  
21          well and they try to make it look like  
22          they're City cameras. Instead of like  
23          let's get to the point of what's really  
24          happening, because the principal idea  
25          wasn't to pillory anybody on it. It was



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the frustration that a hundred miles away  
3           in Baltimore they can run circles and  
4           around us and that Philadelphia is  
5           dealing with being in a more primitive  
6           technological culture where good money  
7           was thrown after bad and we don't have a  
8           system that accomplishes it and people  
9           are not safe because of the cameras.

10                        So that was a big argument that  
11           we had in June of 2013. Well, I would  
12           say ever since the tragedy at 22nd and  
13           Market, that has not -- that's not the  
14           principal response anymore. It's obvious  
15           that there are real problems, that they  
16           have real serious consequences, that the  
17           problems have to be addressed in a  
18           straightforward way, that there has to be  
19           an admission where there's resource  
20           failures or there's an inability to do  
21           everything that's been promised and what  
22           is the best that can be done on the most  
23           serious issues. So that's the way I  
24           think it's progressing.

25                        COUNCILWOMAN BASS: Well,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           again, I just wanted to say thank you for  
3           the work that you're doing, because it's  
4           so important, whether you talk about our  
5           education or our educational system or  
6           the safety of our citizens or -- I mean,  
7           you just touch so many different aspects  
8           of what's happening here in Philadelphia,  
9           really every aspect, and I think that  
10          sometimes it's hard to pry information  
11          out of folks, sort of like this  
12          territorial concept of it's mine and I  
13          don't want to share it and I don't want  
14          to get blamed if something is wrong, and  
15          I think that that's obviously a mindset  
16          that we have to get away from. And some  
17          people will get it and will say, Well,  
18          we're going to get away from that mindset  
19          because it's the right thing to do and  
20          because we want to get better, and then  
21          some folks might just have to go along  
22          kicking and screaming. But the  
23          importance of the work, it just has to  
24          continue. So I just wanted to say that.

25                            Thank you.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JONES: Thank you,  
3 Councilwoman. And for the record, you  
4 were a trailblazer on cameras for  
5 recreation centers.

6 COUNCILWOMAN BASS: Well, thank  
7 you, Councilman.

8 COUNCILMAN JONES: I just want  
9 to make sure people know that.

10 COUNCILWOMAN BASS: Mr. Leader,  
11 thank you.

12 COUNCILMAN JONES: The Chair  
13 now recognizes Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank  
15 you.

16 I only wanted to thank the  
17 Controller and his folks, new and old,  
18 for what they do. These are difficult  
19 times and we all have to be open enough  
20 to change, but it takes us a while to get  
21 there, but we appreciate all that you do.

22 CONTROLLER BUTKOVITZ: Well,  
23 thank you. We appreciate what you all  
24 do.

25 COUNCILWOMAN BLACKWELL:

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thanks.

3 COUNCILMAN JONES: Thank you,  
4 Councilwoman.

5 The Chair recognizes Councilman  
6 Oh.

7 COUNCILMAN OH: Thank you very  
8 much, Mr. Chairman.

9 Good morning, Mr. Controller.

10 CONTROLLER BUTKOVITZ: Good  
11 morning, Councilman.

12 COUNCILMAN OH: Could you  
13 explain for me -- because I know we've  
14 had a couple conversations on this; I  
15 don't really understand even at this  
16 point in time -- the School District. We  
17 hear from the School District every  
18 budget season, and they need money, and  
19 we try to get information from the School  
20 District about their finances, what's  
21 working, what's not working, and we can  
22 never get that information and we end up  
23 in a crunch situation having to try to  
24 get money, squeezing blood from a stone  
25 out of the citizens of this city, to fund

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           things, and there's real issue about  
3           whether, as you said in the other  
4           context, we're putting good money after  
5           bad.

6                         We want to fund the schools, of  
7           course, but how do we know what we're  
8           funding and what limitations or what  
9           challenges has your office faced in  
10          coming up with what you would believe is  
11          an ideal report or a good report for us  
12          and the citizens of this city to  
13          understand how to not only fund our  
14          schools but to ensure that we are  
15          actually providing a quality education to  
16          our kids?

17                        CONTROLLER BUTKOVITZ: There's  
18          a longstanding cultural habit in the  
19          School District to hide information and  
20          to mask information, and I don't  
21          understand it, because sometimes they do  
22          it even when it clearly hurts them to do  
23          it. The most dramatic example was this  
24          year when we had to do the annual audit  
25          of the School District and we were on the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           verge of issuing an opinion that said  
3           that there was a danger that they were  
4           not a going concern and they couldn't  
5           document the fact that they had made the  
6           cuts that they did and so on, and it was  
7           simply a matter of them not providing all  
8           the documentation that they had. I mean,  
9           Matt Stansky got involved, and he was  
10          very helpful in getting the appropriate  
11          people to provide the documents, and at  
12          the last minute what both they thought  
13          and what we thought was going to result  
14          in that kind of adverse opinion did not,  
15          because the information they had was more  
16          favorable to what the Administration had  
17          at the School District and what they had  
18          provided before. So you have to ask  
19          yourself, So why are they doing that on a  
20          knee-jerk basis and making it difficult  
21          for people who are coming at it from a  
22          neutral perspective? And the only  
23          conclusion we have is that it's the habit  
24          of the people who are in the financial  
25          control positions in the School District

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to kind of hide their homework and to  
3           assume that whatever happens from the  
4           outside world is going to be hostile or  
5           something to be abated.

6                        So now you have Hite and  
7           Stansky who come in as a new -- so  
8           there's always a change of bosses at the  
9           top and then there's a longstanding  
10          continuation of people who are in the  
11          middle, and there's an issue about  
12          whether the people at the top can impose  
13          their discipline on the people who  
14          believe that they've owned the school  
15          system for generations, and I think  
16          there's always that kind of tension. I  
17          think it's encouraging that the people at  
18          the top share that point of view and we  
19          just -- I guess you have to get Stansky  
20          or you got to get Hite or you got to get  
21          them focused on following up on the  
22          specific information stream, because they  
23          have indicated an openness. But they're  
24          dealing with a huge bureaucracy that has  
25          been the way it has been for decades, and

1 4/8/14 - WHOLE - BILL 140144, etc.

2 I think even they have trouble riding  
3 that bureaucracy.

4 COUNCILMAN OH: From what I can  
5 tell just impression-wise, it appears  
6 that the leadership of the School  
7 District does not know what their  
8 finances are. That's my impression. I'm  
9 not saying that you could say that's true  
10 or not, but I guess my concern is that  
11 we're talking about what the finances are  
12 and if we don't know what the finances  
13 are, I'm pretty sure we don't know how to  
14 measure the performance of the  
15 effectiveness of every dollar spent or  
16 where to prioritize the improvements to  
17 the School District. I mean, I'm not  
18 clear that we even know how much money is  
19 spent and what it's for.

20 For example, many of us hear  
21 different stories, and I don't really  
22 know the truth or whether it's true or  
23 not that, for example, pallets of  
24 books -- I hear this every year --  
25 pallets of books are delivered to the



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           School District and are not distributed  
3           to the schools and are not distributed to  
4           the children. I hear from children and  
5           parents that they don't get books. I  
6           hear that there are pallets of books  
7           under contract, paid for, delivered to  
8           the School District, but for whatever  
9           reason, they are not distributed to the  
10          schools, to the children. How much does  
11          that cost?

12                        I've gone to other schools  
13          where they are running a great program  
14          and they say, It's better to spend the  
15          money on software licenses and devices  
16          that will provide a lot more resources to  
17          students on an updated basis than the  
18          physical books.

19                        Have you had any sense or  
20          opportunity to do performance audits or  
21          to go into the realm of how efficient or  
22          effective the strategy of spending money  
23          is in the School District?

24                        CONTROLLER BUTKOVITZ: Well, as  
25          you know, we are barred from doing

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           performance or management audits in the  
3           School District, and that has been the  
4           way it's always been. Even when our  
5           powers were under the City Charter  
6           Education Supplement, we don't have the  
7           kind of auditing powers with the School  
8           District that we have with the City.  
9           With the City we can burrow in on  
10          something like KOZs or how L&I is doing  
11          their job, and that results in very  
12          detailed kinds of recommendations and in  
13          a collective problem-solving process that  
14          causes improvements. For some reason,  
15          the Legislature is always -- and you had  
16          the takeover in 2002 and the state law  
17          specifically did not give us a role in  
18          auditing, and we've had that problem with  
19          charter schools.

20                    The Legislature has viewed the  
21                    school system as something that should  
22                    report to itself or report to the  
23                    Legislature, or the Auditor General is  
24                    the guy that can audit them, but they are  
25                    burdened by the requirement that audit

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           503 school districts every year. So they  
3           become virtually impenetrable.

4                       I mean, we have, I think,  
5           exhibited an enthusiasm for getting into  
6           the schools and to getting into issues,  
7           like no bid contracts and like some of  
8           the performance issues that you're  
9           identifying, and I'm not sure that this  
10          Council could do anything about it,  
11          because right now the governance of the  
12          schools is under the State Takeover Act,  
13          and certainly the Legislature -- and  
14          we've encouraged them in the charter  
15          school area to grant authority to the  
16          City Controller's Office, because we're  
17          the local people who are interested in  
18          this issue. So what we're getting is the  
19          State Auditor General will come in and he  
20          will look at issues like the charter  
21          schools and so on if they get on his  
22          radar screen, but he doesn't have the  
23          staff. Philadelphia is maybe 12 percent  
24          of the total population of the state. He  
25          doesn't have the capacity to put the

1 4/8/14 - WHOLE - BILL 140144, etc.

2 level of attention in that we would.

3 But we could certainly use  
4 Council and policymakers echoing the  
5 claim that auditing and performance  
6 auditing would improve practices in the  
7 School District. And I don't understand  
8 what the argument is for making it  
9 impenetrable.

10 COUNCILMAN OH: Thank you very  
11 much.

12 COUNCILMAN JONES: Thank you,  
13 Councilman.

14 I'm going to let you go. We  
15 have an ambitious agenda today, but,  
16 again, we do read your reports. We do  
17 use them as basis, if nothing more, than  
18 to ask questions of departments and say  
19 what about this issue or the other. So  
20 we thank you.

21 CONTROLLER BUTKOVITZ: Thank  
22 you. It's been a very stimulating  
23 relationship with Council. We've often  
24 received requests for projects. We early  
25 on did a review of NTI. I mean, we were

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           very happy to the extent we can be  
3           technically eyes and ears to help the  
4           Councilpeople get more information on  
5           these subjects. We are very enthusiastic  
6           about fulfilling that role. So we  
7           appreciate the relationship.

8                        COUNCILMAN JONES: Thank you,  
9           Mr. Controller, and to your staff.

10                      Next up will be the Sheriff's  
11           Department for the City of Philadelphia.

12                      (Witness approached witness  
13           table.)

14                      COUNCILMAN JONES: Good  
15           morning, Mr. Sheriff. How are you?

16                      Mr. Sheriff, you can begin your  
17           testimony when you're ready.

18                      SHERIFF WILLIAMS: Good  
19           morning, Mr. Chairman and members of the  
20           Committee of the Whole and --

21                      COUNCILMAN JONES: You're going  
22           to need to pull the mic a little closer  
23           to you.

24                      SHERIFF WILLIAMS: Good  
25           morning, Mr. Chairman and members of the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Committee of the Whole. I'm Sheriff  
3           Jewell Williams in the City and County of  
4           Philadelphia and we're glad to be here  
5           today. As you know, the Philadelphia  
6           Sheriff's Office has been going through  
7           what we call a change of the guard and we  
8           have been, over the last year or so,  
9           making a lot of new creative and  
10          innovative things in the Sheriff's  
11          Office. We have recently hired over a  
12          hundred -- I'm sorry; over 58 new people  
13          over the last year, which has helped us  
14          with our numbers over in the Criminal  
15          Justice Center.

16                    Let me walk through what we do  
17                    on a daily basis.

18                    The Philadelphia Sheriff's  
19                    Office, we transport folks from the  
20                    county jail to the courthouses. We have  
21                    nine court facilities that we actually  
22                    service. Now, over the last year -- I'll  
23                    speak on the criminal division side -- we  
24                    have increased our activism -- when we  
25                    say "activism," on the side of witness

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           protection -- by having six new K9 -- I'm  
3           sorry; three new K9 dogs and six bicycle  
4           patrols, which helps us with witness  
5           intimidation. We have had a lot of  
6           problems in and around the Criminal  
7           Justice Center and some of the  
8           courthouses where people are being  
9           intimidated. By having the bicycle  
10          patrol as well as K9 patrol, that helps  
11          us alleviate problems that we have been  
12          having in and around the criminal  
13          courthouses.

14                        We are now approaching a new  
15          facility that we have to staff with 127  
16          new deputies. That will be the new  
17          Juvenile Criminal Justice Center. And  
18          we've been working very hard to  
19          accumulate those numbers. Right to this  
20          day, we have 58 people that we have --  
21          we're intending on bringing into the  
22          Sheriff's Office. We have eight  
23          positions that was approved in October  
24          2012. We have another ten positions  
25          which was approved in December. We had

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           an additional ten that was approved June  
3           of 2013, and we have in this year's  
4           budget 30 deputies to be approved in this  
5           year's budget. And that will bring us to  
6           somewhere near the numbers that we need  
7           to fill the new Criminal Justice Center,  
8           the Juvenile Criminal Justice Center.

9                       Now, between the hirees, the  
10          new hirees, and the retirement, between  
11          the folks who may go out on disability,  
12          we still need to maintain a number to  
13          make sure that we can supply the courts  
14          with adequate staffing. For example,  
15          every time there is someone who is  
16          retired, it takes us about three to six  
17          weeks before that person, that position,  
18          could be replaced. Well, that means that  
19          the courtrooms will be down from three to  
20          six weeks. Every time we send someone to  
21          train in Penn State, it takes 26 weeks  
22          for us to train our deputy sheriffs.

23                      Our deputy sheriffs are not  
24          security guards, because our training is  
25          a real professional training service.



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           They learn how to serve warrants. They  
3           learn how the Civil Rules of Procedure.  
4           They learn how to secure a courtroom. So  
5           a lot of things that the Sheriff's Office  
6           does.

7                         So, again, we are constantly in  
8           need of more deputies, and hopefully --  
9           this building here is a courthouse.  
10          Hopefully we should be able to man this  
11          courthouse also, but, again, we would  
12          need more deputies in order to service  
13          this building also.

14                        We have on the civil side, we  
15          have a new computer system, which in the  
16          past we were dealing with an antiquated  
17          system, and now we have a website where  
18          you can go to the website and hear more  
19          and see more about the foreclosure sales,  
20          the tax sales. We've increased the  
21          actual sales by one day. Mind you, we  
22          have not missed one sale since we've been  
23          elected. In the previous  
24          administrations, they have missed -- I  
25          think they missed three sales. And we're

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the only office that is mandated by the  
3           court to stick to a specific date, and we  
4           have met that quota by having Sheriff  
5           Sales.

6                     I believe we've had -- the  
7           sheriffs has collected almost -- over  
8           rather \$32 million in delinquent City  
9           taxes last year. We handle about 10,000  
10          properties a year. We have actually  
11          given back over \$2 million to people who  
12          was owed money after a sale was settled.  
13          To this year, we've given back over  
14          \$250,000 to people who were owed money.

15                    So, again, the Sheriff's Office  
16          is going through our changes. You know  
17          when we took this office over, we took  
18          this office over in a cloud. We began to  
19          clean it up. We began to change the  
20          environment, the culture of the Sheriff's  
21          Office. We have -- our office is more  
22          transparent, more open than it's ever  
23          been, even though we were still going  
24          through the process of the investigations  
25          and people looking into our office and

1           4/8/14 - WHOLE - BILL 140144, etc.

2           how we run our office. And along with  
3           our own internal investigations, we are  
4           continuing to do that also.

5                        Again, we are seeking -- well,  
6           there's some issues that we've been  
7           having over in the civil division on the  
8           Sheriff Sale side. On the Sheriff Sale  
9           day, we have to close the office because  
10          we don't have adequate staffing to do the  
11          Sheriff Sales and keep the Sheriff Sale  
12          Real Estate Division open. So we have to  
13          close it for a few hours until the sale  
14          is over with. I mean, we actually need  
15          additional people so that we can man the  
16          Sheriff Sale Office to be open when the  
17          sales are going on and as well as -- as  
18          you've heard, there's been problems, the  
19          newspaper has been reporting about  
20          phones. Well, we're now -- it's been  
21          approved for us to get a new phone  
22          system, and there's monies needed to pay  
23          for that, which is \$24,600 for the new  
24          telephone system. And, again, in order  
25          to keep the office open and people to man

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the phones, we're going to need  
3           additional fundings to hire clerical  
4           people who can answer the phones after we  
5           train them on how to give people the  
6           proper information on Sheriff Sales and  
7           tax sales.

8                         The Sheriff's Office, again,  
9           has two parts. We have a criminal side  
10          and we have a civil side. To this day we  
11          have had zero incidents where people have  
12          escaped from the criminal division side.  
13          We do a very good job with the manpower  
14          that we have. We do thank this  
15          Administration, Council, as well as the  
16          Mayor's Office for supporting us in  
17          getting the hirees that we did get hired.  
18          But the Sheriff's Office continually  
19          tries to make our changes and try to run  
20          our operation, but manpower, womanpower  
21          is needed in the Philadelphia Sheriff's  
22          Office so we can continue our job.

23                         Thank you.

24                         COUNCILMAN JONES: Thank you,  
25          Mr. Sheriff. And let me thank you on

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           behalf of Council for the presence of  
3           Sheriff officers on our day of session.  
4           They have been a welcomed addition. It's  
5           good that we don't necessarily need them,  
6           but if we need them, it's good to know  
7           that they are there. So we appreciate  
8           you making us just a little bit more  
9           secure on the fourth floor of City Hall.  
10          So I extend that thank you on behalf of  
11          all of Council.

12                        A couple of quick questions  
13          that I have and then we'll go to  
14          Councilman Greenlee, who is keyed up.

15                        By way of -- and these can be  
16          rapid fire.

17                        Why do we train in Penn State  
18          as opposed to the Police Academy? And I  
19          understand the difference between state  
20          authorization that the sheriff is, but  
21          it's my understanding we have one of the  
22          better training facilities for law  
23          enforcement. And is that something that  
24          you would want state officials to  
25          negotiate an exception for cities of the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           first class like Philadelphia where we  
3           could get your guys not to have to travel  
4           as far and possibly even save some costs  
5           in that training?

6                        SHERIFF WILLIAMS: Well, I  
7           certainly recommend that we do the  
8           Philadelphia training at the Police  
9           Academy. As a graduate of the  
10          Philadelphia Police Academy, I know that  
11          we can adequately train our folks. But  
12          Inspector Washington is our training  
13          officer. We'll let him respond to the  
14          policy and the procedure that we have  
15          with our sheriff deputies being trained  
16          in Penn State.

17                       INSPECTOR WASHINGTON: Good  
18          afternoon. I'm Staff Inspector Paris  
19          Washington, Director of Training for the  
20          Philadelphia County Sheriff's Office.

21                       Currently, under state  
22          legislation, when we serve work, writs,  
23          things of that nature, there's a portion  
24          of that funds that are submitted to the  
25          state through the PCCD, the Pennsylvania

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Commission on Crime and Delinquency, that  
3           pays for our training. That PCCD  
4           Committee determines where we go, where  
5           we stay, and what our training is. So  
6           currently Philadelphia County places a  
7           large amount of money into that budget,  
8           but we have no say where our deputies go.

9                     Those classes are given three  
10           to four times a year statewide. So at  
11           this present time, sir, all deputy  
12           sheriffs within the Commonwealth of  
13           Pennsylvania must attend Penn State up in  
14           the western part of Pennsylvania. As the  
15           Sheriff has said, there is a little  
16           clause in there, and that clause is if  
17           our deputies receive the Act 120  
18           training, which is the municipal police  
19           training, we would only have to lose them  
20           for two weeks. The only difference  
21           between the Act 120 training and the Act  
22           2 training is that they are provided  
23           civil, where the Police Department is  
24           not.

25                     So if we were able to train our

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           officers at the Police Academy, receive  
3           the Act 120 training, we would have to  
4           send them less time to the state. And,  
5           again, of course, that money that's being  
6           sent to the state, then there would have  
7           to be some type of provisions.

8                   COUNCILMAN JONES: I just would  
9           be curious to know what the cost  
10          comparisons would be from the Penn State  
11          quality of training and location versus a  
12          Philadelphia Police Academy training.  
13          And I don't need to --

14                   SHERIFF WILLIAMS: Well, we can  
15          get that information to you, but I want  
16          you to know that we have people in  
17          Harrisburg, lobbyists, who is working on  
18          trying to get that legislation changed.  
19          Certainly if we can get it changed, it  
20          would be easier for us and it will be  
21          less stress on families.

22                   When we hire -- there are a lot  
23          of people that we have to turn down  
24          because they can't afford to go away for  
25          the 26 weeks or the 19-week required



1           4/8/14 - WHOLE - BILL 140144, etc.

2           training.

3                   COUNCILMAN JONES:   Okay.  I  
4           mean, I just noted that in my role as  
5           Chair of Public Safety, we've had an  
6           opportunity to work closely with the folk  
7           up at the training academy, and arguably  
8           it's one of the best in the nation.

9                   SHERIFF WILLIAMS:  Oh, yes.

10                   COUNCILMAN JONES:  So I was  
11           thinking about that.

12                   Very quickly, protection --  
13           let's go this way.  By way of  
14           transportation and with the advent of  
15           technology and the arraignments by way of  
16           teleconferencing, has that impacted your  
17           manpower deployment in any way?

18                   SHERIFF WILLIAMS:  Not really,  
19           because when you -- I mean, technology  
20           helps us as far as cutting down on the  
21           paperwork as far as cutting down on the  
22           paperwork and the red tape dealing with a  
23           judge, a clerk if we're getting orders to  
24           bring people from the jails to the courts  
25           or release people from the courts.

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           There's times that paperwork stops people  
3           from actually being released from the  
4           court that day after they have been  
5           released. We've been working on with a  
6           dedicated phone line and making sure that  
7           we get that information in short order  
8           from a judge. We make sure that we have  
9           that information before we release a  
10          person, because there have been instances  
11          where people may have been released from  
12          a particular courtroom but maybe wanted  
13          somewhere else. So we have to make sure  
14          that we put our safeguards in there.

15                    But there are times where  
16          people can be released from the courtroom  
17          after their case is over with. With  
18          modern technology, that helps us do that.  
19          But, again, we have to make sure that  
20          we're releasing the people and everything  
21          is --

22                    COUNCILMAN JONES: I want you  
23          to go through all your due diligence to  
24          make sure that the folk that are hitting  
25          the streets are the ones that deserve to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           be on the streets. But I was wondering  
3           if that technology can be utilized to cut  
4           down on the travel. It's not a question  
5           for today, but something you might want  
6           to take a look at, because they're using  
7           it more and more for arraignments, and I  
8           thought that that might impact your  
9           department.

10                        SHERIFF WILLIAMS: But mainly  
11           we deal with people, bringing them to  
12           court when the people must have the  
13           opportunity to face their accuser. So  
14           that gives us more of a hands-on from the  
15           jail to the courthouse.

16                        COUNCILMAN JONES: Well, a  
17           couple of quick ones and then I'm going  
18           to turn it over to Councilman Greenlee.

19                        The \$450,000 allocation for IT,  
20           what is that for specifically?

21                        SHERIFF WILLIAMS: It says here  
22           we're requesting it for management  
23           software and related accounting services.

24                        And my finance person.

25                        (Witness approached witness

1 4/8/14 - WHOLE - BILL 140144, etc.

2 table.)

3 DEPUTY SHERIFF HAYLLAR: Ben  
4 Hayllar. I'm the Chief Deputy Sheriff  
5 for Finance.

6 That is to cover the  
7 installation of the computer data system  
8 that handles both the treasurer's -- or  
9 excuse me; the foreclosure and tax sales  
10 as well as the second phase which will  
11 handle writ management that does not  
12 pertain to foreclosure and tax sale. We  
13 also need the assistance of outside  
14 accountants to help us install this. We  
15 do not have accountants on staff. We  
16 will eventually, but until that happens,  
17 we're going to have a need for outside  
18 accounting.

19 Finally, because of the  
20 investigation of previous  
21 administrations, we have a forensic  
22 accountant to help us and the federal  
23 authorities go through the data that  
24 they're interested in.

25 COUNCILMAN JONES: Thank you.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 I'm interested to find out how our row  
3 offices interact with our IT department  
4 here. That's going to be an ongoing  
5 issue for us to make sure that that  
6 interface is efficient, but I'm going  
7 to -- when I come back around and give  
8 other members the time, I want to talk  
9 about your process for protection orders  
10 and things like that. So whoever is  
11 responsible for that should key up.

12 The Chair recognizes Councilman  
13 Greenlee.

14 COUNCILMAN GREENLEE: Thank  
15 you, Mr. Chairman.

16 Good morning.

17 SHERIFF WILLIAMS: Good  
18 morning.

19 COUNCILMAN GREENLEE: Just two  
20 quick questions. In your written  
21 testimony, Sheriff Williams, you talk  
22 about the increase in deputy sheriff  
23 officers from 170 in 2013 to 246 by the  
24 end of the fiscal year, but then you add  
25 while this still is not adequate, it's a

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           huge step forward. Do you have a number  
3           that you would define as adequate? If  
4           not exact, around.

5                        SHERIFF WILLIAMS: Well, I  
6           would envision -- with Year '15 budget we  
7           have 30 people coming in. We now have  
8           to, as Inspector Washington says, we now  
9           have to seek people who have Act 2,  
10          people who have 120 training, and people  
11          who are retired or have State Police  
12          certification, which will cut down on the  
13          time that we're sending people away for  
14          training. Once we send those folks away  
15          for training, that takes away from a  
16          deputy being in the courtroom.

17                        So factually we would need an  
18          additional 75 people in order to -- after  
19          we do the 30 people, after we get those  
20          30 people trained, we would need an  
21          additional 75 people in order to have  
22          trained people and ready for the  
23          courthouses. Again, our major problem is  
24          sending people away, because they're away  
25          from the courthouse for training. So

1 4/8/14 - WHOLE - BILL 140144, etc.

2 those additional people are going to be  
3 needed. And I would imagine at the next  
4 Administration, we would be asking for at  
5 least 50 to 75 additional people.

6 COUNCILMAN GREENLEE: So 50 to  
7 75 on top of the 246?

8 SHERIFF WILLIAMS: Yes.

9 COUNCILMAN GREENLEE: And on  
10 that same vein, in your verbal testimony  
11 you said because of the shortages and the  
12 retirements and things like that, that  
13 sometimes courtrooms have to be closed  
14 down. Is that almost an ongoing thing or  
15 is that just happens now and then?

16 SHERIFF WILLIAMS: Well, it  
17 happens now and then, but when you look  
18 at our numbers, every time there's a  
19 person out sick, every time there's a  
20 person injured on duty, every time  
21 there's a person retired, the retirees  
22 take almost six to eight weeks for us to  
23 bring those folks on board, because you  
24 now have the hiring board and hiring  
25 panel that this Administration have now,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           which was not in previous  
3           Administrations. So it takes a little  
4           longer to bring a person on. So if I  
5           replace that person with a retired  
6           person, that means that that courtroom  
7           will be down if we're dealing with per  
8           deputy per courtroom. So that's not an  
9           ongoing basis, but it happens and it  
10          happens on a daily basis. I mean --

11                    COUNCILMAN GREENLEE: You say  
12           it happens on a daily basis?

13                    SHERIFF WILLIAMS: It happens  
14           on a daily basis, because if -- we need  
15           156 people in order to staff the Criminal  
16           Justice Center. Well, if you have 20  
17           people out sick, that's courtrooms may be  
18           down for a while. And if you have  
19           vacation. So that's why we need to  
20           continuously hire people. I mean, under  
21           the past administrations, what happened  
22           was they never hired more people. They  
23           were hiring more exempt people than they  
24           were hiring Civil Service workers, and so  
25           as the courtrooms grow, they were not



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           replacing the deputies. Since I've been  
3           there, we've grown the Sheriff's Office  
4           about 58 deputies, and additional 30  
5           would help us. And we have 22 people now  
6           in Penn State waiting to come down. We  
7           have an additional 10 people, as I was  
8           reading the numbers when we bringing  
9           these folks on. So we're going through a  
10          transition to make it more service  
11          friendly, but the manpower, the training  
12          is the hindrance that I have.

13                    COUNCILMAN GREENLEE: And that  
14           obviously leads to case backlog, which  
15           is --

16                    SHERIFF WILLIAMS: Look,  
17           they're going to open up the new Juvenile  
18           Criminal Justice Center sometime in  
19           October. I need 127 deputies. I'm about  
20           75 percent there. But I have to make  
21           sure I'm working my numbers. Knock on  
22           wood, we haven't had any incidents over  
23           the Criminal Justice Center or any other  
24           facility, 1801 Vine, 34 South 11th  
25           Street. We haven't had any incidents

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           where prisoners escape or any melees or  
3           anything like that, and that's only  
4           because of the dedication of the men and  
5           women of the Philadelphia Sheriff's  
6           Office. And I believe that we can  
7           maintain it as long as we continually  
8           hire people until we at least get to a  
9           number which is comfortable for the  
10          courts.

11                   COUNCILMAN GREENLEE: As long  
12           as those numbers keep ramping up as time  
13           goes on.

14                   SHERIFF WILLIAMS: Yes.

15                   COUNCILMAN GREENLEE: I got  
16           you. Well, thank you for all you do.

17                   SHERIFF WILLIAMS: Thank you.

18                   COUNCILMAN GREENLEE: Thank  
19           you, Mr. Chairman.

20                   COUNCILMAN JONES: Thank you,  
21           Councilman.

22                   The Chair recognizes  
23           Councilwoman Sanchez and then  
24           Councilwoman Blackwell.

25                   COUNCILWOMAN SANCHEZ: Good

1 4/8/14 - WHOLE - BILL 140144, etc.

2 morning.

3 SHERIFF WILLIAMS: Good

4 morning.

5 COUNCILWOMAN SANCHEZ: For the  
6 record, I noticed you didn't submit it,  
7 although last year you did, a little bit  
8 of the demographic breakdown of your  
9 department and then in light of your new  
10 hiring. And I said this because I know  
11 you've been working really hard in  
12 diversifying your workforce, so you  
13 should submit it since I know you're  
14 working on it. But I'd like to know the  
15 demographic breakdown and the language  
16 breakdown in your office, and then do you  
17 have a goal with these new hires of where  
18 you'd like to be in light of what your  
19 numbers are?

20 SHERIFF WILLIAMS: Well, as you  
21 know, we continue to hire people as fast  
22 as we get the appropriations or the  
23 approval. We have -- right now our  
24 numbers are we have 202 males, 65  
25 females, 143 African Americans, 94

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           whites, 28 Latinos, one Asian, and we say  
3           one other. I think that's -- we have one  
4           Haitian person. We just promoted the  
5           first Latino lieutenant, Lieutenant  
6           Bastone. My staff inspector is Inspector  
7           Algarin, who is Latino. We've hired four  
8           under this new -- the ten new hirees that  
9           I just talked about, which is the ten  
10          positions approved for 6/27/2013. That  
11          is four additional white, four women, and  
12          two Hispanics.

13                        So, again, we continue to bring  
14          the numbers in to try to diversify the  
15          Philadelphia Sheriff's Office.

16                        COUNCILWOMAN SANCHEZ: So do  
17          you have a goal with these new hires,  
18          with this 120?

19                        SHERIFF WILLIAMS: Well, I  
20          don't actually have a goal because it's  
21          based on our hirees, but I would love to  
22          have our office as fair and as equal as  
23          the hiring will permit.

24                        COUNCILWOMAN SANCHEZ: Well,  
25          let me encourage you to kind of try to

1 4/8/14 - WHOLE - BILL 140144, etc.

2 establish a goal.

3 Are you using the police list,  
4 the corrections office list or did you  
5 ask HR to create your own list?

6 SHERIFF WILLIAMS: We use the  
7 police, the correctional officers, the  
8 list that we created in order to bring  
9 people in who have experience, training  
10 experience. Now, as I said before this  
11 committee, my major problem is bringing  
12 people in the Sheriff's Office and I  
13 don't have to send them away for 26  
14 weeks, because every time we send people  
15 away for training, I'm sending them away  
16 from a courthouse. So I'd rather bring  
17 people in now who has training and  
18 experience. And believe it or not, the  
19 folks that's coming in are multicultural  
20 folks who are coming in.

21 COUNCILWOMAN SANCHEZ: Okay.  
22 In your budget details, you talk about an  
23 additional quarter of a million dollars  
24 for real estate foreclosures and writ  
25 management system. Can you tell me how

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           this new line item is going to help  
3           improve in light of the fact some of the  
4           issues that you mentioned have been made  
5           public?

6                         DEPUTY SHERIFF HAYLLAR:   When  
7           Reach Communications was terminated in  
8           2011, they basically took the Sheriff's  
9           Office computer system with them.  We do  
10          have a very antiquated City system, but  
11          it keeps crashing.  We needed to rebuild  
12          the system that manages and records the  
13          data for all facets of the Sheriff's  
14          Office, and that is to pay for that.  
15          It's not a reoccurring item, but it is  
16          something that is desperately needed.

17                        COUNCILWOMAN SANCHEZ:  In terms  
18          of some of the items that were publicized  
19          in terms of the real estate and some of  
20          the issues, can you give me one, two,  
21          three things that you've done to improve  
22          on the items?  I mean, they talked about  
23          the phone system.  I noticed you have  
24          \$25,000 for a phone number.  What other  
25          systems changes have you made?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 SHERIFF WILLIAMS: The  
3 electronic deed filing is one new facet  
4 for the Philadelphia Sheriff's Office.  
5 In our seminars, we have seminars between  
6 two and three times a month. One of the  
7 seminars has been -- is being cheered by  
8 our Community Relations Officer, Ann  
9 Sostre, who does a Latino seminar, and  
10 then we have a non-Latino seminar and  
11 then we have a seminar with the Asian  
12 community where we have Asian volunteers  
13 who come from the Asian newspapers who  
14 come in and talk to people in the  
15 community, from their community, on how  
16 to purchase from the Sheriff Sale. So we  
17 have a lot of seminars and a lot of  
18 community outreach, which has never been  
19 done or hasn't been done in a while with  
20 the Philadelphia Sheriff's Office.

21 COUNCILWOMAN SANCHEZ: In terms  
22 of the office per se, what are some of  
23 the improvements in terms -- because you  
24 talked a little bit about the seminars,  
25 and I think they're great. Folks need

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           them, and we got to continue to support  
3           that.

4                       When someone comes to your  
5           office, tell me how you've improved those  
6           systems when they come in, want to put a  
7           deposit or put something on Sheriff Sale,  
8           they pay their deposit. How long -- what  
9           have you done in that area to improve?

10                      SHERIFF WILLIAMS: Well, they  
11           pay their deposit when they go to the  
12           Sheriff Sale, but when they come to the  
13           office and either they want to settle up  
14           or they want to get information, we have  
15           several deputy sheriff officers and our  
16           front community contracting people who  
17           are out front who are trained to send  
18           people where they need to go, and we have  
19           one officer, he's dedicated to teach  
20           people on how to purchase properties,  
21           where to pay, where not to pay. In a lot  
22           of the instances we have problems with  
23           people who have put deposits on  
24           properties and then they try to go and do  
25           an illegal eviction. So we work very



1           4/8/14 - WHOLE - BILL 140144, etc.

2           hard with that person who comes in the  
3           office or if they call with that kind of  
4           complaint.

5                        So there's a lot of different  
6           things that the Sheriff's Office does  
7           when we get those complaints, and we do a  
8           lot of hands-on responses to make sure  
9           that people are given the right  
10          information, and as well as our deputies  
11          who are in our Internal Affairs Unit go  
12          out to the police districts and talk to  
13          the police about when they get a  
14          complaint of an illegal eviction.  
15          Sometimes people who buy property at  
16          Sheriff Sales use the deposit slips as a  
17          way of telling people they need to move  
18          out of a property, and they have not  
19          completed their terms of sale. So that  
20          becomes an investigation in our Internal  
21          Affairs Unit, which our Internal Affairs  
22          Unit constantly try to teach the police  
23          on not to recommend that people leave  
24          their properties. The only person that's  
25          supposed to do evictions is the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Philadelphia Sheriff's Office or the  
3           court's designee on evictions. So we  
4           work very hard on getting that  
5           information. And we're putting people  
6           back in their homes because of those  
7           surreptitious actions.

8                         DEPUTY SHERIFF HAYLLAR:  
9           Councilwoman, there's a common  
10          misconception that the Sheriff's Office  
11          determines what properties go up for  
12          sale. That is not the case. We are the  
13          agent of the courts. The courts through  
14          the court process makes that decision.  
15          We can neither put a property up for sale  
16          for any purpose nor can we unilaterally  
17          take it out.

18                        COUNCILWOMAN SANCHEZ: One last  
19          thing. We passed a foreclosure bill that  
20          we're working with the Administration to  
21          implement that allows owner-occupied  
22          severely tax-delinquent folks to get on a  
23          payment plan based on their income. Has  
24          your staff been trained by the  
25          Administration on this so that when

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           someone comes to you, I'm losing a house,  
3           that they may be eligible for these  
4           programs?

5                        SHERIFF WILLIAMS: No, but what  
6           we do is, we refer people when they're  
7           losing their properties to several  
8           programs. We refer them to Community  
9           Legal Services. We refer them to TURN.  
10          We refer them to Philadelphia Corporation  
11          of Aging for the senior advocate. We  
12          refer them to the Office of Housing and  
13          Community Development for their housing  
14          counseling programs.

15                      COUNCILWOMAN SANCHEZ: My  
16          concern is that our folks get scared.  
17          They get these notices.

18                      Let me encourage you -- and  
19          we'll work with you with the Revenue  
20          Department to train your staff, because  
21          this new payment plan, which has to be  
22          abided by everybody, including the  
23          private companies, we're very concerned  
24          about the communication of that  
25          information, and many times when the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Sheriff's Office refers folks out, people  
3           get scared, and I think that it will be  
4           beneficial to your real estate division  
5           to know that if you're telling folks, if  
6           you go to CLS, you can get on a payment  
7           plan based on your income and you don't  
8           need to have 25 or 50 percent. We're  
9           just finding there's a gap of  
10          information.

11                        So we'll work with the Revenue  
12          office to get your real estate division  
13          trained. Any person that we can keep in  
14          their home based on this new payment plan  
15          and anybody who could help us do that is  
16          very, very important to us.

17                        SHERIFF WILLIAMS: Thank you.

18                        COUNCILWOMAN SANCHEZ: Because  
19          it even includes people with really high  
20          delinquency bills who can now get into an  
21          affordable payment plan without a  
22          deposit. It's huge. And so we just want  
23          to make sure that your staff is  
24          adequately prepared to deal with those  
25          folks.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 SHERIFF WILLIAMS: Thank you.

3 COUNCILWOMAN SANCHEZ: Thank  
4 you.

5 COUNCILMAN JONES: You're so  
6 right, Councilwoman. People operate in a  
7 state of denial when it comes to the help  
8 that can be offered for prevention of  
9 Sheriff Sale, whether you're talking  
10 about diversionary programs or other.  
11 It's almost like a fait accompli, they  
12 won't go get the help, and it compounds  
13 the problem. So the more positive  
14 communication about options other than  
15 actual seizure of properties I think is  
16 right on point.

17 The Chair now recognizes  
18 Councilwoman Blackwell.

19 COUNCILWOMAN BLACKWELL: Thank  
20 you, Mr. President.

21 So we saved the best for last.

22 COUNCILMAN JONES: The  
23 Chairman. The Chairman.

24 COUNCILWOMAN BLACKWELL: Thank  
25 you.

1           4/8/14 - WHOLE - BILL 140144, etc.

2           COUNCILMAN JONES: President  
3 Clarke is somewhere in the building.

4           COUNCILWOMAN BLACKWELL: I  
5 thought I said Chairman. It's okay.  
6 Mr. Majority Leader.

7           COUNCILMAN JONES: Thank you.

8           COUNCILWOMAN BLACKWELL: And I  
9 wanted to say to the Sheriff and the new  
10 team that we are happy to support them  
11 and we like the new focus, the specific  
12 work you've done, the research, and it's  
13 exciting to see in our business, in the  
14 political business. There's so many  
15 departments, a whole new focus, new  
16 interest on how we do things better, how  
17 we are more specific. It's nice to know  
18 that we can kind of relax and trust what  
19 they're doing and know they're doing  
20 their research and their homework,  
21 because you can't do it with every  
22 department. But certainly we want to say  
23 thank you, and certainly we support you.

24           SHERIFF WILLIAMS: Thank you,  
25 Councilwoman.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN BLACKWELL:

3 Thanks.

4 I'm easy. I'm easy.

5 COUNCILMAN JONES: I see, you  
6 know.

7 Let me bring you back to one of  
8 your other roles that I think is as  
9 important as some of the things you do.  
10 When it comes to domestic abuse and  
11 something that's near and dear to  
12 Councilman Greenlee's work that he's done  
13 in Council, one of the things when I did  
14 the tour of your department, we noticed  
15 what your role is when there is a  
16 protection order and by way of removal of  
17 firearms. Can you talk about that.  
18 Because a lot of people don't know what  
19 you do.

20 SHERIFF WILLIAMS: I'll let the  
21 expert, firearms instructor and trainer.

22 INSPECTOR WASHINGTON: Again,  
23 thank you. Staff Inspector Paris  
24 Washington, Philadelphia County Sheriff's  
25 Office.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 It's kind of an epiphany,  
3 because I just left a meeting at the  
4 District Attorney's Office with a  
5 committee that included Probation/Patrol,  
6 the District Attorney, the Police  
7 Department, and Women Against Abuse on  
8 this very same subject.

9 When a protection order is  
10 issued and where there are weapons  
11 involved, the court orders the defendant  
12 to immediately surrender all weapons to  
13 the Sheriff's Office. When we're  
14 informed of this -- and I was very  
15 shocked to hear the statistics, that  
16 about 11,000 PFAs were written in the  
17 City last year, 11,000. We were told  
18 that approximately a third of them  
19 involve weapons.

20 There is currently no standard  
21 system to notify the Sheriff's Office  
22 that a weapon is involved, other than,  
23 number one, we being contacted by the  
24 victim or, two, that we're being  
25 contacted from the Women Against Abuse



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           section, which, by the way, just happens  
3           to be across the hall from my office.

4                       When we are notified, the  
5           Sheriff has directed us to vigorously  
6           obtain that weapon. Now, we don't have  
7           that in the budget, but we will put  
8           deputies in vehicles. We will go out to  
9           the property where we believe that weapon  
10          to be, and under that court order, we  
11          will seize that weapon. Of course,  
12          there's a lot of research that we have to  
13          do before that. Does the individual  
14          we're going after have a criminal record,  
15          do they in fact legally own a firearm,  
16          are there warrants for that individual.  
17          So our Intelligence Unit conducts those  
18          type of searches before we even go to the  
19          door.

20                      I'm sure you understand,  
21          Councilman, that taking a firearm from a  
22          man is like cutting the --

23                      COUNCILMAN JONES: Or a woman.

24                      INSPECTOR WASHINGTON: Or a  
25          woman is like disarming them, and that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           becomes a very potentially dangerous  
3           situation.

4                   Under the court order, we will  
5           take that weapon. We will return it to  
6           the Sheriff's Office where we place it in  
7           our armory. Right now, sir, PFAs are  
8           ranging three years. We must maintain  
9           that weapon at our cost for three years  
10          until, one, the court either orders the  
11          weapon returned or destroyed for  
12          violation of the PFA.

13                   We do not have a system in  
14          which, as the order says, shall  
15          immediately surrender to the Sheriff's  
16          Office in place with manpower to meet  
17          that demand.

18                   Our second function is through  
19          City Council and the Police Department  
20          when law enforcement officers get  
21          protection from abuse orders. Their duty  
22          weapon is taken by the commanding  
23          officer, but all personnel weapons are  
24          taken by the Sheriff's Office. And  
25          likewise, any weapon that is ordered by

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           any court throughout the United States  
3           under the Domestic Women's Federal Act,  
4           we must enforce a PFA no matter where  
5           it's written. So we are constantly  
6           getting PFAs from Florida, Delaware, New  
7           Jersey, and other states. Again, we  
8           don't have a dedicated resource to  
9           enforce these orders.

10                        So we're doing the best job we  
11           can. The Sheriff is supportive of our  
12           unit. I can tell you right now we have  
13           approximately a thousand weapons in our  
14           armory that are related to PFAs. But as  
15           I said, 11,000 were written. There's a  
16           top of weapons that we're not getting.

17                        COUNCILMAN JONES: As Chair of  
18           Public Safety, I don't feel real safe  
19           when you hear statistics like that, and  
20           because of Councilman Greenlee's work in  
21           this area, I'm going to be reaching out  
22           to you, sir, to see what we can do, A,  
23           during the budget process to make sure  
24           with the First Judicial Courts that there  
25           is an official mechanism by which people

1           4/8/14 - WHOLE - BILL 140144, etc.

2           are alerted.

3                       In parts of my district,  
4           domestic violence is the top of the food  
5           chain, and in those cases, disarming folk  
6           who on a better day are our loved ones,  
7           but on that day need to protect  
8           themselves from each other, I think this  
9           is an important step and role that the  
10          Sheriff Department plays. And a lot of  
11          people just don't know that's another  
12          task assigned to you.

13                      So I look forward to working  
14          with your office and any other  
15          Councilmembers that have an interest.

16                      Protection by way of the  
17          courts, again, witness intimidation. You  
18          mentioned it in prior testimonies. I  
19          want to know as we start to add on courts  
20          and have multiple buildings and multiple  
21          locations, that particularly it came as a  
22          shock to me that people were from the  
23          courthouse Twittering about snitches and  
24          people testifying and how people in  
25          particularly with CJC are winding up

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           going up the same elevators as people  
3           that they're going to testify against,  
4           and how can we kind of take that issue  
5           and work with your department to --

6                        SHERIFF WILLIAMS: Well,  
7           Councilman, that is a concern of ours.  
8           We make sure that we send our supervisors  
9           on every floor. We also have people who  
10          in plain clothes units who travel up the  
11          elevators or on the elevators rather to  
12          listen when they hear about witness  
13          intimidation. We constantly inform the  
14          judge of the courtroom if there's someone  
15          with a phone, particularly the camera  
16          phones, taking pictures or using that  
17          device. It is prohibited in that  
18          building. People are not supposed to use  
19          that camera or any device like that while  
20          court is in session.

21                       There has been instances where  
22          we have confiscated. That has been --  
23          those folks have been turned over to the  
24          judge. Most times if the judges take  
25          action, the very least the judges should

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           do is hold those people in contempt,  
3           which means he could hold them for the  
4           maximum I think of 30 days before they  
5           can bring them back down. But if they  
6           hold them in contempt, that would defer  
7           people from doing that kind of  
8           activities. But along with our bike  
9           patrol and our K-9 Unit who actually  
10          patrol the perimeter of the Criminal  
11          Justice Center as well as when the new  
12          facilities come in place, that's why we  
13          got the bike patrol, because we knew that  
14          it was going to expand, and we have cut  
15          down on a lot of witness intimidation or  
16          people being harassed because they were  
17          supporting family members in a criminal  
18          court case.

19                        There are a lot of  
20          multi-co-defendant cases where we have to  
21          use more than just one deputy for  
22          courtrooms. Sometimes we have to use --

23                        COUNCILMAN JONES: Define  
24          co-defendant for those who might be  
25          listening.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 SHERIFF WILLIAMS: Well,  
3 multi-co-defendant is when you have a  
4 case that has more than one person who  
5 committed the crime and you might have  
6 witnesses also who is a part of that. So  
7 we now have to supply more than just one  
8 deputy. We have to supply sometimes two  
9 or three deputies, along with a  
10 supervisor, because we want to make sure  
11 that we have total control of that  
12 environment if it is a troublesome area.

13 COUNCILMAN JONES: The key to  
14 justice is to have the integrity and  
15 protection of the witnesses that come  
16 forward to say what they've seen and  
17 provide valuable testimony in the justice  
18 process. If we can't protect them, then  
19 soon to happen after that is the failure  
20 of the entire system. So I think that's  
21 very important.

22 The Chair recognizes Councilman  
23 Greenlee.

24 COUNCILMAN GREENLEE: Just very  
25 quickly. Thank you, Mr. Chairman. Thank

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           you for the statements on the PFA issue,  
3           and I didn't realize those figures.  
4           They're quite distressing.

5                     And just as far as the staffing  
6           levels, Sheriff, when you mentioned  
7           before about -- if you're talking about  
8           adequate, you'd like to see 50 to 75  
9           more. Was that included in what we were  
10          talking about with the PFAs?

11                    SHERIFF WILLIAMS: Yes. In  
12          order to have -- in order for us to have  
13          more people, I would be able to give the  
14          Inspector more people in his unit. He  
15          has right now like three people in his  
16          unit.

17                    COUNCILMAN GREENLEE: I was  
18          going to ask that, how many you have.

19                    SHERIFF WILLIAMS: I started  
20          two and a half years ago, and I have not  
21          even began to look at the investigative  
22          part of -- the lateral part of our  
23          office. We then in the main desk, we're  
24          into real estate and the accounting. I  
25          have to go into advertising and I have to



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           look into all of those areas, but unless  
3           I have the adequate staffing, it's very  
4           difficult. So I have to deal with the  
5           most immediate, and that is the criminal  
6           courthouses and then the main desk and  
7           then real estate, and then I have to go  
8           into those other divisions. Not that  
9           people are doing things wrong, but I have  
10          to look. I got to investigate.

11                   COUNCILMAN GREENLEE: You have  
12          to ready for it, yeah.

13                   And the Chairman is right, we  
14          certainly want to, when it comes to PFAs,  
15          supply you with as much as we can to make  
16          sure that folks are adequately protected.

17                   Thank you, Mr. Chairman.

18                   COUNCILMAN JONES: Just to  
19          place this on the record, in 2010 to  
20          2011, the District Attorney's Office  
21          moved 82 families because of witness  
22          intimidation and witness protection. In  
23          2011 to 2012, 150 families were moved.  
24          In 2012 to 2013, 145 families, not just  
25          individuals but entire families that were

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           threatened in that process. And  
3           according to DA Seth Williams, juveniles  
4           charged with intimidating witnesses over  
5           Twitter has become epidemic in  
6           proportion.

7                        So we need to get ahead of  
8           this, and the way that at least -- we  
9           can't control the entire universe, but we  
10          must control our courtrooms and outer  
11          areas. So we want to thank you again.

12                       SHERIFF WILLIAMS: Council  
13          President, excuse me. If I had --

14                       COUNCILMAN JONES: Majority  
15          Leader.

16                       SHERIFF WILLIAMS: I'm sorry.

17                       COUNCILMAN JONES: I'm going to  
18          stop right there.

19                       SHERIFF WILLIAMS: Mr.  
20          Chairman, I'm sorry. If we could get the  
21          adequate amount of staffing, I could  
22          staff people to take every cell phone and  
23          maintain it until they leave the  
24          courthouse, but unless I have the  
25          adequate staffing, it's very difficult

1 4/8/14 - WHOLE - BILL 140144, etc.

2 for me to do that.

3 COUNCILMAN JONES: People  
4 Twittering and taking pictures of people  
5 testifying just unnerves me.

6 Are there any other questions  
7 for these witnesses?

8 (No response.)

9 COUNCILMAN JONES: Seeing none,  
10 again, Sheriff Williams, thank you for  
11 your testimony and thank you for the work  
12 that you do.

13 SHERIFF WILLIAMS: Thank you,  
14 Mr. Chairman.

15 COUNCILMAN JONES: And all of  
16 your members in your department.

17 SHERIFF WILLIAMS: Thank you.

18 COUNCILMAN JONES: Next up will  
19 be the Streets Department. And we're  
20 going to try to work through and push  
21 through this, members, unless the  
22 stenographer needs a break.

23 COURT STENOGRAPHER: No. I'm  
24 fine.

25 (Witnesses approached witness

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           table.)

3                   COUNCILMAN JONES: Thank you so  
4           much for your flexibility in coming over  
5           a little early. We want to try to press  
6           through and take advantage of the  
7           members' questions. And I won't use the  
8           S word which is snow. I will only use  
9           the S word which is spring and we'll go  
10          from there.

11                   Feel free to summarize your  
12          testimony, but feel free to do it  
13          longhand if you need to.

14                   Thank you. State your name for  
15          the record and begin your testimony.

16                   COMMISSIONER PERRI: Good  
17          morning, Mr. Chairman and members of City  
18          Council. I am David Perri, Commissioner  
19          of the Streets Department, and I am here  
20          today with Deputy Commissioner Donald  
21          Carlton and Deputy Commissioner Patricia  
22          McConnell to present testimony on behalf  
23          of the Streets Department's proposed  
24          Fiscal Year 2015 Operating Budget.

25                   We request a General Fund

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           appropriation of \$116,866,689 and a total  
3           appropriation of \$179,034,800 for Fiscal  
4           Year 2015. These appropriations will  
5           enable us to continue to provide ongoing  
6           programs, including alley light  
7           replacement, traffic calming and safety  
8           improvements, traffic control center  
9           development, and the Future Track job  
10          training program.

11                   The General Fund allocation for  
12          Fiscal Year 2015 includes \$66,970,101 for  
13          personal services, \$46,033,455 for the  
14          purchase of services, and \$3,809,962 for  
15          materials, supplies, and equipment.

16                   The Streets Department seeks to  
17          improve the quality of life for all  
18          citizens. It carries out the mission of  
19          clean, green, and safe streets through  
20          the Divisions of Transportation and  
21          Sanitation. Transportation has broad  
22          responsibility for maintaining over 2,525  
23          miles of roads and bridges, an extensive  
24          traffic control and street lighting  
25          system, and serves as the lead agency for

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           winter storm operations.

3                   The Department's employees as  
4           well as all City employees involved in  
5           the snow-fighting operation rose to the  
6           challenges presented by one of the most  
7           intense winter seasons in Philadelphia  
8           history, which featured a record-breaking  
9           18 storms, 68 inches of snowfall, and  
10          near record cold temperatures. The  
11          effects of the second snowiest winter in  
12          the City's history continues to be  
13          realized as we repair, re-time traffic  
14          signals, repair signs and poles, and fill  
15          potholes. To date, nearly 26,000  
16          potholes have been repaired, which has  
17          already tripled the number expected in a  
18          typical season.

19                   Sanitation Division is the  
20          cornerstone of the Department's cleaning  
21          and greening efforts, and we are on our  
22          way to becoming one of the greenest  
23          cities in America through our recycling  
24          efforts. Diversion rates this year are  
25          projected to reach a record 22 percent

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           compared to just over 8 percent in Fiscal  
3           Year 2008 at the beginning of this  
4           Administration. We continue to engage  
5           communities in our cleaning and greening  
6           efforts and happily celebrated the 7th  
7           Annual Philly Spring Cleanup this past  
8           Saturday. We engaged 12,571 volunteers  
9           at a total of 569 cleaning and greening  
10          projects and removed a record 1,112,880  
11          pounds of material from City streets,  
12          sidewalks, and lots.

13                    The Streets Department could  
14                    not fulfill its mission and provide the  
15                    myriad of sanitation and  
16                    transportation-related services without  
17                    the hard work of the men and women of the  
18                    Streets Department. I am proud to lead  
19                    this diverse workforce as we continue to  
20                    deliver quality service in an efficient  
21                    and cost-effective manner.

22                    We request your favorable  
23                    consideration of this budget, and we are  
24                    available to answer questions at this  
25                    time.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JONES: Again, thank  
3 you for your department's Herculean  
4 effort in digging us out. I know there's  
5 not a part of the City that was not hit  
6 real hard by the snow, and what you've  
7 been able to do and being responsive  
8 makes me proud not to be Atlanta but to  
9 be Philadelphia.

10 So I'm going to ask the scary  
11 question. How much did the storms cost  
12 us?

13 COMMISSIONER PERRI: Well, we  
14 budget typically \$4 million for  
15 contractor assistance for snow-fighting  
16 operations. This year the total was \$7.9  
17 million. The overall total cost, if you  
18 can bear with me one minute, it's  
19 approximately \$18,148,000.

20 COUNCILMAN JONES: And that  
21 compares to what number on an average  
22 year?

23 COMMISSIONER PERRI: On an  
24 average year, we're looking at between \$6  
25 and \$7 million.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JONES: Okay. Can't  
3 fight Mother Nature, but I wish we could.

4 How much of that was -- so by  
5 way of -- you know what I'm going to do.  
6 I'm going to pass and let -- Councilman  
7 Greenlee seems to be teed up first.

8 COUNCILMAN GREENLEE: Thank  
9 you, Mr. Chairman.

10 Good afternoon, everybody.

11 COMMISSIONER PERRI: Good  
12 afternoon.

13 COUNCILMAN GREENLEE: Thank you  
14 certainly for all the help you provide me  
15 and my office. I appreciate it.

16 Just a couple things.  
17 Commissioner, I know we've talked about  
18 this before. The issue of resurfacing  
19 and sometimes how it seems to be  
20 inordinately long between the first  
21 milling and then finally when the top  
22 layer is put on. And I know we've  
23 talked. Part of it is -- I guess part of  
24 it is done by the private company and  
25 part by the City. Is that basically how

1 4/8/14 - WHOLE - BILL 140144, etc.

2 it works?

3 COMMISSIONER PERRI: That's  
4 correct. We have a private contractor  
5 that does the milling and then the City  
6 comes back and does the actual  
7 resurfacing work.

8 COUNCILMAN GREENLEE: Is there  
9 still -- and I know we talked about this,  
10 again, but is there a way to kind of  
11 tighten that timeframe up a little bit?  
12 Because it certainly is difficult  
13 sometimes for people riding on those  
14 streets. It can damage tires, stuff  
15 flies up, goes on people's property,  
16 people get mad at us, you know, all that  
17 kind of stuff. They find us easier than  
18 they find you.

19 COMMISSIONER PERRI: You make a  
20 great point, Councilman. The main issue  
21 is the time between when the street is  
22 milled and when the final wearing course  
23 is placed back on the street, and the  
24 reason why that takes so long is that  
25 there's sometimes three or four different

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           utilities in the street that need to  
3           raise and reset their manhole covers. So  
4           we've looked into that over the  
5           off-season. We are going to write into  
6           our contracts and make the milling  
7           contractor responsible for raising all  
8           those castings himself. So he will not  
9           be beholden upon the various utilities  
10          and wait for the utilities to do that  
11          work. We believe that will speed up the  
12          time that the street is in a state of a  
13          milled condition.

14                    COUNCILMAN GREENLEE: That  
15                    certainly I think is good, because I know  
16                    it generates a lot of complaints when  
17                    it's in that condition.

18                    COMMISSIONER PERRI:  
19                    Absolutely.

20                    COUNCILMAN GREENLEE: Thank  
21                    you.

22                    Deputy Commissioner Carlton, I  
23                    guess this is for you. The trash  
24                    violations that are given out. And,  
25                    again, we want certainly people to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           maintain the way they put out their trash  
3           safely and cleanly and all, but I know  
4           every once in a while, there are some  
5           complaints. A person puts out their  
6           trash fine. Recycling is right next to  
7           it. Everything is good. And then  
8           somebody walks down the street and drops  
9           a McDonald's bag on the sidewalk and that  
10          owner gets a violation.

11                    Is there some, I guess, sort of  
12          indication to the people that give the  
13          violations that they should use some  
14          judgment, I guess, is the word?

15                    DEPUTY COMMISSIONER CARLTON:  
16          Well, it is, Councilman, and very rare  
17          would it be someone getting a citation  
18          for something being one bag dumped on the  
19          sidewalk. When you get a letter  
20          violation, it's normally accumulating  
21          litter. And that's one reason why we  
22          have the handhelds with the photos that  
23          depicts exactly what happens. So when we  
24          do get complaints from Council's office  
25          or the other entities, we actually most

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           of the time are able to prove that the  
3           violation was legitimate thanks to the  
4           handhelds.

5                   COUNCILMAN GREENLEE:   And they  
6           do attempt, when reasonable, to go  
7           through the trash to see if it belongs to  
8           that person?

9                   DEPUTY COMMISSIONER CARLTON:  
10          They're supposed to go through the trash  
11          at every location where you have an early  
12          setout and try and get identification.  
13          Unfortunately, sometimes there is no  
14          identification.  Over the years,  
15          residents have gotten a lot smarter and  
16          they know that that's one of our tactics,  
17          so they try not to put any mail or  
18          anything that will make it identifiable.

19                   COUNCILMAN GREENLEE:  Right.  I  
20          can imagine.

21                   And last question.  Just on  
22          median strips on City streets, I know  
23          sometimes we hear it's the Parks and  
24          Recreation, sometimes the Streets.  Who  
25          actually is supposed to cut those when

1 4/8/14 - WHOLE - BILL 140144, etc.

2 they get overgrown? Is that Streets?

3 COMMISSIONER PERRI: Yeah.

4 There's two basic entities that do the  
5 grass cutting on medians in the City of  
6 Philadelphia. PennDOT handles the  
7 medians on the state routes and Fairmount  
8 Park does the medians on the local City  
9 streets.

10 COUNCILMAN GREENLEE: Fairmount  
11 Park does do it?

12 COMMISSIONER PERRI: Yes, they  
13 do.

14 COUNCILMAN GREENLEE: Sometimes  
15 they tell us it's Streets, but okay.  
16 That's why I went to the source. Thank  
17 you.

18 Thank you, Mr. Chair.

19 COUNCILMAN JONES: Thank you  
20 for that.

21 Just a note, also I've gotten a  
22 number of inquiries about selective  
23 enforcement for snow violations when an  
24 individual does not shovel their snow.  
25 And do not shoot the messenger. I'm

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           going to relay the constituent complaint,  
3           that in certain neighborhoods where they  
4           might be income-challenged, there might  
5           not be as many tickets, but in areas  
6           where there is prosperity and people are  
7           making a lot of money, that they're in a  
8           higher degree of probability of people  
9           paying those tickets, that there is a  
10          little more zealousness.

11                        Now, I don't believe that, but  
12          if we were to ask you to quantify where  
13          you wrote tickets during those times,  
14          what would we discover?

15                        DEPUTY COMMISSIONER CARLTON:  
16          Well, one thing we do try and do,  
17          Councilman, is after the snow does  
18          subside, we deploy enforcement officers  
19          equally based on what's available to us.  
20          We don't select certain neighborhoods,  
21          certain cities. Our enforcement units  
22          are already spread around the City evenly  
23          as possible. And so when we dispatch  
24          them, they're dispatched in the  
25          neighborhoods that they are assigned to.

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           So it's not dispatched to certain  
3           sections of the City. And I say that  
4           because a lot of our enforcement officers  
5           are part of the plowing operation. So we  
6           may not have our entire enforcement staff  
7           writing citations right after the storm  
8           subsides, but what we do have available  
9           is normally equally spread out around the  
10          City.

11                        COUNCILMAN JONES: I didn't  
12          doubt you, but my folks in Overbrook Park  
13          and Roxborough kind of doubted you. They  
14          thought that -- the feeling was that  
15          because they are conscious of those kinds  
16          of payments and don't want those kinds of  
17          liens or things put on their houses, that  
18          that's who you go after. And I argued  
19          them vehemently that that was not the  
20          case, but I just want you to know what  
21          people are thinking.

22                        DEPUTY COMMISSIONER CARLTON:  
23          Understood.

24                        COUNCILMAN JONES: Councilwoman  
25          Sanchez is next.



1           4/8/14 - WHOLE - BILL 140144, etc.

2                   COUNCILWOMAN SANCHEZ: Good  
3           afternoon. Is it still morning? No.  
4           It's good afternoon. Thank you so much  
5           for this weekend. I know you guys were  
6           working hard all weekend with the  
7           cleaning of the Mayor's cleanup. It's an  
8           amazing feat when you look at the  
9           numbers, so I really appreciate the work  
10          of -- all the staff was pleasant and  
11          despite the fact that we were, in some  
12          cases, really cleaning up unnecessary  
13          dumping unfortunately throughout the  
14          City. But I want to thank the staff.  
15          Again, they were wonderful.

16                   I also want to recognize and  
17          thank the Department for creating the  
18          bilingual clean officer position. I know  
19          that was open until Friday. I'm looking  
20          forward to seeing what those results are.  
21          I did have a couple people complain that  
22          the website went frozen on them on  
23          Friday, so I wanted you guys to check  
24          that in terms of the application.

25                   I also appreciate the fact that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           you did report your demographics, and  
3           clearly they show what I thought they  
4           would show. So my question to you is,  
5           moving forward have you established goals  
6           around diversity in your department and,  
7           if so, what are they?

8                         DEPUTY COMMISSIONER McCONNELL:  
9           Good afternoon. Patricia McConnell,  
10          Deputy Commissioner with Streets.

11                        The Streets Department is  
12          committed to increasing the diversity of  
13          its department and, Councilwoman, as you  
14          mentioned, we do have a very diverse  
15          department. We're constantly seeking  
16          opportunities to increase that, such as  
17          the bilingual clean block officers and  
18          tracking that information, as well as  
19          focusing our recruitment efforts on  
20          including minority colleges and  
21          increasing our diversity in occupations  
22          such as engineers and construction  
23          inspectors.

24                        COUNCILWOMAN SANCHEZ: So do  
25          you have a goal?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER McCONNELL:

3 We don't have a specific goal. It's  
4 challenging with the Civil Service  
5 regulations to specify exactly what that  
6 goal will be, but we do increase all of  
7 our opportunities to get more applicants  
8 in those areas so that we can increase  
9 that overall hire rate.

10 COUNCILWOMAN SANCHEZ: We're  
11 going to be hosting a hearing later on  
12 this year to talk a little bit about  
13 that, because I have met with the Civil  
14 Service Commission around what we can and  
15 cannot do. So I look forward to that  
16 conversation.

17 I wanted to get to public  
18 safety in terms of lighting. This is a  
19 discussion we've had a long time. I  
20 represent ten El stops, and the  
21 Department is very active in putting LED  
22 lights and everything else. I mean, I  
23 know you try as hard as you can.

24 What is the Department's  
25 willingness to figure out if we can light

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           corners versus underneath the El where  
3           we're battling the rattling of the El  
4           system? For years we've had this  
5           discussion. We're remodeling those  
6           commercial corridors and I just feel like  
7           we're losing the battle. And now with  
8           LEDs, they're lasting a little longer,  
9           but you're still -- I can drive down from  
10          Bridge, and I do all the time, and 50  
11          percent of them are out.

12                         Are we looking at another way  
13          of lighting up around the El in light of  
14          the fact that we lose the rattling  
15          battling?

16                         COMMISSIONER PERRI: I'm going  
17          to bring up our Chief Traffic and Street  
18          Lighting Engineer, Rich Montanez, to  
19          address that question for you,  
20          Councilwoman.

21                                 (Witness approached witness  
22          table.)

23                         MR. MONTANEZ: Good afternoon.  
24          My name is Richard Montanez. I'm the  
25          Chief Traffic and Street Lighting

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Engineer for the City of Philadelphia.

3 We are looking at the El area.

4 We are partnering with the Commerce  
5 Department. They're actually funding two  
6 capital projects, one for \$2 million and  
7 one for \$1 million, to increase the  
8 lighting underneath the El.

9 COUNCILWOMAN SANCHEZ: Are we  
10 going to do anything different than just  
11 putting it underneath the El where it  
12 continues to rattle?

13 MR. MONTANEZ: We are actually  
14 going to reengineer the lighting, use  
15 LEDs and try to see if we can actually  
16 minimize the vibrations on the plates.

17 COUNCILWOMAN SANCHEZ: But it's  
18 still going to be underneath the El?

19 MR. MONTANEZ: It's still going  
20 to be underneath the El.

21 COUNCILWOMAN SANCHEZ: Why  
22 won't we explore other options?

23 MR. MONTANEZ: It's actually  
24 more costly for us to trench underneath  
25 the El, and the lighting we'll use would

1 4/8/14 - WHOLE - BILL 140144, etc.

2 actually be like pet scale lighting. We  
3 haven't looked at that yet, Councilwoman.

4 COUNCILWOMAN SANCHEZ: One of  
5 those streetscape commercial corridor  
6 projects we're looking at is at  
7 Kensington and Allegheny, and I'd like to  
8 explore the possibility of how do we  
9 incentivize particularly corner buildings  
10 to help us with this lighting schematic  
11 in light of the fact that we have this  
12 battle. So we'll invite you to a meeting  
13 and a discussion. I think we need to  
14 create other options potentially. I like  
15 what SEPTA does. I like what Penn does.  
16 I like what Saint Joe's does. We may  
17 want to do some other lighting schematic  
18 other than just the El to increase, and  
19 maybe as we're doing these corridor  
20 redevelopments, we may come up with  
21 something that's cost effective as we're  
22 doing them. So we're digging up streets  
23 anyway and in some cases sidewalks, and  
24 the potential doing some lighting in the  
25 corners versus the El, I just want the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Department to be open to it. In the past  
3           it's sort of been a "no" as opposed to a  
4           "how." I just think if we're putting in  
5           \$2 million in a corridor, we should  
6           explore the "how" can we do this so that  
7           it works for the Streets Department and  
8           for us. So I'd like to have that  
9           conversation with you. Thank you.

10                   And last, in your testimony you  
11           highlight -- and I have to say for the  
12           record when I first got elected, poor  
13           Carlton Williams had to respond to me  
14           about my 50 public trash cans, and we're  
15           up to nearly 400, and it's reflected in  
16           my litter index that I track. But I am  
17           very pleased with the success of the Big  
18           Bellies.

19                   Have we quantified the cost  
20           savings in light of the fact that you've  
21           had to reduce the pickups per Belly and  
22           what that means? In terms of every time  
23           we invest in a Belly, you're doing less  
24           pickups. Have we quantified that?

25                   DEPUTY COMMISSIONER CARLTON:

1 4/8/14 - WHOLE - BILL 140144, etc.

2 In Center City we did quantify that from  
3 the beginning, which was close to a  
4 million dollars in savings. We went from  
5 17 collections to approximately four  
6 collections. But the issue outside of  
7 Center City we can't quantify, because  
8 with the issues of illegal dumping, we  
9 still have to check every Big Belly every  
10 day. So the process is almost the same  
11 as if it was a wire basket.

12 It's a great system. It let's  
13 us know when the can is full, when it  
14 needs to be serviced. They only service  
15 an average of three times a week, but  
16 unfortunately if we just service them  
17 when that signal changes, there will be a  
18 bunch of illegal dumping around these  
19 baskets in a lot of neighborhoods. So we  
20 still have to service them as if they  
21 were a regular normal basket outside of  
22 Center City.

23 COUNCILWOMAN SANCHEZ: Let me  
24 ask you, because I know CLIP has this and  
25 we always have a conversation, because we



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           feel like we need to be providing more  
3           support for CLIP. The illegal dumping  
4           spots with cameras, is that totally CLIP  
5           or have you guys made a decision we have  
6           some historic dumping sites, we need to  
7           put up some cameras and catch these folks  
8           that are doing it?

9                         DEPUTY COMMISSIONER CARLTON:  
10          We currently have six cameras in the  
11          Streets Department.

12                        COUNCILWOMAN SANCHEZ: Six?

13                        DEPUTY COMMISSIONER CARLTON:  
14          Yes. That's all we have right now.  
15          We've actually given 75 prosecutable  
16          photos to the Police Department with the  
17          six cameras. We're looking into  
18          investing more, but these cameras are  
19          rotated after a few months. We have so  
20          many dumping sites and we need two at  
21          each location. So we have three sites up  
22          and running that we're monitoring  
23          throughout the City and we rotate them  
24          accordingly.

25                        COUNCILWOMAN SANCHEZ: Can you

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           provide to the Chair what each site costs  
3           us? I think this is an area that we'd  
4           like to see some expansion in, again, for  
5           those sites that historically just  
6           dumping. I know that the few times we've  
7           done some pilots with CLIP, I was pleased  
8           to find out that these were trucks coming  
9           from outside the City, that it wasn't the  
10          residents, but I think we need to do a  
11          better job. I mean, this Saturday we  
12          cleaned a site and we filled an entire  
13          truck at one site that's a dumping site.  
14          I just feel like we could be a little bit  
15          more proactive. So I'd like to see -- if  
16          you're telling me six cameras for the  
17          entire City, that it allows you to have  
18          three active sites?

19                         DEPUTY COMMISSIONER CARLTON:

20           Yes.

21                         COUNCILWOMAN SANCHEZ: We need  
22           to do more. So if we can quantify what  
23           each site costs us and provide that to  
24           the Chair, I'd like to see some increase  
25           in that.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER CARLTON:

3 Understood.

4 COUNCILWOMAN SANCHEZ: I want

5 to help you guys, because I know how

6 frustrating it is.

7 Thank you, Mr. Chair.

8 COUNCILMAN JONES: Thank you,

9 Councilwoman.

10 And once again on the record,

11 thank you for the citywide cleanup this

12 Saturday throughout the City of

13 Philadelphia. It empowered neighborhood

14 groups throughout my district and others

15 to go out and take the step of after this

16 rough winter to continue to dig out and

17 beautify. So we appreciate what you did.

18 If you rode around Saturday, all you saw

19 at about 11, 12 o'clock was trash that

20 was collected and being picked up by you.

21 So kudos to you and Mayor Nutter for that

22 effort, and we appreciate that in every

23 district that we have.

24 The Chair now recognizes

25 Councilman Oh.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN OH: Thank you very  
3 much, Mr. Chairman.

4 Good afternoon. I have a  
5 series of questions. If you don't know  
6 the answer, that's fine. You don't have  
7 to belabor it. Just try to get me the  
8 information, if you would, please, but  
9 providing it to the Chair.

10 So I did have a question about  
11 the illegal dumping, and it was kind of  
12 addressed through Councilwoman  
13 Quinones-Sanchez, but is it possible for  
14 citizens to purchase cameras in their  
15 neighborhoods and to somehow link that up  
16 with the Streets Department?

17 DEPUTY COMMISSIONER CARLTON:  
18 I'll let Commissioner Perri answer that,  
19 but our camera system isn't a monitored  
20 camera system like that. It's actually a  
21 camera system that takes photos, record  
22 photos. We go to a laptop and we  
23 download the photos. So there may be a  
24 system that the Commissioner has, but the  
25 particular system that we have is not

1 4/8/14 - WHOLE - BILL 140144, etc.

2 that type of system.

3 COUNCILMAN OH: What kind of  
4 system is it? You have six cameras, and  
5 what triggers it to activate in the  
6 dumping situation?

7 DEPUTY COMMISSIONER CARLTON:  
8 It's a motion sensor camera, and once it  
9 senses the motion, it begins to take a  
10 series of photos hopefully to catch a  
11 picture of a license plate or some kind  
12 of -- something to identify the illegal  
13 dumper, and then we will retrieve those  
14 photos, and whatever photos we retrieve  
15 that have some license plate, which is  
16 pretty much the only thing that we can go  
17 by, we then turn those license plates  
18 over to the Police Department, who then  
19 prosecutes them.

20 COUNCILMAN OH: How much is  
21 each camera, just the camera itself?

22 DEPUTY COMMISSIONER CARLTON:  
23 Five thousand dollars.

24 COUNCILMAN OH: About 5,000 for  
25 each camera?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER CARLTON:

3 Yes.

4 COUNCILMAN OH: So it's a  
5 pretty hefty price for the average  
6 citizen, but for neighborhoods who want  
7 to invest in that, if they get -- or if  
8 they come up with the money for the  
9 camera, will that help to have the camera  
10 installed in the problem site that they  
11 identify?

12 DEPUTY COMMISSIONER CARLTON:

13 It would always help, but I don't know  
14 exactly how -- we would have to think  
15 about that, how we would incorporate the  
16 public and their personal cameras into  
17 what we're doing. That way, we can  
18 download information. It would be a  
19 process in us having to do some research  
20 on how we can work together.

21 COUNCILMAN OH: If you had a  
22 program, people could then try to go  
23 ahead and raise the money for the  
24 cameras. If you don't come up with a  
25 program, they're not going to do that.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 So I personally believe there is a lot of  
3 interest and frustration from these  
4 illegal dumping sites.

5 So just a correction on Page 8.  
6 I'm looking at the 20 percent of a  
7 million dollars is \$200,000. It's noted  
8 here as \$2 million. Covanta Recovery, I  
9 think it is 20 percent for WBE of \$1  
10 million. That is under the column Total  
11 Percentage and Dollar Value  
12 Participation, all DSBEs.

13 COMMISSIONER PERRI: Thank you,  
14 Councilman. That is an error. It's  
15 \$200,000. I'm sorry.

16 COUNCILMAN OH: Thank you very  
17 much. These are important numbers for us  
18 and we just want to make sure they're  
19 correct.

20 And so what I kind of calculate  
21 from this is that there is roughly \$46  
22 million in contracts for services and  
23 about 16 million were for minority,  
24 women, and other contractors; is that  
25 correct? Thirty million for majority, 16

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           million for minority and women-owned  
3           businesses.

4                    COMMISSIONER PERRI: I'm  
5           looking for the totals.

6                    COUNCILMAN OH: Okay. Well,  
7           you don't have to look for it. What I'd  
8           really like is, could you provide to the  
9           Chair the specific companies that are the  
10          minority and women-owned businesses that  
11          are subcontracted to these majority-owned  
12          companies. I'd just like to take a look.

13                   COMMISSIONER PERRI: Sure.  
14          We'll be happy to supply that.

15                   COUNCILMAN OH: Thank you very  
16          much.

17                    So I'm looking on Page 2, I  
18          believe you're talking about the  
19          automatic red light cameras, the request  
20          for \$8,000,379 in grant appropriations,  
21          automatic red light enforcement funds.  
22          What are these funds for exactly?

23                    COMMISSIONER PERRI: I'm going  
24          to bring up our Chief Traffic Engineer  
25          again to directly address your question.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN OH: Thank you very  
3 much.

4 (Witness approached witness  
5 table.)

6 MR. MONTANEZ: Good afternoon,  
7 Councilman. My name is Richard Montanez,  
8 Chief Traffic and Street Lighting  
9 Engineer.

10 The automatic red light running  
11 enforcement cameras is actually the funds  
12 we get back from the state from the red  
13 light running tickets.

14 COUNCILMAN OH: Okay.

15 MR. MONTANEZ: We roughly  
16 hopefully anticipate somewhere like  
17 between \$3 to \$4 million a year.

18 COUNCILMAN OH: So what is this  
19 number, the 8,000,379? That is from a  
20 grant?

21 MR. MONTANEZ: That is from the  
22 grant from the tickets generated.

23 COUNCILMAN OH: So the budget  
24 requests an increase of \$8,000,379 in  
25 grant appropriations for anticipated

1 4/8/14 - WHOLE - BILL 140144, etc.

2 automatic red light enforcement funds.

3 So are you anticipating \$8 million for --

4 MR. MONTANEZ: We are  
5 anticipating a bump on that. When the  
6 PPA recently got a new vendor, Xerox,  
7 they actually published that they will be  
8 saving an additional \$4 million.

9 COUNCILMAN OH: So from the red  
10 light cameras that are in Philadelphia,  
11 the state will then give us \$8 million?

12 MR. MONTANEZ: Yes.

13 COUNCILMAN OH: And then once  
14 you take that money out from the red  
15 light camera, what is that money used  
16 for? Just in general for the Streets  
17 Department?

18 MR. MONTANEZ: No. The funds  
19 have to be used for safety projects  
20 throughout the City of Philadelphia.

21 COUNCILMAN OH: Okay. And do  
22 you know the total amount of money that  
23 was collected from the red light camera  
24 program? This is a portion of the money  
25 collected, right?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 MR. MONTANEZ: Correct. I do  
3 not have the total amount collected last  
4 year.

5 COUNCILMAN OH: Could you  
6 provide that? Thank you very much.

7 And then the bandit signs, kind  
8 of always a struggle, but what is  
9 happening in terms of -- I think it's  
10 Page 7. There were written 816  
11 violations for bandit signs and I see  
12 that 200 illegal advertising benches.  
13 But the bandit signs, I mean, that's kind  
14 of a difficult challenge. How is that  
15 going?

16 COMMISSIONER PERRI: It is an  
17 extremely difficult challenge, because a  
18 lot of these bandit signs are nothing but  
19 a disposable cell phone number on an  
20 8-1/2-by-11 sheet on a utility pole.  
21 We've been using our Future Track  
22 trainees as well as some of our  
23 limited-duty personnel to take down as  
24 many signs as possible. Over the past  
25 year, we've taken down thousands upon

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           thousands of these bandit signs. We work  
3           with local community leaders to take down  
4           signs in their area, and we provide a  
5           focal point for the effort to try to  
6           eradicate them from the City streetscape.

7                   COUNCILMAN OH: Are there any  
8           innovative programs that you've been  
9           pondering about getting more civic  
10          engagement to take these signs down?

11                   COMMISSIONER PERRI: Well, we  
12          would like to work closely with our clean  
13          block captains. There's 6,500 in the  
14          City. And if they can all be empowered  
15          and given the tools to take down those  
16          signs, I think we can make a significant  
17          dent in the City.

18                   When we find these signs, we  
19          put them on robo dialer and they get a  
20          phone call every 15 minutes until they  
21          take the signs down. Sometimes that  
22          works; sometimes it doesn't.

23                   COUNCILMAN OH: All right.  
24          Well, thank you very much, and thanks for  
25          testifying.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thank you, Mr. President.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilman.

5 The Chair recognizes

6 Councilwoman Bass.

7 COUNCILWOMAN BASS: Thank you,  
8 Mr. President. Good morning.

9 COUNCIL PRESIDENT CLARKE: Good  
10 morning. Good afternoon.

11 COUNCILWOMAN BASS: Good  
12 afternoon.

13 Hello. How are you?

14 COMMISSIONER PERRI: Good  
15 afternoon.

16 COUNCILWOMAN BASS: Can you go  
17 into a little bit more detail about what  
18 you just said about when there's a bandit  
19 sign and you do a robo call? Can you  
20 talk about that a little bit further?

21 COMMISSIONER PERRI: Yeah.

22 What we'll do is, we use Swift Reach for  
23 notifying the public of different  
24 programs or changes in schedules in the  
25 Streets Department. So what we'll do is,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           we'll put that bandit sign phone number  
3           into the system and program the automatic  
4           dialer to call every 15 minutes. So I  
5           would say in about 50 percent of the  
6           cases, it results in the person putting  
7           the sign up taking them down.

8                        COUNCILWOMAN BASS: Good.

9                        COMMISSIONER PERRI: There's  
10           others that are immune to any kind of  
11           effort and all you can do is have a  
12           concerted effort to remove the signs and  
13           try to get them down as quickly as  
14           possible.

15                      COUNCILWOMAN BASS: We should  
16           use that for other things too, maybe  
17           problem landlords, Fix up your property,  
18           fix up your property. You know, get a  
19           call every 15 minutes. How about that?  
20           There's an idea.

21                      But I do want to mention a  
22           couple of other things. So I know that  
23           Majority Leader Jones said he wasn't  
24           going to use the S word, but I am, the  
25           snow.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   So I know that it was a very  
3 taxing year, it was very difficult, and  
4 the numbers tell the tale. We usually  
5 spend 6 to 7 million, you said, and this  
6 year we spent 18 million. Thank goodness  
7 it's behind us, but I did have a couple  
8 of questions, and particularly as we know  
9 that weather patterns are becoming much  
10 more unpredictable. So this event that  
11 we had this winter is unlikely -- well,  
12 it's unpredictable. We don't know if  
13 it's going to be this particular type of  
14 a pattern going forward, is this going to  
15 be the new normal or was this just a once  
16 every two, three, five, ten-year sort of  
17 event. And even in the past, if you look  
18 at some of the things that have happened,  
19 from what I've heard from other  
20 departments, rain events and other things  
21 that happen every ten years are now  
22 happening every five years or every two  
23 years in some neighborhoods. And so are  
24 we prepared for that, and how are we  
25 dealing with that? And also how are we

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           dealing with the snow, particularly in  
3           the Northwest section of Philadelphia?  
4           Because I know that other sections -- you  
5           know, if you go down to the bottom of  
6           South Philadelphia and then you go to  
7           Cheltenham and Ogontz, the difference  
8           between the snow accumulation, it's like  
9           a whole different city. And so you might  
10          get just a few snowflakes down at  
11          Veterans -- Veterans Stadium? Oh, my  
12          God. Down at Citizens Park, but you will  
13          get maybe a half a foot in the Northwest.

14                   And so can you talk about also  
15          how are we going to address that in the  
16          future, because it was very much a  
17          problem, as you know, very much a problem  
18          this particular winter.

19                   COMMISSIONER PERRI: Yeah. I  
20          mean, you bring up a good point. The  
21          snowfall totals in the City varies  
22          considerably and, in a lot of cases, by  
23          the elevation of the particular section  
24          of the City that you're in. What we've  
25          done is, we've engaged the services of an



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           engineering firm to evaluate our snow  
3           removal efforts and to make  
4           recommendations on how we can improve it.

5                     One of the things we're looking  
6           at is that there may be some of the  
7           routes in the City -- a route is the path  
8           that a particular plow driver would drive  
9           to clear a series of streets. Maybe some  
10          of those need to be shortened so that we  
11          can get through them quicker. Maybe we  
12          need to add more equipment in different  
13          parts of the City. We need to look at  
14          alternates, potential alternates, to  
15          using -- sodium chloride is our main  
16          snow-fighting, snow-melting treatment  
17          option.

18                    So we're looking at a variety  
19          of different things here. We're also  
20          looking at installing pucks, little  
21          measuring devices in the ground. We  
22          would put them citywide, and they would  
23          give us a readout of what the ground  
24          temperatures are. Now, the ground  
25          temperature is an extremely important

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           factor into how you respond to a snow  
3           event. So if we found areas of the City,  
4           certain streets, that the temperatures  
5           were lower than other areas, we would  
6           know to increase our resources in that  
7           area.

8                         So we are taking a  
9           comprehensive look at our snow operation,  
10          and we hope to make improvements as the  
11          year goes on. We also, I think, we  
12          probably need to increase our salt  
13          capacity. We were close to running out  
14          of salt this winter. We never did, but  
15          we had some nervous nights there in  
16          February. And if you go back in history,  
17          back in the '90s when there was a series  
18          of ice storms, the City actually ran out  
19          of salt. So we need to explore whether  
20          or not we need to have a higher capacity  
21          for salt storage in Philadelphia.

22                        COUNCILWOMAN BASS: Okay. And  
23          I do want to say that we have a good  
24          working relationship, and overall I would  
25          say I was very pleased with the help that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           we get. When we contact the Streets  
3           Department, they've been very responsive,  
4           but that last snow event was just out of  
5           control. I mean, the Northwest was  
6           completely shut down. And so, you know,  
7           I was on the hot seat quite a bit, as you  
8           can imagine, and so was -- I know that  
9           Councilwoman Tasco was. And so we want  
10          to invite you to the Northwest next time  
11          we have such an event to join us to talk  
12          to our folks about the Streets Department  
13          and some of the challenges that they  
14          face. But we know that you all, like  
15          everybody else, have limited resources,  
16          so you're doing what you can with what  
17          you have. So we do appreciate that.

18                        But the other thing I just  
19          wanted to mention is to go back to the  
20          Philly Spring Cleanup, which was just  
21          this past weekend, which was great, as  
22          the Majority Leader mentioned.  
23          Everywhere you went, people were cleaning  
24          up, picking up. We did at least 11 stops  
25          in my district where people were out

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           cleaning up. I mean, it was a great  
3           thing to see. But at the same time, it  
4           was disheartening because you could see  
5           where people had cleaned; for example, at  
6           Wister Train Station, I could see where  
7           it was clean, bagged up, ready to be  
8           picked up, and, you know, 10 feet away  
9           there were mattresses and all sorts of  
10          things, tires and trash and things.  
11          People just came and dumped. You know,  
12          that wasn't a part of the scope of the  
13          work, because you just can't do  
14          everything. You know, you can't get it  
15          all.

16                         And so I didn't know if there  
17          was any particular thought to a series of  
18          cleanup days while we have momentum,  
19          while we have sort of the organization  
20          and the volunteers working along with the  
21          Streets Department to get our city  
22          cleaner. Is that something that's maybe  
23          a possibility, that we could do something  
24          like that?

25                                 DEPUTY COMMISSIONER CARLTON:

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           We're always looking at ways to improve  
3           or do more cleanups, but our PMBC unit  
4           does cleanups every weekend starting in  
5           April through August and stops in  
6           September. We do it by police districts.  
7           We clean each police district at least  
8           three times during that period, and  
9           there's an average of 400 to 800 streets  
10          that does this service every day. We  
11          provide brooms, bags, shovels. We  
12          provide collection service, and we've  
13          been doing this for a while. So we do  
14          encourage all blocks to participate, but  
15          we go through our active block captain  
16          list, and each weekend it's normally  
17          about two or three police districts that  
18          we're working in. So it is something  
19          that we continue throughout the year.  
20          It's just -- it's very hard because  
21          just -- Councilman Johnson was asking me  
22          yesterday about 8100 block of Suffolk  
23          Avenue of the Southwest. It's a spot  
24          that's illegally dumped on. He said he  
25          was getting some heat about it being

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           serviced and when were the services. And  
3           he knows that we service it. We picked  
4           it up three times in the month of  
5           January. I think we picked up maybe 40  
6           tons of material. And then back again  
7           today we have to go there again.

8                        So at times, it seems like  
9           we're chasing our tail because we're  
10          cleaning it up and again three weeks  
11          later you go right back.

12                      COUNCILWOMAN BASS: And it's  
13          the same thing.

14                      DEPUTY COMMISSIONER CARLTON:  
15          And it's the same thing. And my short  
16          dump unit is -- I have about nine men,  
17          and we actually removed a property 15 to  
18          17,000 tons annually of this illegally  
19          dumped material. And as soon as we  
20          service it, again, you come back three  
21          weeks later, it looks like you were never  
22          there.

23                      So we want to encourage people  
24          outside the block captains to clean up.  
25          We do do this every weekend throughout

1 4/8/14 - WHOLE - BILL 140144, etc.

2 the summer.

3 COUNCILWOMAN BASS: Well,

4 that's why I was suggesting sort of like

5 a series, because even though, as you

6 just mentioned, you're out every weekend,

7 and if we could get a list of where

8 you're at, what's going on so that we can

9 make sure that we're informing the

10 community and getting volunteers and

11 getting people out to be of assistance.

12 But if we could do something like that

13 and also at the same time increase the

14 awareness, because for whatever reason,

15 Philly Spring Cleanup, it resonates,

16 people get it. You know, it's a theme,

17 it happens every year, and this is the

18 day we're going to get out and clean up

19 our neighborhood. Maybe a series, but

20 maybe not too many, because then people

21 stop participating. But while you have

22 that sort of momentum, maybe make it a

23 cleanup month or something of that sort

24 so that we can keep people out, keep it

25 clean, get it clean. And I know it's a

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           tough problem, because we've talked about  
3           this. We just talked about it last  
4           weekend. I'm trying to figure out ways  
5           to address short dumping, which drives  
6           everybody crazy. I don't understand how  
7           you can take trash, sometimes out of your  
8           house, and then just sit it some place  
9           else. With all that effort and energy,  
10          just put it out on trash day.

11                   DEPUTY COMMISSIONER CARLTON:  
12          We will explore and I'll reach out to  
13          your office to kind of bounce some ideas  
14          off of you guys.

15                   COUNCILWOMAN BASS: Thank you  
16          so much. Appreciate it.

17                   Thank you.

18                   COUNCIL PRESIDENT CLARKE:  
19          Thank you, Councilwoman.

20                   Commissioner, I have a quick  
21          question. Is there a sick leave policy  
22          in your department?

23                   COMMISSIONER PERRI: Yes, we  
24          have a sick leave policy.

25                   COUNCIL PRESIDENT CLARKE: What



1 4/8/14 - WHOLE - BILL 140144, etc.

2 is that policy?

3 COMMISSIONER PERRI: I'm going  
4 to have Deputy Commissioner.

5 DEPUTY COMMISSIONER McCONNELL:  
6 Good afternoon. Patricia McConnell,  
7 Deputy Commissioner.

8 We adhere to the City's  
9 citywide sick leave policy. It's a  
10 pretty extensive policy. It's multiple  
11 pages. If there's a specific question  
12 that I could respond to, that would be  
13 helpful.

14 COUNCIL PRESIDENT CLARKE:

15 So --

16 DEPUTY COMMISSIONER McCONNELL:  
17 The overall sick policy, it's a  
18 multi-step policy basing on the fact that  
19 employees are entitled to their sick  
20 leave benefits, but we encourage  
21 employees to have certification for their  
22 sick time, and anything beyond five days  
23 they get a warning for uncertified sick  
24 time. Beyond eight days, they get placed  
25 on a sick leave abuse list. That's a

1 4/8/14 - WHOLE - BILL 140144, etc.

2 summary of it.

3 COUNCIL PRESIDENT CLARKE: Let  
4 me make sure I heard you. The employees  
5 are entitled to their sick leave. It  
6 means that's something that they earned  
7 or accrued over a period of time based on  
8 tenure?

9 DEPUTY COMMISSIONER McCONNELL:  
10 It is based on tenure, and I believe  
11 probably the intent of this policy when  
12 it was negotiated many, many years ago  
13 was to discourage the abuse of such leave  
14 entitlement.

15 COUNCIL PRESIDENT CLARKE: So  
16 you already have something in place that  
17 discourages the abuse.

18 DEPUTY COMMISSIONER McCONNELL:  
19 That's true.

20 COUNCIL PRESIDENT CLARKE: And  
21 do you have or has there been any  
22 communication between your office and the  
23 Mayor's Office as it relates to ongoing  
24 sick leave abuse beyond your current  
25 policy?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER McCONNELL:

3 I'm not sure I understand the question.

4 COUNCIL PRESIDENT CLARKE:

5 Well, basically does it appear to be  
6 working, the policy that you have in  
7 place?

8 DEPUTY COMMISSIONER McCONNELL:

9 It's a citywide policy that we have.

10 COUNCIL PRESIDENT CLARKE: I'm  
11 asking about your department.

12 DEPUTY COMMISSIONER McCONNELL:

13 That's right.

14 COUNCIL PRESIDENT CLARKE: It's  
15 working?

16 DEPUTY COMMISSIONER McCONNELL:

17 I think that there's always room for  
18 improvement for the policies.

19 COUNCIL PRESIDENT CLARKE: In  
20 what respect?

21 DEPUTY COMMISSIONER McCONNELL:

22 In regard to reducing sick leave usage.  
23 I don't know if the policy discourages  
24 the abuse of sick leave. We would hope  
25 that it does.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCIL PRESIDENT CLARKE: You  
3 said that there's room for improvement.

4 DEPUTY COMMISSIONER McCONNELL:  
5 I think there's always room for  
6 improvement where --

7 COUNCIL PRESIDENT CLARKE: With  
8 anything.

9 DEPUTY COMMISSIONER McCONNELL:  
10 With anything, absolutely. And in terms  
11 of sick leave usage, that's something  
12 that we would always want to analyze and  
13 take a look at.

14 COUNCIL PRESIDENT CLARKE: I'm  
15 not sure because --

16 DEPUTY COMMISSIONER CARLTON:  
17 One thing, President Clarke, is the  
18 policy -- when Patty said it could use  
19 improvement, there are some things that  
20 can come off as being abusive when you  
21 have pattern days, certain types of days  
22 where you see an increase in sick  
23 callouts, and we would like a little more  
24 leverage at times to dealing with  
25 patterns. But other than that, the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           policy is there. We do use it based on  
3           the policy, how it's written, but there  
4           are some issues that we would like a  
5           little more leverage when things tend to  
6           be abused from a pattern perspective.

7                        COUNCIL PRESIDENT CLARKE:

8           Okay. You're going down a path that will  
9           require that you document some of your  
10          allegations today.

11                       DEPUTY COMMISSIONER CARLTON:

12          Excuse me?

13                       COUNCIL PRESIDENT CLARKE: Are  
14          you prepared to --

15                       DEPUTY COMMISSIONER CARLTON: I  
16          was just saying in general if there were  
17          issues and patterns.

18                       COUNCIL PRESIDENT CLARKE: I'm  
19          saying you made some very -- I'm saying  
20          once you go down this path and you start  
21          talking about sick leave abuse and you  
22          indicate that there needs to be changes,  
23          then you probably need to document such  
24          abuse.

25                       COMMISSIONER PERRI: Council

1 4/8/14 - WHOLE - BILL 140144, etc.

2 President, we have been speaking to the  
3 union and we notified them that for the  
4 first quarter of this year, we are going  
5 to analyze sick leave usage to see if  
6 there is a pattern. We don't know for  
7 sure if there is or there isn't, but we  
8 need to -- we're going to analyze the  
9 data for the first quarter of this year  
10 to see if there's an excessive number of  
11 callouts on Mondays or days with poor  
12 weather or any other kind of condition.

13 COUNCIL PRESIDENT CLARKE: So  
14 you don't have that information?

15 COMMISSIONER PERRI: No, we  
16 don't have that information.

17 COUNCIL PRESIDENT CLARKE:  
18 Because you haven't done the analysis.

19 COMMISSIONER PERRI: No, we  
20 haven't done the analysis yet.

21 COUNCIL PRESIDENT CLARKE: So  
22 you don't know if there is in fact sick  
23 leave abuse based on patterns?

24 COMMISSIONER PERRI: No. We  
25 have the suspicion, but we do not have

1 4/8/14 - WHOLE - BILL 140144, etc.

2 documentation.

3 COUNCIL PRESIDENT CLARKE:

4 Suspicion?

5 COMMISSIONER PERRI: Correct.

6 COUNCIL PRESIDENT CLARKE:

7 Okay. I'm going to leave it there. I

8 will revisit this one, though.

9 The Chair recognizes Councilman  
10 Greenlee.

11 COUNCILMAN GREENLEE: Thank  
12 you, Mr. President.

13 I know this is an issue you and  
14 I have both talked about, and Deputy  
15 Commissioner Carlton, we've I think  
16 talked about this, the issue on the  
17 disposable mattresses. And I know it was  
18 put in basically as a protection for the  
19 workers against dealing with the bed bug  
20 infestation issue, correct?

21 DEPUTY COMMISSIONER CARLTON:

22 It was the workers as well as the public.  
23 We got complaints in our office not just  
24 from workers but also from residents,  
25 this mattress outside has been outside

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and the kids are playing and it has bed  
3           bugs. So we got calls from the public.  
4           We also got complaints from employees  
5           also.

6                        COUNCILMAN GREENLEE: Okay.  
7           And I understand the policy is it's  
8           supposed to be bagged, right?

9                        DEPUTY COMMISSIONER CARLTON:  
10          Yes. It has to be in a proper bag for  
11          disposal.

12                      COUNCILMAN GREENLEE: And how  
13          was that communicated to the public  
14          generally?

15                      DEPUTY COMMISSIONER CARLTON:  
16          We did a number of -- we did mailers to  
17          all the block captains. We advertised on  
18          our website. We advertised in local  
19          media. We also -- Commissioner, was  
20          there other communication? Local media,  
21          we did mailers to all the block captains,  
22          we also did a two-month period where we  
23          did warnings and not citations for the  
24          violation. Yes, we also did a bill  
25          stuffer, yes, with the water bill.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN GREENLEE: Now, if  
3 people still put them out either not  
4 knowing the regulation or whatever, they  
5 would now get a violation; is that right?

6 DEPUTY COMMISSIONER CARLTON:  
7 Yes, they will get a violation.

8 COUNCILMAN GREENLEE: But what  
9 if they still just leave them there? Do  
10 you have a policy eventually to have it  
11 picked up in some manner?

12 DEPUTY COMMISSIONER CARLTON:  
13 We do have a protocol in place. We're  
14 attempting to collect each mattress on  
15 the collection day. It's an effort  
16 between enforcement and management where  
17 the mattress is identified, inspected,  
18 and then collected. And if it's in front  
19 of a residence where there's an address  
20 or property address, we will cite that  
21 resident, but if it's put at the corner  
22 or on a lot, we will inspect and remove  
23 it.

24 COUNCILMAN GREENLEE: That was  
25 going to be my last question. Have you

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           seen any increase in the complaints -- I  
3           know we've gotten a few -- that because  
4           of this policy, people drag a mattress  
5           down the street and throw it on a lot or  
6           a corner?

7                         DEPUTY COMMISSIONER CARLTON:  
8           We have gotten complaints, and one thing  
9           in the past few weeks, we've made sure  
10          that we've kept a coordinated effort  
11          between enforcement and management to  
12          identify them and collect them.

13                        COUNCILMAN GREENLEE: All  
14          right. Thank you.

15                        Thank you, Mr. President.

16                        COUNCIL PRESIDENT CLARKE:  
17          Thank you, Councilman.

18                        The Chair recognizes Councilman  
19          Squilla.

20                        COUNCILMAN SQUILLA: Thank you,  
21          Mr. President.

22                        Thank you, gentlemen. Thank  
23          you for coming this morning, this  
24          afternoon. And I know this has been a  
25          really tough year. It's been an abnormal

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           year, but I do want to thank you for  
3           your, I guess, responsiveness and  
4           accessibility that we have to be able to  
5           get things done for our constituents. I  
6           know sometimes I e-mail kind of late at  
7           night or early in the morning, and you're  
8           very responsive to be able to pick up  
9           something or to get to a site or fix a  
10          hole or whatever it may be, which is real  
11          important to me and to our constituents.

12                        Is there a process now for the  
13          potholes that are there where you're  
14          actually doing it in an orderly fashion  
15          to get them all done or is it just as  
16          they come in?

17                        COMMISSIONER PERRI: We  
18          primarily take in the complaints from the  
19          3-1-1 system, group them together, and  
20          then do a geographic area where there's a  
21          concentration. We're down to -- on the  
22          local network, it's under three days from  
23          when a call comes in to when we can  
24          actually get to that specific pothole.

25                        COUNCILMAN SQUILLA: Well,

1 4/8/14 - WHOLE - BILL 140144, etc.

2 that's pretty good.

3 Now, I know sometimes when  
4 during the winter storms were happening,  
5 they were like making some of these  
6 sinkholes and potholes safe, and then  
7 they have to go back and then I guess fix  
8 them. What is the timeline on that?

9 COMMISSIONER PERRI: Yeah.  
10 What you're referring to, Councilman, is  
11 some of the utility trenches, they're  
12 large areas. They're several square feet  
13 in area, and you need hot material in  
14 order to do a permanent repair. You also  
15 need a concrete base. And in the middle  
16 of winter, you just simply -- the weather  
17 conditions will not allow for a permanent  
18 restoration. So in the wintertime, we'll  
19 put cold patch materials down just to  
20 make it safe so you have a rideable  
21 surface, and then once the asphalt plants  
22 open up in April, we go back and do a  
23 permanent repair. So we've now moved  
24 into the mode of making those utility  
25 ditches a permanent repair.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN SQUILLA: Okay.

3 Great. And also it would be good -- I  
4 know you were saying when you do these  
5 district-wide police cleanups, like you  
6 said to Councilwoman Bass, it would be  
7 nice for me to know too when they're  
8 doing them in the 1st District there. We  
9 can notify the local community groups,  
10 because sometimes it seems there's little  
11 gaps between some of the groups know  
12 about it, some of them don't. And maybe  
13 we could put it on our social media or  
14 contact them also just to make them  
15 aware, because the more people out  
16 helping and cleaning, the better off the  
17 City is going to be. And it might be a  
18 little more trash to pick up, but at the  
19 end of the day, it looks a lot better.

20 COMMISSIONER PERRI: We would  
21 love to partner with the Council offices  
22 in those types of cleanups. I think it  
23 would be great for the City.

24 COUNCILMAN SQUILLA: Thank you  
25 very much. Thank you for all you've done

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           this year, and hopefully next year will  
3           be a little lighter and we could get back  
4           to just paving the streets.

5                       COMMISSIONER PERRI: Thank you.  
6           Appreciate it.

7                       COUNCIL PRESIDENT CLARKE:  
8           Thank you, Councilman.

9                       The Chair recognizes Councilman  
10          Jones.

11                      COUNCILMAN JONES: Thank you,  
12          Mr. President. So good to have you at  
13          the helm.

14                      COUNCIL PRESIDENT CLARKE:  
15          Thank you, sir, for capably sitting in  
16          for me. We accomplished some pretty good  
17          business today out in the North  
18          Philadelphia community.

19                      COUNCILMAN JONES: District  
20          first, sir.

21                      COUNCIL PRESIDENT CLARKE:  
22          Thank you, sir.

23                      COUNCILMAN JONES: Got to take  
24          care of home.

25                      I'm going to switch gears a

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           little bit and talk about an issue near  
3           and dear to a number of Councilpeople in  
4           this Chamber, talk about bridges. And  
5           first let me thank you for providing me  
6           with a list, which I'm going to share  
7           with the Chair and other members of  
8           Council, as to who owns which bridge.  
9           And I think if we can just make that  
10          plain, we know who to call of the four or  
11          five different entities, whether it's  
12          PennDOT or whether it's the Streets  
13          Department, whether it's Amtrak or  
14          whoever it is, to at least get some  
15          answers specifically germane to bridges.

16                    The Controller did a report on  
17          bridges in the City of Philadelphia, and  
18          I recognize that it is not always all  
19          your responsibility, but at the end of  
20          the day, when we try to reach out to  
21          Amtrak or when we try to reach out to CSX  
22          or others, you're the closest people that  
23          we can burden with the safety of the  
24          public, so, therefore, we rely on you for  
25          that information. But, again, thank you

1 4/8/14 - WHOLE - BILL 140144, etc.

2 for that.

3 According to the report, there  
4 are 343 bridges in the City of  
5 Philadelphia, 150 of them fall under  
6 PennDOT's jurisdiction. The report found  
7 that bridges maintained -- bridges  
8 maintenance unit doesn't use a database  
9 to prioritize the resources and tracking  
10 of work orders, and I wanted to know if  
11 that in fact is your recollection and  
12 how -- not so much as a criticism, but  
13 how can we improve upon that.

14 You may have recalled that  
15 Councilman Johnson had a derailment in  
16 his district, not related to a City-owned  
17 bridge. You guys came out and cooperated  
18 and inspected to give him information,  
19 but at the end of the day, these things  
20 go through the arteries of all our  
21 neighborhoods, and it is a growing  
22 concern when you think of two out of  
23 three bridges visited in 2009 didn't get  
24 the repairs that they needed. Eighty  
25 percent of the bridges are paid for, I



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           understand, by the federal government, 15  
3           percent by the State, and 5 percent by  
4           the City. To me, we need, number one, a  
5           database that captures what the state of  
6           the bridge is, what the timeframe for  
7           repair, and prioritizes bridges. I want  
8           all my bridges in the 4th District  
9           covered, but if districts like in the 5th  
10          District are a greater concern, the  
11          person that falls into that crater  
12          doesn't care whose district they're in.  
13          They care that someone's maintaining  
14          that. Could you speak on that for us?

15                    COMMISSIONER PERRI: Certainly,  
16          Councilman. All the bridges that have a  
17          span left of 20 feet or longer are  
18          inspected by the Streets Department, and  
19          the data is collected and shared with  
20          PennDOT. We follow the national  
21          standards for bridge inspections and for  
22          reporting. So we do have a handle on all  
23          our major bridges in Philadelphia. They  
24          all are rated, and we are monitored by  
25          PennDOT for compliance for our bridge

1 4/8/14 - WHOLE - BILL 140144, etc.

2 inspections.

3 COUNCILMAN JONES: So if you  
4 had to give a report card of who is on  
5 top of their maintenance game and who is  
6 not -- and I don't care if you throw them  
7 under the bus or the bridge,  
8 metaphorically speaking -- who do we need  
9 to give a swift kick in the rear end, if  
10 you would?

11 COMMISSIONER PERRI: You're  
12 putting me a real tough spot there,  
13 Councilman.

14 COUNCILMAN JONES: Yes, I am.  
15 Well, you're our guy. You're our guy.  
16 We rely on you. Unfortunately you're the  
17 only one that has to come here on a  
18 regular basis. So we rely on you for  
19 that intel.

20 COMMISSIONER PERRI: To be  
21 perfectly frank with you, any of the  
22 railroad entities other than SEPTA are  
23 difficult to deal with. If we can figure  
24 out a way of finding a solution to  
25 getting them to be more responsive to the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           City's needs, we would make tremendous  
3           progress.

4                        COUNCILMAN JONES: That was  
5           almost political. It was very  
6           diplomatic.

7                        We're getting increasingly more  
8           frustrated. So a number of us are even  
9           entertaining legal action, and what we  
10          want to do is not -- and I understand  
11          that we have interlocking relationships  
12          with the federal government by way of  
13          funding. I understand that we rely on  
14          them for a whole plethora of other things  
15          that -- you don't go pulling the mask off  
16          the old Lone Ranger and expect no  
17          response. I want to be responsible in  
18          that regard. I don't want to cut our  
19          nose off despite our face, if you would.

20                       However and nevertheless, as  
21          these things become more prevalent in our  
22          community, we'd like to work with the  
23          Administration on either encouraging  
24          dialogue or we'll see them in court.  
25          And, yeah, we may -- I'm sure there's a

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           university somewhere with some budding  
3           young law students that would take this  
4           up as a matter of course. We're at the  
5           point of frustration when we use railroad  
6           spikes as paper weights in my office from  
7           maintenance-free bridges. I mean, I'll  
8           give you an example. The guy from CSX  
9           actually said, Oh, that's from -- we just  
10          need to clean that up. There was a  
11          two-pound railroad spike that if  
12          dropped -- I'm at physics scientist, but  
13          you drop it from a hundred feet up in the  
14          air and that goes through someone's  
15          windshield, that's a projectile that can  
16          do serious damage. And so he was just  
17          saying, Well, some maintenance guy just  
18          left it on the side and it blew over, or  
19          whatever it did, and came down to the  
20          ground.

21                        We have to have a strategy that  
22                        deals with these 343 bridges that have  
23                        been deemed, many of them, dangerous. If  
24                        someone tells you it's dangerous, I tend  
25                        to believe them, you know. I'm not going

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to wait until the other shoe falls or the  
3           bridge in fact falls before I take them  
4           seriously.

5                        So what I'm asking you is to  
6           pull together a group of both federal,  
7           state, and private folk to talk about --  
8           to communicate with us about how we can  
9           move forward, what resources we need to  
10          bring to bear to give some sense of at  
11          least organization to how we deal with  
12          this or at least -- if there is, like  
13          you're telling me, Councilman, there is a  
14          database, you need to inform us better so  
15          that we can inform the public as well.

16                        So unfortunately you're my  
17          Commissioner nearest and dear to us and  
18          so, therefore, we're charging you with  
19          that responsibility in addition to snow  
20          removal and other things that you have to  
21          do on your day job. So if there is other  
22          folk that can speak more clearly about  
23          what the strategy is, I'd be willing to  
24          listen to that today or I'll take this  
25          and wait until you come back with that

1 4/8/14 - WHOLE - BILL 140144, etc.

2 strategy that you can share with us.

3 COMMISSIONER PERRI: Yeah.

4 Councilman, I welcome the opportunity to  
5 brainstorm on this issue to try to figure  
6 out a way of wrapping our arms around the  
7 entire issue of bridges in Philadelphia  
8 that are not directly owned by the City  
9 of Philadelphia. We'll work with your  
10 office and we'll continue to explore  
11 different options that are available out  
12 there and strategies and come up with  
13 something that has merit. So I look  
14 forward to working with you on trying to  
15 make --

16 COUNCILMAN JONES: And I trust  
17 you. I trust you with that and I take  
18 you at your word that you will do that.  
19 Sometimes every now and then they tell us  
20 what we want to hear in budget and then  
21 say we'll forget. Well, one of the  
22 things I don't do is -- I keep what we  
23 said last year so that I can remind you  
24 this year, and hopefully we take it off  
25 our things-to-do list.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thank you, Mr. Chairman.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilman.

5 Commissioner, I have another  
6 question with respect to the accessible  
7 intersections, the handicap ramps, also  
8 known as the handicap ramps. In terms of  
9 priority and placement, what's the -- is  
10 there a particular guideline on where you  
11 put those ramps across the City?

12 COMMISSIONER PERRI: Yes, there  
13 is, Council President. The way the rules  
14 are written is that whenever you --  
15 whenever the City repaves a City street  
16 or the state repaves a state route,  
17 they're required to upgrade the ADA ramps  
18 to the current standard. So the ramp  
19 work usually follows the street repaving.  
20 In some cases we'll put out the ramp work  
21 ahead of the repaving, but in all cases  
22 at this point in time, the ramp work and  
23 the repaving operation are linked  
24 together.

25 COUNCIL PRESIDENT CLARKE: So

1 4/8/14 - WHOLE - BILL 140144, etc.

2 it's only driven by the street repaving,  
3 not driven by the need to have ADA ramps?

4 COMMISSIONER PERRI: Yeah.

5 That's the frustrating part of this whole  
6 paradigm that we're in, is that it's not  
7 driven by the need for a ramp at a  
8 particular intersection that may be based  
9 upon use and the pedestrian count. It's  
10 strictly driven upon an artificial  
11 relationship between what streets need to  
12 be repaved and the associated corners  
13 that have to be upgraded. We're not  
14 satisfied with that relationship, but  
15 that's what it is.

16 COUNCIL PRESIDENT CLARKE: When  
17 you say that requirement or relationship,  
18 who determines that?

19 COMMISSIONER PERRI: That was  
20 determined through a series of lawsuits  
21 and it's been directed to us through  
22 PennDOT.

23 COUNCIL PRESIDENT CLARKE:  
24 Okay. The reason I mention this and not  
25 in prior years, a family relative that



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           unfortunately has some significant  
3           physical challenges. And you don't  
4           really know about that or think about  
5           that until it hits home, so to speak,  
6           when you're trying to move your relative  
7           in a wheelchair and not only the sidewalk  
8           but then you get to these ramps and it's  
9           like, wow, it's like a roller coaster at  
10          best, you know.

11                         In talking to that relative,  
12          there's another -- in some other  
13          municipalities, they actually -- the  
14          first level of placement is actually  
15          around healthcare facilities, which makes  
16          a lot of sense, because the likelihood  
17          that people may have some physical  
18          challenges and their need to visit these  
19          particular locations is pretty high. So  
20          that's the process there. And I had no  
21          idea that we can only do these ramps in  
22          areas where we're paving streets.

23                         COMMISSIONER PERRI: Yeah. We  
24          are actually looking at an alternate  
25          rubric to determine where ramps should be

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           placed, and it would be based upon access  
3           to medical facilities. It would be based  
4           upon access to entertainment functions,  
5           restaurants. It would be based upon  
6           pedestrian counts. We're hoping to come  
7           up with something that we could sit down  
8           and get an agreement that this is a more  
9           logical way of doing a ramp replacement  
10          program as opposed to just replacing  
11          ramps because the street happened to wear  
12          out and need to be repaved.

13                   COUNCIL PRESIDENT CLARKE: That  
14                   makes like no sense.

15                   COMMISSIONER PERRI: It makes  
16                   no sense.

17                   COUNCIL PRESIDENT CLARKE: So  
18                   this is something that you'd have to get  
19                   an agreement with PennDOT? We couldn't  
20                   just on our own --

21                   COMMISSIONER PERRI: Yeah. I'm  
22                   not quite sure exactly where do you go to  
23                   get the approval for this. We're still  
24                   looking at the legal implications of  
25                   moving away from a program based upon

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           repaving to a program based upon needs in  
3           the community.

4                   COUNCIL PRESIDENT CLARKE: Do  
5           we fund that, all of the ramps, the ADA  
6           ramps in the City of Philadelphia? Is  
7           that a City of Philadelphia expenditure?

8                   COMMISSIONER PERRI: There's  
9           two types of streets in the City of  
10          Philadelphia. There's what's known as  
11          federal aid streets. There's about 300  
12          miles of those. Those are co-paid by the  
13          City and PennDOT. We put up 20 percent;  
14          PennDOT puts up 80 percent. The rest of  
15          the network in the City, about 1,900  
16          miles, that's 100 percent City funds.

17                   COUNCIL PRESIDENT CLARKE:  
18          Okay. So in those cases where there's no  
19          federal dollars, we can determine if we  
20          do streets -- and let me ask you this  
21          question. Are the ADA ramps and the  
22          street repavement connected when there's  
23          solely City funding?

24                   COMMISSIONER PERRI: Yeah. We  
25          do that -- we were instructed that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           because overall the state has an  
3           oversight role over the City, that we  
4           would need to follow the convention that  
5           the state uses even when we use our local  
6           streets. Like I said, we are looking at  
7           various legal options here to figure out  
8           how we get away from that and do it in a  
9           more logical fashion.

10                   COUNCIL PRESIDENT CLARKE: All  
11           right. Is there a point person in your  
12           department? Because that's something,  
13           like I said, when it hits home, it rises  
14           to another level. I'd like to follow up  
15           with someone from your office who is  
16           responsible for that, that analysis.

17                   COMMISSIONER PERRI: Yeah.  
18           Mike Carroll from the Mayor's Office of  
19           Transportation and Utilities has put  
20           together a tremendous analysis of various  
21           land uses and pedestrian counts to come  
22           up with a better plan for how we would go  
23           about replacing the ramps. So I would  
24           suggest that he would be the chief point  
25           of contact in this discussion.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCIL PRESIDENT CLARKE:

3 What's the name again?

4 COMMISSIONER PERRI: Michael

5 Carroll.

6 COUNCIL PRESIDENT CLARKE: All

7 right. Thank you.

8 The Chair recognizes Councilman

9 Oh.

10 COUNCILMAN OH: Thank you,

11 Mr. President.

12 Just a quick question since  
13 we're talking about potholes. I in my  
14 experience know where the potholes are  
15 before they happen because they recur  
16 every winter. And so my question is just  
17 in terms of the quality of the repair of  
18 the potholes, have you examined some of  
19 the other technology in pothole repair,  
20 like the infrared heat pothole repair  
21 systems?

22 COMMISSIONER PERRI: We haven't  
23 used infrared repair. No. That one we  
24 don't use. We're very successful in  
25 using what's known as a "Pothole Killer."

1           4/8/14 - WHOLE - BILL 140144, etc.

2           It's a piece of equipment that can fill a  
3           pothole in 90 seconds. So it gives you a  
4           permanent repair, and it's been our major  
5           tool in fighting potholes in the City.

6                    COUNCILMAN OH: Okay. I would  
7           just wonder if someone would examine the  
8           infrared heat pothole repair. It is a  
9           little more costly to use, but the  
10          technology is that they heat up the  
11          entire surrounding area, not just the  
12          pothole area, the surrounding area and  
13          then you have a more permanent bond. The  
14          theory is -- and I don't know the  
15          practice -- is that it is more secure and  
16          saves a lot of money in terms of not  
17          re-repairing the damaged area and also in  
18          terms of labor costs.

19                   I'm just curious. I just  
20          thought I'd bring it up. It was  
21          apparently in the news a couple years ago  
22          up in New York. They turned it down, and  
23          that's why it was in the news. I'm just  
24          curious. We have a lot of innovation in  
25          the City.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Anyway, thank you very much.

3 COMMISSIONER PERRI: Thank you.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilman.

6 The Chair recognizes Councilman

7 Jones.

8 COUNCILMAN JONES: I like that,

9 Pothole Killer. That sounds serious.

10 Very quickly. You are

11 receiving a grant for \$5 million to deal

12 with traffic calming for pedestrians.

13 I'd like to know a little bit about that.

14 And then the other thing I'd like you to

15 speak to is your sensor experiment on

16 Kelly Drive and how that's working and

17 whether or not that might be spread to

18 other parts of the City of Philadelphia.

19 COMMISSIONER PERRI: Well,

20 fortunately both questions I'm going to

21 hand off to our Chief Traffic Engineer.

22 MR. MONTANEZ: Good afternoon,

23 Councilman. My name is Richard Montanez,

24 Chief Traffic and Street Lighting

25 Engineer.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 First the Kelly Drive. Yes, it  
3 has been very successful.

4 COUNCILMAN JONES: Can you  
5 describe it a little bit for other  
6 members?

7 MR. MONTANEZ: Sure. What we  
8 did in Kelly Drive, we actually use  
9 detector technology to determine the  
10 speed of a vehicle traveling. At a  
11 certain amount over the speed limit, the  
12 light actually turns red for the vehicle,  
13 trying to discourage the vehicles from  
14 speeding on Kelly Drive. When we first  
15 did it, we had excessive speeds. We're  
16 currently at just about nine miles over  
17 the speed limit right now, is the average  
18 speed on Kelly Drive.

19 COUNCILMAN JONES: So at the  
20 end of the day, it's working?

21 MR. MONTANEZ: At the end of  
22 the day, it's working.

23 COUNCILMAN JONES: So I have a  
24 street called Henry Avenue, and it is the  
25 Indianapolis Speedway of Philadelphia,



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and wondered if that type of technology  
3           might be appropriate for streets like  
4           that. Parkside Avenue comes to mind.  
5           But what are your expansion plans on  
6           that?

7                       MR. MONTANEZ: We are currently  
8           looking to expand the program. Kelly  
9           Drive was a unique intersection, the fact  
10          that it was isolated, there were no other  
11          intersections around it. But we are  
12          tasked to try to see if we can expand the  
13          current program.

14                      COUNCILMAN JONES: Is there an  
15          implementation timeline that you're  
16          shooting towards?

17                      MR. MONTANEZ: The issue  
18          happens to be is how to make it work in a  
19          coordinated system. We're trying to see  
20          if we could at least do a pilot by next  
21          summer.

22                      COUNCILMAN JONES: Okay. So  
23          traffic calming.

24                      MR. MONTANEZ: Traffic calming.

25                      COUNCILMAN JONES: What are you

1 4/8/14 - WHOLE - BILL 140144, etc.

2 doing about it, the 5 million?

3 MR. MONTANEZ: Oh, that's part  
4 of Arley. We are currently -- give me a  
5 second here.

6 We are currently going to use  
7 it to do anti-skid on School House,  
8 Lincoln Drive, and Kelly Drive.

9 COUNCILMAN JONES: I want you  
10 to notice that I'm moving things that I  
11 share a border with the 8th District and  
12 Councilwoman Bass with, because sometimes  
13 she gets a lot of my calls that are  
14 really --

15 COUNCILWOMAN BASS: Yes. Yes.

16 COUNCILMAN JONES: -- for me  
17 when it comes to that. They think it's  
18 her district and it's actually mine. So  
19 I'm officially apologizing right now for  
20 that misunderstanding.

21 COUNCILWOMAN BASS: That's  
22 okay.

23 MR. MONTANEZ: We're also  
24 looking at how to replace the three  
25 crosswalks specifically on Avenue of the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Arts South; Broad Street, Chestnut; Broad  
3           Street and Sansom; Broad Street and  
4           Walnut. We're also looking at some  
5           bump-outs, line striping ideas, and  
6           whatever other technology we decide to  
7           test.

8                        COUNCILMAN JONES: Thank you so  
9           much.

10                      One other question. On your  
11           Fleet Management, I note that in  
12           Sanitation one-third of the collection  
13           vehicles are between 10 and 18 years old,  
14           and I wanted to know, A, are we hitting  
15           an equilibrium point where it costs more  
16           to maintain them versus to buy new ones,  
17           and then if we're buying new ones, is  
18           there an eye towards efficiencies that  
19           new vehicle might bring, whether it's  
20           fuel efficiencies or technology that  
21           makes collection a bit better?

22                      DEPUTY COMMISSIONER CARLTON:  
23           Well, one issue is, the division itself  
24           has never purchased a vehicle. Fleet  
25           Management has 100 percent handled the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           purchasing of vehicles, what vehicles are  
3           purchased. So as far as the upkeep and  
4           the dollar amount of what we'll improve  
5           with a new vehicle versus maintaining  
6           these vehicles, that will be a hundred  
7           percent a question for Fleet Management.  
8           Unfortunately, that's something that we  
9           don't regulate. We don't purchase the  
10          vehicles at all.

11                   COUNCILMAN JONES: So do you  
12          make comments on that? I mean, I would  
13          hope -- and I see Rebecca coming up to  
14          kind of take that on.

15                   (Witness approached witness  
16          table.)

17                   MS. RHYNHART: Good afternoon.  
18          Rebecca Rhynhart, Budget Director.

19                   Councilman, one of the big  
20          issues coming out of the meetings we had  
21          with departments across the City this  
22          budget year was the condition of some of  
23          our fleet, especially in Streets and in  
24          the Fire Department. So that's why we've  
25          added \$10 million a year in the Capital

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Budget each year as an ongoing practice  
3           to purchase more larger vehicles out of  
4           the Capital Budget to get the average age  
5           of the vehicles down in departments such  
6           as Streets, because we're finding that  
7           vehicles was one area -- the Fleet  
8           Department's budget was one area that we  
9           cut significantly in the recession that  
10          we need to give back to.

11                   COUNCILMAN JONES: But is there  
12          an eye towards -- I understand  
13          modernizing the fleet, but is there an  
14          eye towards more energy-efficient  
15          vehicles or vehicles that add a degree of  
16          technology? And so my question -- and I  
17          don't want this to be a union issue. In  
18          California they have a refuse  
19          containerized pickup where they have  
20          two-person operators that they're able to  
21          more efficiently pick up trash. So are  
22          we looking at those kinds of things, if  
23          not in every neighborhood but in some  
24          strips where we could kind of use it as a  
25          beta tester?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER CARLTON:

3 We are always evaluating that,  
4 Councilman, and one thing we've learned  
5 is that the average automated or  
6 semi-automated vehicle adds about 40  
7 percent more loading time. In the City  
8 of Philadelphia, the average crew picks  
9 up two houses in 11 seconds, whereas the  
10 particular arm and swing may be anywhere  
11 from nine to 18 seconds. So we could go  
12 that route, but we're going to have to  
13 increase our fleet by probably 35 to 40  
14 percent.

15 COUNCILMAN JONES: You don't  
16 have to go that route on my behalf. I  
17 mean, you know what I'm saying? I'm fine  
18 with it. But what is encouraging to me  
19 is that you're looking at efficiencies  
20 and you're factoring in. And sometimes  
21 they're dismissed because they're not  
22 what they're cracked up to be, and that's  
23 fine with me, but as long as we're  
24 looking at that energy-efficiency,  
25 manpower deployment. I'd rather Streets

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Department employees be picking up and  
3           dealing with potholes when we need them.  
4           It's not a question of reducing the  
5           labor, but deploying it differently so  
6           that we get other priorities met as well.  
7           All right?

8                         Thank you, Mr. Chairman.

9                         COUNCIL PRESIDENT CLARKE:

10           Thank you, Councilman.

11                         It appears we have no one else  
12           teed up. I think we were scheduled for  
13           2:15 for L&I, so we'll do 2:30.

14                         Council will stand in recess  
15           until 2:30.

16                         (Short recess.)

17                         COUNCILMAN GREENLEE: Good  
18           afternoon, everyone. I want to get  
19           started back with our hearings.

20                         The next department is the  
21           Department of License and Inspection,  
22           Commissioner Williams and whoever else is  
23           volunteering to come up with you.

24                         (Witnesses approached witness  
25           table.)

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN GREENLEE: Good  
3 afternoon, everyone.

4 COMMISSIONER WILLIAMS: Good  
5 afternoon.

6 COUNCILMAN GREENLEE: If you'd  
7 like to proceed with, I'm sure, your  
8 summarized testimony and I think there  
9 might be a question or two.

10 COMMISSIONER WILLIAMS: All  
11 right. Good afternoon, Councilman  
12 Greenlee, and thank you and City Council  
13 for allowing us to be here to testify  
14 today. I am Carlton Williams,  
15 Commissioner of the Department of License  
16 and Inspections. I am pleased to be here  
17 today to testify on the Fiscal Year 2015  
18 Operating Budget. Joining me here today  
19 are Deputy Commissioners Michael Fink and  
20 Michael Maenner, along with members of  
21 the Department of License and  
22 Inspections.

23 The Department of License and  
24 Inspections is requesting a total FY15  
25 General Fund budget \$27,564,000, which



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           represents an increase of 1.97 million  
3           from FY14. The FY15 request will fund  
4           353 General Fund positions and includes a  
5           \$9.3 million demolition budget. The 1.97  
6           million increase will support 27 new  
7           building inspectors, two assistant city  
8           solicitors, one paralegal, five service  
9           reps, and an education and outreach  
10          planner that will strive to inform the  
11          public about building safety and the new  
12          demolition standards. In addition, OSHA  
13          30 training will be provided to all L&I  
14          inspectors.

15                        The Department experienced  
16          major challenges in FY14, none greater  
17          than the tragic building collapse that  
18          occurred on June 5th, 2013. This  
19          incident has caused us to take a closer  
20          look at our entire department's  
21          operations to help ensure public safety  
22          in the construction industry. The  
23          Department is committed to public safety.  
24          In keeping with our mission to be the  
25          nation's leader in code enforcement, we

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           created new demolition regulations which  
3           became part of the new legislation  
4           established by City Council and signed  
5           into law by the Mayor. The new building  
6           and administrative codes are stricter  
7           than what was required by previous codes.  
8           Part of these regulations require  
9           contractors to submit detailed site  
10          safety plans and insurance and licensing  
11          information with each permit application,  
12          among other requirements.

13                         In addition to the new  
14          demolition standards, the Department  
15          continues to focus on improving public  
16          safety through targeted demolitions of  
17          imminently dangerous properties, expanded  
18          technological capabilities through  
19          Project eCLIPSE, and the hiring of the 27  
20          new inspectors that will be a part of the  
21          newly created Emergency Services Unit and  
22          the Compliance Unit.

23                         These units will specifically  
24          target unlicensed, unpermitted, and  
25          unsafe construction and demolition sites,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           as well as responding to building  
3           emergencies in imminently dangerous  
4           structures. The new units will  
5           complement the work of our Development  
6           Division by providing additional  
7           oversight on top of the code requiring  
8           inspections conducted by our building  
9           inspectors. Many of these policies and  
10          procedures have already undergone a  
11          two-year review by the International  
12          Accreditation Service, which is part of  
13          the International Code Council, the  
14          entity that writes the building codes we  
15          follow and enforce. This review measured  
16          our practices against other  
17          municipalities and culminated with the  
18          Department receiving accreditation as a  
19          leader in the code enforcement industry.

20                   Currently, L&I is working with  
21          outside agencies to review our practices  
22          and develop additional meaningful  
23          reforms. We are fully cooperating with  
24          numerous audits and investigations from  
25          various agencies, including the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           Controller's Office, the District  
3           Attorney's Office, the Inspector  
4           General's Office, and the Special  
5           Independent Advisory Commission that was  
6           created under the Mayor's Executive  
7           Order. We will continue to make  
8           significant progress in FY15 towards  
9           improving services and public safety.  
10          The hard working employees of the  
11          Department will continue to make  
12          Philadelphia a better, safer place to  
13          live, work, and play.

14                         Thank you for the opportunity  
15                         to present our FY15 budget. I'm  
16                         available to answer any questions at this  
17                         time.

18                                 COUNCILMAN GREENLEE: Thank  
19                                 you, Commissioner. Let me just ask one  
20                                 question before I know other members want  
21                                 to ask questions. I have a feeling that  
22                                 demolition might come up a few times in  
23                                 questions, and I know you say in your  
24                                 written testimony that L&I has received  
25                                 an overwhelming influx of complaints

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           dealing with immediate demolitions, and I  
3           know there's been some -- even with the  
4           addition of the \$3 million in the FY14  
5           demolition budget, your department has  
6           already spent 5.58 and you still have 600  
7           properties designated imminently  
8           dangerous; is that correct?

9                   COMMISSIONER WILLIAMS: That's  
10          correct.

11                   COUNCILMAN GREENLEE: Could you  
12          kind of just get into that. Describe the  
13          challenges your department is facing,  
14          that kind of thing, and is there any  
15          target date when you at least think those  
16          properties could be addressed.

17                   COMMISSIONER WILLIAMS: Yes.  
18          First, we average about \$13,500 per  
19          residential property. That gives us  
20          enough funding currently at the \$9  
21          million mark to take care of the 600  
22          properties. The challenge, though, is  
23          that this is a revolving model, meaning  
24          that the more we take down, we get  
25          complaints about unsafe conditions that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           have deteriorated to the point where we  
3           have to take action. So it's never a  
4           constant number. It's always revolving.  
5           And so that number -- it will be 300 or  
6           we'll have it down to 300 or 400 by the  
7           end of this year and another 200  
8           properties will go on the list,  
9           especially after the winter weather  
10          conditions that we had this past winter  
11          season. Those cause properties, vacant  
12          properties, to deteriorate even faster.  
13          So that's the challenge that we currently  
14          face and we constantly battle.

15                    COUNCILMAN GREENLEE: Just as a  
16                    followup to some of the things that were  
17                    written in the newspaper today,  
18                    particularly City-owned properties. How  
19                    are they handled in any way differently  
20                    when they're imminently dangerous?

21                    COMMISSIONER WILLIAMS: Well,  
22                    we follow the same process and procedure.  
23                    We notify the agencies immediately when  
24                    they are brought to our attention.  
25                    Either that's through a proactive

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           inspection or through a complaint from a  
3           citizen. And so once we are aware of it,  
4           we notify the agency immediately to get  
5           permission to take action on that  
6           property.

7                   Public Property -- those  
8           belonging to the Department of Public  
9           Property we handle through our general  
10          demolition budget. Other agencies we ask  
11          for a reimbursement and we get paid  
12          through a reimbursement process. So  
13          agencies like PHA, PRA, RDA, all of those  
14          properties that are listed under their  
15          jurisdiction, they give us authorization  
16          to demolish.

17                   COUNCILMAN GREENLEE: And do  
18          you have a pretty good working  
19          relationship with those agencies?

20                   COMMISSIONER WILLIAMS:  
21          Absolutely. Once we bring it to their  
22          attention -- and they have their own  
23          processes in PHA that they have to follow  
24          to get authorization to release it. If  
25          it's ID, though, we automatically take it

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           down and bill them, and we have not had  
3           any problems with any communication with  
4           getting either reimbursed or having a  
5           property demolished when we say it's in  
6           need of emergency.

7                   COUNCILMAN GREENLEE: All  
8           right. Thank you.

9                   Let's go to the members.  
10          First, Councilman Jones.

11                   COUNCILMAN JONES: Thank you,  
12          Mr. Chairman.

13                   And thank you, Commissioner,  
14          and your staff for the work we did  
15          together to take a look at where we were  
16          by way of demolition, both public and  
17          private, and then subsequently coming up  
18          with recommendations, 75 of which we  
19          agreed upon and maybe two we had a little  
20          question on. But that's remarkable for  
21          us to be able to co-venture on that and  
22          come up with a common vision for what  
23          would be now a part of the City code and  
24          a part of the day-to-day practice of your  
25          department. So I want to thank all of



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           you who participated in that, and it  
3           makes me feel a lot more confident that  
4           going forward we'll have a better handle  
5           on what's going on in our city.

6                    COMMISSIONER WILLIAMS: Thank  
7           you, Councilman.

8                    COUNCILMAN JONES: So with  
9           that, how much is all this going to cost?

10                   COMMISSIONER WILLIAMS: Well,  
11           as I indicated in our opening remarks,  
12           \$1.97 million is what we estimate the  
13           cost for the 27 additional inspectors.  
14           Those inspectors will perform meaningful  
15           responsibilities to increase oversight,  
16           which we thought was one of the  
17           challenges in our department, mainly on  
18           dangerous construction sites to ensure  
19           contractors are following the rules.  
20           We've also put in new policies to  
21           complement those inspectors. In our  
22           Compliance Division, we'll make sure that  
23           many of the legislative issues that was  
24           brought up by Council are addressed.  
25           Things such as making sure that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           contractors have insurance documents and  
3           they're paying their fair share of taxes  
4           are something that we just didn't have  
5           the staffing capacities before to check,  
6           but now with this new budget, we're able  
7           to go back and look at to ensure that  
8           they have those basic necessary  
9           requirements before even starting the  
10          job.

11                   COUNCILMAN JONES:   So I believe  
12          in a transfer ordinance, Mr. Chairman.  
13          We just did a figure of about, what is  
14          it, 3 million?

15                   COMMISSIONER WILLIAMS:   Three  
16          million dollars, that's correct.

17                   COUNCILMAN JONES:   Three  
18          million dollars to deal with outstanding  
19          issues, properties that need to be torn  
20          down, and immediate steps that you might  
21          have needed to take to modernize your IT  
22          or things like that.   Can you give us a  
23          sense of how that money is being spent  
24          and then what the additional  
25          appropriations in the upcoming fiscal

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           year will be applied towards. And if you  
3           would do it in a way where you said this  
4           is how we used to do it, this is how  
5           we're going to do it going forward, I  
6           think it aids in our understanding of the  
7           changes within your department.

8                        COMMISSIONER WILLIAMS: Sure.  
9           Well, the \$3 million would immediately to  
10          go public demolitions due to the issues  
11          that I pointed out earlier, the increased  
12          weather conditions that caused properties  
13          to deteriorate at a much faster rate, the  
14          type of properties we were demolishing as  
15          well. There was a church at 2842 North  
16          9th Street, a very huge church that cost  
17          over \$962,000 to demolish. That ate into  
18          our demolition funding at a much faster  
19          rate than traditionally we would spend.  
20          But it was an imminently dangerous  
21          property that we had to address. And so  
22          that \$3 million mid-year transfer will go  
23          directly towards finishing the identified  
24          properties that we declared imminently  
25          dangerous for the rest of the fiscal

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           year.

3                         One of the challenges, again,  
4           is to identify and package those up in a  
5           way that it maximizes the resources of  
6           our investment, and so, therefore, we're  
7           going from area to area around the City  
8           of Philadelphia trying to get those  
9           properties that are in close proximity  
10          under a package deal where we can get the  
11          best bang for our dollars and our  
12          investment for the City of Philadelphia.  
13          Therefore, we would be able to take even  
14          more of those properties down.

15                        That process will not stop with  
16          next year's budget. We will continue to  
17          roll into the summer after FY15, starting  
18          July 1st, and continuing to knock down  
19          the other 580 properties that we  
20          currently have on our demolition listing.  
21          So those were where those funds directly  
22          were used.

23                        There are changes that we have  
24          in terms of the legislation that  
25          Council -- once again, we thank you for

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that -- put together and signed into law  
3           by the Mayor that will take place  
4           immediately, immediate changes to permit  
5           application requirements and the permit  
6           inspection process. Some of these things  
7           will go into effect 7/1, the new fiscal  
8           year. Others will take the full 18  
9           months to incorporate, because it takes  
10          time for us to build. And I'll give you  
11          some examples, if you would allow me the  
12          opportunity to do so.

13                    COUNCILMAN JONES: Please do.

14                    COMMISSIONER WILLIAMS: So  
15           under the permit application  
16           requirements, permits -- what we used to  
17           provide is an over-the-counter demolition  
18           permit. Now it's treated as a 20-day  
19           plan review in which an examiner  
20           thoroughly looks at the entire  
21           application process. And some of the  
22           things that are now included in that  
23           application check is to make sure that a  
24           site safety plan and a work schedule is  
25           provided, reviewed by an inspector and by

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           a competent -- provided by a competent  
3           person, in which our plan examiners have  
4           the opportunity to verify.

5                     In addition, work experience of  
6           the contractor was also a consideration  
7           under the application projects for  
8           demolitions as well. So that was one of  
9           the changes in the permit application  
10          process. We estimate it's taking on  
11          average between 30 and 40 days since we  
12          initiated it, and that's because it took  
13          time for contractors to get adjusted to  
14          the requirements. But on average --

15                    COUNCILMAN JONES: You have, in  
16          mid process of developing these regs,  
17          cited some contractors that were in  
18          non-compliance, some of whom actually  
19          came to my office talking about, What's  
20          going on? We used to do it this way.  
21          Now it's unacceptable.

22                    So you can talk about how it's  
23          impacted the business-as-usual approach.  
24          Well, I mean, I can tell you from a  
25          constituent service basis, and when --

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN GREENLEE: It's  
3 changed?

4 COUNCILMAN JONES: Oh, it's  
5 changed. And when the contractor came in  
6 with it, I had to tell him, We're not  
7 doing it that way anymore and you have to  
8 take seriously the regulations over in  
9 L&I. So I could tell you it's had  
10 immediate impact.

11 COMMISSIONER WILLIAMS: Yeah.  
12 The industry, the demolition industry, I  
13 met with some of the larger contractors  
14 who expressed frustration with getting  
15 their permits approved, but, again, after  
16 explaining to them why it was important,  
17 I think they understood it, but they also  
18 asked would we be open to looking at ways  
19 to always improve the system so that we  
20 don't compromise safety but to ensure  
21 development as well. And I certainly  
22 offered that -- accepted that invitation  
23 and would be more than willing to  
24 continue that process so that we can  
25 improve and streamline the process

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           without sacrificing public safety.

3                   COUNCILMAN JONES: Understood.

4                   COMMISSIONER WILLIAMS: Some of  
5           the other things that we're requiring,  
6           especially in this upcoming fiscal year,  
7           is the signage requirement. At one point  
8           for larger buildings -- it's important  
9           that the public understands what's  
10          happening in their districts and in their  
11          communities so that they have a contact  
12          person to be able to immediately call if  
13          there was an emergency or if they see  
14          something that appeared to be unsafe,  
15          then our department should be contacted  
16          so that we can send an inspector out  
17          immediately.

18                   I think that when there's no  
19          information or no signs and people begin  
20          to speculate what's going on and they  
21          don't have a contact, that raises fears.  
22          So our department is now requiring that  
23          certain size buildings require a large  
24          sign, but all other construction projects  
25          at least have visible signage where



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           people will know who the contractor is,  
3           an estimated date when the project is  
4           expected to commence and be completed,  
5           who to contact in case there's a problem  
6           or an issue with the site or if they have  
7           any questions about the contractor's  
8           permit requirements. Those are some of  
9           the things that were non-existent in the  
10          past but now are in place today.

11                   COUNCILMAN JONES: I'm going to  
12          yield, because I heard the bell toll.

13                   COUNCILMAN GREENLEE: It did go  
14          off. We have everybody that's here teed  
15          up.

16                   COUNCILMAN JONES: So I'm going  
17          to yield and I'll come around on second  
18          round, Mr. Chairman.

19                   COUNCILMAN GREENLEE: Thank  
20          you, Councilman. Thank you very much.

21                   Councilwoman Tasco.

22                   COUNCILWOMAN TASCO: Good  
23          afternoon.

24                   COMMISSIONER WILLIAMS: Good  
25          afternoon.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN TASCO: Thank you  
3 so much. I just came down here to say I  
4 want to thank you for your leadership and  
5 the L&I department in working with us on  
6 the building at 13th Street where we had  
7 the -- we have many serious problems  
8 there, and I just wanted to say that I  
9 appreciated the support you gave us when  
10 you were in the Streets Department, and  
11 when you left, I said, Oh, he can't  
12 leave. But I'm glad you're at L&I.

13 COMMISSIONER WILLIAMS: Thank  
14 you, Councilwoman.

15 COUNCILWOMAN TASCO: Because  
16 your commitment to understanding what's  
17 going on in this city and particularly in  
18 the neighborhoods is very important to  
19 us. And I'd just like for you for the  
20 record to sort of give a slight summary  
21 of some of the changes that we discussed  
22 in a private meeting with you about how  
23 in the future hopefully we won't have  
24 this kind of situation again. I've had  
25 three buildings in my district where

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           we've had to evacuate families at the  
3           last minute or in the middle of the night  
4           because the landlords are either absent  
5           or the way the building is structured and  
6           managed doesn't work in the best interest  
7           of the residents. And a couple of weeks  
8           ago, we had to give those residents in  
9           that building a five-day notice that they  
10          had to move, which was very painful for  
11          all of us. But you and your staff worked  
12          hard to see that we tried to make it as  
13          less painful as possible.

14                        So just for the record so that  
15          my colleagues will know what you were  
16          able to accomplish and hopefully we will  
17          look forward to in the future a way to  
18          avoid this situation. And that's what we  
19          really want as the end product, how do we  
20          avoid it.

21                        COMMISSIONER WILLIAMS: Right.  
22          Thank you, Councilwoman, for your kinds  
23          words, first of all. And specifically on  
24          the property at the 6700 block of North  
25          13th Street, that was a very difficult

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           situation. Any time you're displacing  
3           residents and families with children and  
4           having to redirect them so suddenly is  
5           always a difficult decision.

6                   I can tell you a little history  
7           about the property, and I'm also going to  
8           ask my Deputy Commissioner, Mike Maenner,  
9           to talk about it as well. But the  
10          property in itself when we visited it on  
11          several occasions had multiple  
12          violations. I think this situation was  
13          much more challenging in that it wasn't  
14          one apartment building where they had one  
15          viable owner. They had converted those  
16          units into mini condominium units. Some  
17          had an agency that was responsible for  
18          part of the building; others were  
19          individually owned. And so there was no  
20          one unit to say we're responsible for all  
21          the common areas. And so the problem  
22          with that is that, especially in a fire,  
23          if they don't have a functioning fire  
24          system or if there's an unsafe or  
25          uninhabitable condition, which we saw at

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that site where they had feces and things  
3           in the basement, people were using  
4           buckets for bathrooms, that just was  
5           living conditions that we could no longer  
6           tolerate, and so that action had to be  
7           taking place.

8                         Some of the things that we can  
9           do better is, first of all, to try to  
10          work the owners to make sure that they  
11          get compliance in the first place. I  
12          think that comes along with not only the  
13          Department of L&I, but us working closely  
14          together with our legal team in the court  
15          process. Therefore, we can try to get  
16          owners in the court faster, quicker to  
17          address these situations.

18                        One of the challenges that I've  
19          put forth to the Mayor's Office and  
20          within our own division is to restructure  
21          our Code Violation Resolution Unit, which  
22          is the unit responsible for processing  
23          cases for court. Therefore, if we are  
24          able to get properties in court faster  
25          and identify who those owners are, we can

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           get greater compliance if we get support  
3           from the judicial system to fine owners  
4           and to force them and issue orders to  
5           comply. But it's a constant battle when  
6           you're dealing with the number of cases  
7           that we have.

8                         Specifically we discussed in  
9           your district is that we would look at  
10          these building type structures so that we  
11          compile it and do more frequent  
12          inspections of those type of properties.  
13          We know three happened in your area.  
14          There's a number of others citywide, but  
15          to look at a program that allow us to be  
16          more proactive in our inspection process  
17          so that we can identify hazard conditions  
18          and have them addressed before it gets to  
19          the point of a cease operation where  
20          people have to be displaced.

21                        Deputy Commissioner Maenner,  
22          would you like to add.

23                        DEPUTY COMMISSIONER MAENNER:  
24          In the case of this building, this  
25          building was a condominium, which is kind

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           of unique because there are 59 separate  
3           owners. The Department took the building  
4           to court. We couldn't find a clear owner  
5           and no one would step to the plate, and  
6           it gradually got worse. There was a  
7           \$5,000 fine in Municipal Court. Since  
8           there was no clear owners, again, the  
9           building kept getting worse and worse.  
10          So we had to give unfortunately -- I  
11          mean, we don't take this lightly -- cease  
12          operations. We have an eight-page  
13          procedure on how to perform a cease  
14          operations. Moving people out of a  
15          building we don't take lightly. So we  
16          gave a 35-day intent to cease order. It  
17          seemed like the tenants kind of didn't  
18          take that cease order seriously enough.  
19          What we do when we issue the intent to  
20          cease, we post each side of the building.  
21          We post each door in the entryway into  
22          the building. We send letters to each of  
23          the units within the building, 59 units,  
24          and we hand-deliver them and First Class  
25          mail.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   So after 35 days, it didn't  
3           seem like anyone took that seriously, so  
4           an additional five days were given to  
5           actually move out. The people were given  
6           support with OSH, which we thank a great  
7           deal for, and also the Sheriff's  
8           Department who helped us with the cease  
9           operations order. But, again, that's a  
10          last resort. Our department does not  
11          like to do that. That's not a way we can  
12          continue to do, so...

13                   COUNCILWOMAN TASCO: Well, I  
14          know we were happy to have in our meeting  
15          with you Clarena Tolson from the Revenue  
16          Department who discussed working with  
17          your office in referring properties with  
18          multiple violations to Revenue for  
19          possible use of receivership as a tool.  
20          So I know it was a real mess with the way  
21          that building is configured and how they  
22          are real slick in setting up the building  
23          the way it is, and hopefully we will  
24          monitor that so we won't go back into  
25          that slide.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS:

3 Definitely. That will be part of our  
4 process, and we'll keep your office  
5 updated on those type of building  
6 structures for every building in your  
7 district.

8 COUNCILWOMAN TASCO: Thank you.

9 Thank you.

10 COUNCILMAN GREENLEE: Thank  
11 you, Councilwoman.

12 Councilman Johnson.

13 COUNCILMAN JOHNSON: Thank you,  
14 Mr. Chair.

15 How you doing, Carlton and  
16 staff?

17 COMMISSIONER WILLIAMS: How are  
18 you, Councilman?

19 COUNCILMAN JOHNSON: Doing  
20 pretty good.

21 I just want to -- I was about  
22 to call you last night because I had some  
23 rogue developers in the back of my house  
24 about 9:30 with a generator on. So we  
25 just called -- it was the wife actually.

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           We just called 9-1-1 and got it taken  
3           care of.

4                       Question: So regarding the  
5           demolitions that are taking place -- and  
6           thank you for the actual data for my  
7           district to give me an idea of what my  
8           district looks like when it comes to  
9           properties or houses that need to be  
10          demoed.

11                      Is there a partnership with the  
12          Revenue Department and the Office of  
13          Property Assessment to specifically look  
14          at those properties that are privately  
15          owned that are on our rolls that you have  
16          to demo? And obviously the more houses  
17          you demo comes out of your budget.

18                      COMMISSIONER WILLIAMS:  
19          Correct.

20                      COUNCILMAN JOHNSON: But  
21          putting together a process with those  
22          departments. So once you demo those  
23          houses, we have a way to put those houses  
24          back on the market so you can recoup some  
25          of the revenue that was spent for the

1 4/8/14 - WHOLE - BILL 140144, etc.

2 demolition.

3 COMMISSIONER WILLIAMS: Yeah.

4 The process -- and we would prefer to  
5 certainly try to salvage any building  
6 that is marketable. I think one of the  
7 successful programs that the Department  
8 launched -- and this was done prior to me  
9 taking leadership in L&I -- was the  
10 Vacant Property Strategy that continues  
11 to be a success story today. The Vacant  
12 Property Strategy is a targeted,  
13 proactive enforcement program that  
14 identifies properties in marketable  
15 communities to hold property owners  
16 accountable through various methods, and  
17 one of the methods and tools that we use  
18 is the doors and windows strategy. The  
19 doors and windows strategy holds the  
20 owner of a vacant property accountable to  
21 ensure that every opening is sealed with  
22 either a door or a window or face a \$300  
23 per day per opening penalty if they do  
24 not comply. And that is issued by a  
25 judicial order, but the value of that is

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that when we see those properties  
3           salvaged and saved and the owner either  
4           does something to put it back into  
5           productive use or sells it to someone who  
6           can, then it allows the market value of  
7           the surrounding neighborhood to increase.  
8           The Reinvestment Fund did a study that  
9           showed there was a \$74 million market  
10          sale value to those properties and areas  
11          in which we provided that type of  
12          enforcement and a \$2.3 million tax  
13          incentive for the City. So it's an  
14          effective strategy.

15                    COUNCILMAN JOHNSON: So let's  
16          go with the actual parcels of land that  
17          are private that are -- the vacant  
18          parcels of land that are private as a  
19          result of the City going out to demo  
20          those properties, what happens to that  
21          private land now? How do we get that  
22          private land back on the market?

23                    COMMISSIONER WILLIAMS: A lien  
24          is placed on the --

25                    COUNCILMAN JOHNSON: And at

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           what point do we confiscate? Because I  
3           guess my issue has always been -- and I  
4           always, to put it out there, from a  
5           development standpoint, people try to get  
6           my position affordable, market rate, and  
7           I'm for just smart development. And I  
8           will be remiss if I don't talk about how  
9           in growing up at least in my  
10          neighborhood, in Point Breeze -- it's  
11          probably the hottest market right now --  
12          we have a lot of private -- I'm not  
13          talking about City-owned land;  
14          private-owned land that developers came  
15          in, purchased, and these properties are  
16          just sitting there as a blight inside the  
17          neighborhood. And so what happens to  
18          those particular properties? Because we  
19          have a role to play as the City. So  
20          we'll do opportunity zones. We'll focus  
21          on mixed-use housing development  
22          strategies, but on the private side,  
23          there's a significant amount of private  
24          properties and parcels of land that are  
25          back on their taxes and even some that's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           not even back on their taxes, they're  
3           just sitting there that serves as a  
4           blight from speculators. I mean, how are  
5           we addressing it from the ones who are  
6           back on their taxes and they're just not  
7           taking care of their properties and their  
8           lands? And at what point do you continue  
9           to give liens? And although they're  
10          paying the liens, but not taking care of  
11          their actual property. At what point do  
12          we step in and exercise our full  
13          authority?

14                    COMMISSIONER WILLIAMS: Well, I  
15           think that it's certainly a conversation  
16           that Revenue needs to be a part of,  
17           because if there's a tax issue, that is  
18           their forte in terms of taking those  
19           properties to Sheriff Sale. Our role in  
20           that process is to control blight, and if  
21           we have to take actions to remediate that  
22           property or there's fines that are  
23           generated through the court structure for  
24           someone who is neglectful of their  
25           property, then liens can be placed on

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that property. And it's twofold. They  
3           could take that to Sheriff Sale as well.

4                   COUNCILMAN JOHNSON: I want to  
5           go back to my initial question. Are you  
6           working in partnership with the Revenue  
7           Department and OPA? Because I'm sure  
8           some of these houses that you're  
9           demolishing right now have to be  
10          privately owned properties, correct?

11                   COMMISSIONER WILLIAMS: Right.  
12          Those that we believe that will go  
13          through Sheriff Sale process for resale  
14          that are attractive, we send 20  
15          properties per month to the Department of  
16          Revenue to consider for Sheriff Sale.  
17          Probably would have to have a  
18          conversation with Revenue to see how  
19          effective our strategy would be, but we  
20          are working in cooperation with Revenue  
21          to see how those properties are being  
22          turned over to the public to be put back  
23          into productive use. So we do have a  
24          good relationship with Revenue.

25                   COUNCILMAN JOHNSON: Okay.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thank you, Carlton.

3 COUNCILMAN GREENLEE: Thank  
4 you, Councilman.

5 Councilman Oh.

6 COUNCILMAN OH: Thank you,  
7 Mr. Chairman.

8 Good morning, Commissioner.

9 COMMISSIONER WILLIAMS: Good  
10 morning.

11 COUNCILMAN OH: Let me just say  
12 along with my colleagues that we know  
13 that you jumped into a big job, and  
14 you've done a great job, and thank you so  
15 very much for doing a great job and being  
16 so accessible and helpful.

17 I just have a couple questions.  
18 One is just kind of a minor question.  
19 I'm looking at the Fiscal 2015 proposed  
20 appropriations, and there is a  
21 significant increase for equipment from  
22 typically \$75 or \$55,000 to \$335,000. Is  
23 there an anticipated purchase or  
24 replacement of equipment that's going to  
25 happen?



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: Well,  
3 with additional staff, they need the  
4 tools to actually do their job. So there  
5 will be an investment in technology. I  
6 think part of that is required also that,  
7 per Council legislation, that they wanted  
8 to see expanded training, and we agreed  
9 about OSHA training. Those are some of  
10 the things that that funding would  
11 support. And also we need to do a better  
12 job of educating the public about our  
13 policies and procedures to gain  
14 compliance. So within those three areas  
15 is where you're seeing where that  
16 investment will be made.

17 COUNCILMAN OH: Okay. Thank  
18 you very much.

19 In terms of the demolitions,  
20 the clean and seals, the demolition of  
21 residential buildings remaining for this  
22 year, I understand that the budget,  
23 there's about \$9 million. You spent  
24 about 5.5 million and you have remaining  
25 about 3.4 million; is that correct?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: Yeah.

3 It's about \$3 million now. We've done  
4 some packages this week to demo  
5 properties. So you're in the range, yes.

6 COUNCILMAN OH: So there are  
7 still about 600 properties that have been  
8 identified as imminent danger. Are they  
9 going to get -- what is the plan and  
10 process for addressing those demolitions  
11 based on the remaining amount in your  
12 budget?

13 COMMISSIONER WILLIAMS: Well,  
14 the \$3 million that we have covered will  
15 take care of estimated 200 properties  
16 that remain. Now, that's not an exact  
17 science, because if we get a large vacant  
18 commercial that we have to respond to on  
19 emergency from a fire, that could eat up  
20 into part of that budget. So those are  
21 kind of the hidden items that are not  
22 told. It's not all for residential  
23 property at \$13,000. It could vary in  
24 size and cost. So those are the  
25 challenges that we face, but what we plan

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to do is to obviously identify ones in  
3           residential communities where it's  
4           densely populated that someone is at risk  
5           of getting hurt. And so we try to  
6           identify those as the highest priority.  
7           So the goal is to try to take down 200 of  
8           those properties based in the residential  
9           communities.

10                    If something did come up, as  
11           they often do, in a large vacant area,  
12           then we would have to obviously respond  
13           and use that funding for that. But that  
14           is the plan. Vacants, as I mentioned  
15           earlier, is a revolving process. It's  
16           not 600 and we're done, the City is now  
17           safe. It's constant. So we're  
18           constantly inspecting buildings. Unsafe  
19           buildings get upgraded from unsafe to  
20           imminently dangerous. An unsafe building  
21           could be something that's repairable at  
22           the time, but over time as the winters  
23           come and the deterioration process  
24           starts, it could be easily upgraded to an  
25           imminently dangerous property. So that's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           kind of how the process works. It's  
3           continuously an ongoing battle, which is  
4           why we need to come up with a solution to  
5           stop it from getting in that condition in  
6           the first place.

7                   COUNCILMAN OH: Okay. So 600  
8           buildings are identified as imminently  
9           dangerous. So that sounds kind of bad to  
10          me. Is there a general estimated period  
11          of time in general that you use to  
12          approach these 600 buildings?

13                   COMMISSIONER WILLIAMS: Sure.  
14          There is a process that we have 13 public  
15          demolition contractors who bid on these  
16          jobs. The goal is to try to maximize the  
17          use of the funding that we currently  
18          have, which is 3 million remaining and  
19          then 9 million for next year. So what we  
20          do is we map and target those properties  
21          in various neighborhoods and try to  
22          package deal them, so that we're taking  
23          down five and six at one time. The  
24          value -- and bidding that out. The value  
25          to that is that you get a cheaper price

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and you get much faster response from the  
3           contractors as opposed to individually  
4           trying to take one down one by one.  
5           Therefore, we're maximizing the use of  
6           the funds that the City has in order to  
7           take these properties down at a much  
8           faster rate. If you were to give me a  
9           timetable, again, each year we took down  
10          500 properties. So within a given year,  
11          we're going to take down all 600 of those  
12          properties.

13                    COUNCILMAN OH: Does this  
14           include the fire remediation when a fire  
15           occurs, the fire remediation folks come  
16           in onto the scene, or is that separate  
17           because that's covered by typically  
18           homeowners' insurance or if there's no  
19           insurance, is it covered by the City?

20                    COMMISSIONER WILLIAMS: That's  
21           separate. That comes from the City's  
22           homeowners' policy, the remediation to  
23           repair. We take care of a property when  
24           we have to take it down and cause action  
25           to make it safe. So if there is a fire

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and the Fire Department contacts us to  
3           assess the structural condition of a  
4           building and if it's dangerous as a  
5           result of that fire, we then take action  
6           about bringing one of our demolition  
7           contractors up to take it down, and then  
8           a lien is placed on the property to go  
9           after our funding that we've expended to  
10          try to address the unsafe situation.

11                   COUNCILMAN OH:   Okay.  I'll  
12          have to come back because the bell has  
13          run.

14                   Thank you very much,  
15          Mr. Chairman.

16                   COUNCILMAN GREENLEE:  Thank  
17          you, Councilman.

18                   Councilwoman Reynolds Brown.

19                   COUNCILWOMAN BROWN:  Thank you,  
20          Mr. Chairman.

21                   Good afternoon, gentlemen.

22                   COMMISSIONER WILLIAMS:  Good  
23          afternoon, Councilwoman.

24                   COUNCILWOMAN BROWN:  I have a  
25          lot of questions in five minutes, so I'm

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           going to use 30 to commend you and the  
3           manner in which you handled the tragedy  
4           that was before the City and your  
5           partnership with Majority Leader and the  
6           Special Committee in tackling in a real  
7           in-depth, piercing way about what and how  
8           we need to conduct ourselves differently  
9           as a city and as a department going  
10          forward.

11                   COMMISSIONER WILLIAMS: Thank  
12          you, Councilwoman.

13                   COUNCILWOMAN BROWN: That was  
14          not an easy time for any of us, and being  
15          in leadership, I know it was truly a  
16          struggle for you.

17                   COMMISSIONER WILLIAMS: Yes,  
18          ma'am.

19                   COUNCILWOMAN BROWN: That does  
20          not go unnoticed. Okay?

21                   COMMISSIONER WILLIAMS: Thank  
22          you.

23                   COUNCILWOMAN BROWN: So I read  
24          with interest this one article, and in it  
25          you state, L&I has about 80 inspectors,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           13 demolition contractors, and you're  
3           considering training other staffers to  
4           help out with smaller demolition  
5           requests. So my thinking goes to this  
6           question: Has there been any opportunity  
7           to cross-train? First of all, what's the  
8           qualification on training process for  
9           building inspectors and has that been an  
10          opportunity to cross-train? Because no  
11          longer can we as professionals operate in  
12          a silo with one's skill set given limited  
13          dollars and humongous needs. Has there  
14          been any consideration for that?

15                    COMMISSIONER WILLIAMS: Thank  
16           you, Councilwoman. I'll certainly be as  
17           direct as possible and then I'll turn it  
18           over to Deputy Commissioner Michael Fink  
19           to talk about the training of the  
20           building inspectors.

21                    One of the things that we  
22           addressed in that article today about the  
23           80 inspectors, there's several units  
24           responsible for overseeing blight in the  
25           City. Some units are directly



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           responsible for dealing with the  
3           structural condition of a building;  
4           others are responsible for identifying  
5           it. Most of that 80 inspectors that was  
6           stated earlier, 60 of them come from our  
7           Property Maintenance Division. Those are  
8           the ones that are out in the street  
9           looking at violations for pre-existing  
10          buildings.

11                           COUNCILWOMAN BROWN:  
12          Pre-existing to be on the front line, if  
13          you will?

14                           COMMISSIONER WILLIAMS: Right.  
15          Exactly. Now, when there's an emergency,  
16          if they recognize something that may be  
17          structurally dangerous, we have an  
18          Emergency Services Unit that goes out and  
19          does an assessment to verify whether it's  
20          unsafe or imminently dangerous. And  
21          right now out of that 80, that's 13 of  
22          those inspectors. This new budget allows  
23          me to push that 13 up to about 27 new  
24          inspectors that will be out there  
25          addressing emergency situations, which I

1 4/8/14 - WHOLE - BILL 140144, etc.

2 think fills a critical need.

3 COUNCILWOMAN BROWN: So will  
4 these be new professionals from the  
5 outside or are these persons from other  
6 City departments like Public Property  
7 where there's an opportunity to be  
8 promoted so that they come to this new  
9 unit with some sense of the big picture?

10 COMMISSIONER WILLIAMS: These  
11 are new inspectors that will have to meet  
12 certain qualifications to be accepted  
13 into the City's program. And, again, to  
14 talk about those certifications for a  
15 building inspector and the training  
16 process, I'll turn it over to Deputy  
17 Commissioner Michael Fink who can explain  
18 that to you.

19 COUNCILWOMAN BROWN: Thank you.

20 DEPUTY COMMISSIONER FINK: Good  
21 afternoon, Councilwoman.

22 COUNCILWOMAN BROWN: Good  
23 afternoon.

24 DEPUTY COMMISSIONER FINK: All  
25 of our building inspectors are required

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           to be certified by the state code in all  
3           of the codes that they enforce. So, for  
4           instance, if you're doing a mechanical  
5           inspection, you need to have mechanical  
6           code certification. If you're doing a  
7           building inspection, you need building  
8           code certification. If you're doing a  
9           plumbing inspection, you need plumbing  
10          code certification.

11                        So what we do is, we bring in  
12          people from the trades with trades  
13          experience or with college degrees in  
14          construction management to be inspector  
15          trainees. So they have a background in  
16          construction, but then we begin to train  
17          them in the codes themselves.

18                        COUNCILWOMAN BROWN: Got you.

19                        DEPUTY COMMISSIONER FINK: At  
20          the same time that they're going to  
21          classes to learn the codes and become  
22          certified, we're training them on how to  
23          do inspections, how to use our database,  
24          how to write reports. So within  
25          approximately a year up to 18 months,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           they obtain four certifications which  
3           allow them to do the basic building code  
4           enforcement for a permit inspection, so  
5           any construction project that you're  
6           doing. Then we encourage them to get  
7           additional certifications that go above  
8           and beyond the state's requirements, and  
9           through that, their full performance,  
10          they can do minimal plan review and they  
11          can also do high-rise inspections for new  
12          construction.

13                        So in addition to that, with  
14          the recent legislation, in addition to  
15          all that training, we'll now be training  
16          them with OSHA requirements. We're  
17          working now with OSHA to get them the  
18          OSHA 30 training that Council has  
19          suggested that we accomplish, and also  
20          we're doing quarterly training sessions  
21          for construction inspectors on specific  
22          safety issues that OSHA feels are  
23          problematic in this area. For instance,  
24          they'll do one on scaffolding, one on  
25          excavations. And we have an ongoing

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           cooperation with OSHA where we've -- our  
3           referrals to them, they're beginning to  
4           count those and see how productive they  
5           are, and then we're hitting about an 82  
6           percent OSHA activity on the referrals  
7           that they're getting from our inspectors.

8                   COUNCILWOMAN BROWN: So let me  
9           make sure I understand that. Eighty-two  
10          percent on referrals from who did you  
11          say?

12                   DEPUTY COMMISSIONER FINK: Our  
13          inspectors will contact OSHA when they  
14          see a worker in danger. They have the  
15          right to stop the job, but they also  
16          contact OSHA to tell them that they  
17          observe somebody doing improper --  
18          according to OSHA regulations. That's  
19          over and above the building code  
20          regulations. So when they -- because of  
21          the training that we've received from  
22          OSHA, and there will be more, we're able  
23          to identify what OSHA violations are and  
24          make referrals to them. Then 82 percent  
25          of the time when we call them, they've

1 4/8/14 - WHOLE - BILL 140144, etc.

2 opened up a case where they've been able  
3 to take penalties against the contractor.

4 COUNCILWOMAN BROWN: Very good.  
5 So on this question, on this issue, then  
6 is it fair to say that as a result of the  
7 work of the Committee, the Special  
8 Committee, and the Commissioner, this is  
9 one of the new protocols, if you will,  
10 that have been instituted? Is that fair  
11 to say?

12 DEPUTY COMMISSIONER FINK: Yes,  
13 Councilwoman. That's correct.

14 COUNCILWOMAN BROWN: All right,  
15 then. Thank you. I'll wait for the next  
16 round.

17 Thank you, Mr. President.

18 COUNCIL PRESIDENT CLARKE:  
19 Thank you, Councilwoman.

20 The Chair recognizes  
21 Councilwoman Quinones-Sanchez.

22 COUNCILWOMAN SANCHEZ: Thank  
23 you, Mr. President.

24 COUNCIL PRESIDENT CLARKE:  
25 You're welcome.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   COUNCILWOMAN SANCHEZ: Good  
3           afternoon. I too want to echo  
4           Councilwoman Reynolds Brown's  
5           congratulations to the work that you did  
6           with the Special Committee led by  
7           Councilman Jones. I think a lot of the  
8           work that came from there was very  
9           thoughtful, and I also appreciate the  
10          fact that in the Special Independent  
11          Advisory Commission where we have  
12          developers and building tradesmen,  
13          there's a lot of scrutiny going on. And  
14          it's not easy to have so many hands in  
15          your pot looking at what you're doing,  
16          and I think it's because of your  
17          leadership, Commissioner, and being open  
18          to having people look at it and provide  
19          feedback and recommendations that I think  
20          you're going to have a better department  
21          at the end of all this process and all  
22          this scrutiny.

23                   I wanted -- because the most  
24          important unit to me right now as it  
25          relates to what we've seen in the public

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           scrutiny is this Compliance Unit. And so  
3           one of our frustrations and the  
4           frustration of the residents is they have  
5           a problem house and the process. You do  
6           the 30-day, 30-day reinspect, somebody  
7           else comes in, it opens up a new ticket.  
8           Can you tell me -- then the issue of when  
9           you take people to Equity Court, who  
10          makes that decision.

11                   Can you tell me from beginning  
12          to end when there's a problem property  
13          how you're going to streamline that  
14          process and what should be the  
15          expectation of people as it relates to  
16          those problem properties. I know you get  
17          an uptick of calls because now with the  
18          weather, houses are collapsing, but what  
19          ideally do you want to see that  
20          Compliance Unit do and is that enough  
21          resources to get you there in response to  
22          the expectation?

23                   COMMISSIONER WILLIAMS: I'm  
24          going to ask the Emergency Services  
25          Duty's Director, Scott Mulderig, to come



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           up to talk about our current practice and  
3           then also I want to talk about our  
4           Compliance Division and what I envision  
5           how we're going to improve public safety  
6           and also talking about restructuring the  
7           court process so that we could address  
8           these issues at a much faster and quicker  
9           rate.

10                         One of the challenges with the  
11           Emergency Duty inspectors is to be able  
12           to identify and get a case into court as  
13           quickly as possible. Part of the  
14           responsibility under Mr. Mulderig and his  
15           staff is to be able to have court time  
16           allocated to ensure that that happens.  
17           Some things require the same day, and we  
18           can get a case in court, depending on the  
19           condition of a structure if we believe  
20           that it's about to fall or it's in such  
21           egregious conditions that it requires a  
22           judge to talk about it, we can get a case  
23           into court within 24 hours.

24                         The other part of it is -- and  
25           I'm sure Mr. Mulderig will talk about

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           it -- is the process of due process in  
3           which we have to give an owner the  
4           opportunity to comply, because we can  
5           then get into a lot of legal trouble if  
6           we act on a situation without getting an  
7           order to fix or address. So the court  
8           process plays an extremely important role  
9           in that. But before getting to the court  
10          process, before I turn it over to  
11          Mr. Mulderig, you have to have a process  
12          that identifies problems before they  
13          become major problems. And if you're  
14          putting everything into a court system  
15          that allows it to logjam, then ultimately  
16          the more serious dangerous cases just get  
17          shuttled in with the less serious  
18          problems. So the goal is to take those  
19          issues out of the case processing system  
20          and handle it through other ways. So if  
21          you have a case for high weeds or grass  
22          or trash violations, use a fine system  
23          and take about 8,000 of those cases out  
24          of the system so that you can enforce  
25          things like drainage issues on a property

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           or a damaged rooftop or you see decaying  
3           bricks. Those are the ways in which you  
4           stop a property from deteriorating to the  
5           point where it comes then where you have  
6           to have the Emergency Services Unit put  
7           it in Equity Court.

8                         So those are the things that  
9           we're looking for not only our Compliance  
10          Division to address on the contractor's  
11          side, on the building side, but our CDR  
12          unit, Case Processing Unit, needs to  
13          change as well.

14                        I'm going to briefly turn --  
15                        COUNCILWOMAN SANCHEZ: Can they  
16          also respond to the whole issue of the  
17          bond issue that we've still been debating  
18          about, requiring a certain bond so that  
19          we can try to recoup some of these costs.

20                        COMMISSIONER WILLIAMS: Yeah.  
21          We're looking in that with the Law  
22          Department, because we understand that  
23          it's been a challenge for large vacant  
24          properties to obtain a bond, which is  
25          part of the issue, and so, therefore,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           what do we do at that point when the  
3           owner can't obtain bond coverage for us  
4           to recoup any costs that's necessary for  
5           us to remediate the problem or the  
6           dangerous condition. But we are having  
7           discussions right now with the Law  
8           Department to figure out what the issue  
9           is.

10                           (Witness approached witness  
11           table.)

12                           MR. MULDERIG: Good afternoon,  
13           Councilwoman. My name is Scott Mulderig.  
14           I'm the Director of the Emergency  
15           Services Division for the Department of  
16           License and Inspections.

17                           The process for us to demolish  
18           a property is not as quick as everybody  
19           would think. There's a due process that  
20           we have to go through, notifying the  
21           proper owner, making sure that we  
22           identify who the proper owner is, make  
23           sure they're notified. We also do  
24           mortgage checks, because a mortgage  
25           holder of a property is also an owner.

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           They have to be notified. And everybody  
3           has a right to due process. They also  
4           have a right to appeal our violation  
5           notices. They can go through the appeal  
6           process and either go to the L&I Review  
7           Board or the Board of Building Standards  
8           and appeal our violation notices, and we  
9           can't take action while that appeal is  
10          underway.

11                        So there's a lot of steps that  
12          we take to ensure that we're not  
13          violating someone's civil rights and that  
14          everybody has their due process, and  
15          that's not usually an easy task, weighing  
16          the civil rights of someone versus public  
17          safety. It's a very fine balance.

18                        COUNCILWOMAN SANCHEZ: Are  
19          these state-mandated due process or are  
20          those ours locally?

21                        MR. MULDERIG: I believe  
22          they're both and federal guidelines in  
23          the civil rights statutes.

24                        COUNCILWOMAN SANCHEZ: Is there  
25          any other means when you have a chronic

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           violator, because many times -- everybody  
3           knows our system. So as soon as we set  
4           the bar, somebody games the system and  
5           makes it higher. It would be interesting  
6           for us to understand -- because this is  
7           the stuff that's hard for us to explain  
8           to constituents, because if it's the  
9           house next door to you, you don't want to  
10          hear that. You don't want to hear due  
11          process. You don't want to hear -- at  
12          what point does their legal rights  
13          supersede my public safety and that of my  
14          children?

15                        So for me, it's sort of like  
16          what's legal and what do we do for  
17          chronic folks? Does that clock start all  
18          over? If we've taken someone to Equity  
19          Court and they're a chronic violator, how  
20          much of their rights do we continue to  
21          protect? Because, again, if every time  
22          we open a complaint it's a new complaint,  
23          then they're working our clock.

24                        COMMISSIONER WILLIAMS: That's  
25          a good point. A lot of it has to do with

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the judicial system. The judges play a  
3           big role and the court system plays a big  
4           role in making those determinations.  
5           When we take a property to court, we seek  
6           to modify or address the situation. So  
7           if it's imminently dangerous and we need  
8           to demolish it, then we're asking the  
9           court system, Look, this problem needs to  
10          be addressed immediately, Your Honor.  
11          Please allow us to demolish it. If it's  
12          a chronic person --

13                   COUNCILWOMAN SANCHEZ: But is  
14           your unit going to make sure that the  
15           clock doesn't start all over again? What  
16           I want to make sure out of this and in  
17           the Compliance Unit is that we don't  
18           start the clock over. If I had a ticket  
19           and it closed, you should not be allowed  
20           to start your clock again. And so part  
21           of what you have to look at is, you  
22           already had an outstanding issue. This  
23           is not a new 30-day, 90-day, you get to  
24           come back to court and tell the judge, I  
25           need a little bit more time. And if

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           there's no law that prohibits us from  
3           doing that, that's going to take us a big  
4           step in the right direction of changing  
5           the mindset that it is cheaper to pay the  
6           fine than to do the right thing.

7                         COMMISSIONER WILLIAMS:  
8           Councilwoman, I think that certainly is a  
9           bigger conversation than my department  
10          could answer, because it does regard  
11          legal rights. If someone complies with a  
12          violation and ultimately if they fix the  
13          property, then the case is closed and  
14          we're in compliance, it does start over  
15          again.

16                        COUNCILWOMAN SANCHEZ: But  
17          sometimes we close the ticket because  
18          they got a permit to fix.

19                        COMMISSIONER WILLIAMS: There  
20          are loopholes that we need to close. I  
21          agree with you there, absolutely.

22                        COUNCILWOMAN SANCHEZ: There's  
23          a lot riding on this Compliance Unit. So  
24          what I want to be sure is that you have  
25          the resources necessary to deal with it,



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and if there are regulatory or legal  
3           issues, legislative issues that we have  
4           to deal with in this Council, I think  
5           everybody in this Council wants to give  
6           you the tools. We just need to know what  
7           they are.

8                         COMMISSIONER WILLIAMS: That's  
9           one of them, the legal issue that we have  
10          to face with closing those loopholes that  
11          allow people to escape and allow  
12          properties to deteriorate and start over  
13          while the community has to suffer. So  
14          that's one of the challenges.

15                        I think what Council did with  
16          the legislation was extremely important,  
17          which does not allow deteriorated  
18          demolitions, permitted demolitions, to  
19          sit for extensive periods of time. It  
20          gives us the opportunity to go in and  
21          close a permit down to address that  
22          property owner. That was a huge win for  
23          our department to be able to address  
24          that. It doesn't allow a demolition  
25          permit to sit for an extended period of

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           time. We're now allowed to check on that  
3           site, and if it hasn't commenced in a  
4           certain period, we can close the permit.

5                    So those are some of the tools  
6           that have helped us, but there's more and  
7           we should have a longer, bigger  
8           conversation about it.

9                    COUNCILWOMAN SANCHEZ: Okay.  
10          Thank you.

11                   Thank you, Mr. Chair.

12                   COUNCIL PRESIDENT CLARKE:  
13          Thank you, Councilwoman.

14                   The Chair recognizes Councilman  
15          O'Brien.

16                   COUNCILMAN O'BRIEN: Thank you,  
17          Mr. President.

18                   Commissioner, welcome.

19                   COMMISSIONER WILLIAMS: How you  
20          doing, sir?

21                   COUNCILMAN O'BRIEN: I think I  
22          can see you over there.

23                   Can I just ask one question. I  
24          don't know if it's been asked before.  
25          How is the Department ensuring that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           contractors have insurance and they're  
3           tax compliant?

4                         COMMISSIONER WILLIAMS:

5           Councilman, one of the things that we  
6           recognized as we went through this entire  
7           process as we went through the Special  
8           Independent Commission and even before  
9           last June 5th, one of the challenges and  
10          the laws that was put on was to ensure  
11          that before any permit was issued, make  
12          sure that they have tax clearance and an  
13          insurance policy. Effective January 1st  
14          of this year, we put in a policy to  
15          ensure that happens. And what it's done  
16          is, it allows us to get a first glance  
17          look to make sure that someone is at  
18          least tax compliant through Revenue  
19          Department and they have the proper  
20          insurance at the time of permit.

21                        Now, someone could try to  
22                        escape that system, and why the  
23                        Compliance Unit is so important is that  
24                        because they do the back-end checks to  
25                        ensure that someone doesn't get a permit

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           and then allow their insurance to lapse  
3           the next day. They'll audit on the back  
4           end to ensure that while they're doing  
5           the work, which is the most important  
6           critical time, that they keep that  
7           insurance on the property. Because I can  
8           give you an example, and I certainly  
9           don't want to put our Councilman on the  
10          spot, but one of the people that talked  
11          to his office last year came over to get  
12          a permit, to submit his insurance, and  
13          the insurance had some information on it  
14          that didn't appear appropriate, and one  
15          of our people in Customer Care Unit; in  
16          fact, I think it was Deputy Commissioner  
17          Fink's immediate assistant, called the  
18          insurance company and found that this  
19          person didn't have insurance at all and  
20          he didn't have insurance since they had  
21          in the previous year of March 2013. Our  
22          record indicated that we issued 88  
23          permits to that person who didn't have  
24          insurance.

25                           And so at its forefront, at

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           least we're now catching people coming in  
3           the door. We know it's not a hundred  
4           percent foolproof system, but on the back  
5           end with the Compliance Unit, it now  
6           strengthens our ability to catch people  
7           in the beginning so that they know it is  
8           required, and if they're fraudulently  
9           putting in, we take their -- suspend  
10          their insurance -- suspend their  
11          contractor's license. We put a fine, a  
12          hefty fine, ultimately take their license  
13          completely. And so now we are having  
14          people play by the rules like it should  
15          be. So we don't have that issue as much  
16          as we had where people are allowed to  
17          just come in, show a certificate, and  
18          then get away with insurance, and then  
19          when they damage someone's property, the  
20          person has to sue. But who are they  
21          suing if they don't have an insurance  
22          company present? Those are the things  
23          that we're putting in place to change  
24          those issues and policies.

25                           COUNCILMAN O'BRIEN: Thank you,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           commissioner. That is a wonderful  
3           answer.

4                     You don't have to -- I  
5           introduced recently a piece of  
6           legislation calling for a Vacant Property  
7           Task Force to inspect all the vacant  
8           properties, starting with the commercial  
9           and industrial properties, primarily in  
10          Councilwoman Quinones-Sanchez's district.  
11          I don't know if you've had a chance to  
12          look at it. I just wanted to see if you  
13          had any thoughts, and if you haven't had  
14          a chance to review it, you can come back  
15          to me at another point.

16                    COMMISSIONER WILLIAMS: Sure.  
17          We certainly look forward to having that  
18          conversation. I think part of the issue  
19          with those large vacant commercials have  
20          to deal with that bond issue that the  
21          Councilwoman talked about as well as  
22          holding those type of property owners  
23          accountable for the condition of those  
24          buildings and ultimately putting them  
25          back into productive use. It's very

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           difficult in the Councilwoman's district  
3           because of the area's marketability in  
4           certain areas, and so that's a challenge.  
5           And so that's something I think that we  
6           should have a long-term conversation or a  
7           strategy to try to figure out how we're  
8           going to address, while maintaining to  
9           stabilizing those buildings, because the  
10          issue of breaking into them and having  
11          crime and fires started is a big  
12          challenge here in the City of  
13          Philadelphia. It's one that's constantly  
14          costly to the City and to the citizens,  
15          taxpayers. So I'm looking forward to  
16          that conversation.

17                   COUNCILMAN O'BRIEN: I welcome  
18          that conversation as well.

19                   There was another bill that we  
20          introduced calling for the certification  
21          and licensing of notario fraud. In the  
22          legislation I suggest that we put that  
23          under your purview. So no good deed goes  
24          unpunished. I want to give you more work  
25          to do. Do you have any thoughts on that?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: It's an  
3 important issue. I think one that,  
4 again, needs to be discussed in detail as  
5 to what the concerns and what type of  
6 licensing would help mitigate those  
7 challenging so that we -- I think the  
8 biggest part is that we have to have the  
9 tools to be able to enforce it if it  
10 becomes an issue for our department or  
11 for us to address. So I think we need to  
12 know the details as to what the  
13 requirements are, and we look forward to  
14 that as well.

15 COUNCILMAN O'BRIEN: Thank you.

16 And we got right in under the wire.

17 Thank you, Mr. President.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you, Councilman.

20 Real quick. Department of  
21 License and Inspection, do you do CVNs  
22 for all vacant lots? Is that your  
23 department's responsibility or is it some  
24 Streets and some L&I?

25 COMMISSIONER WILLIAMS: I think



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           CLIP, Community Life Improvement Program,  
3           is housed in our department. It's  
4           primarily the division, the department  
5           that is responsible for it. Although  
6           it's housed in our department, I think  
7           it's managed under the Managing  
8           Director's Office.

9                    COUNCIL PRESIDENT CLARKE:  
10          Across the City?

11                   COMMISSIONER WILLIAMS: Yes.

12                   COUNCIL PRESIDENT CLARKE:  
13          Because I don't have CLIP.

14                   COMMISSIONER WILLIAMS: Yes,  
15          across the City. It's a citywide  
16          program.

17                   COUNCIL PRESIDENT CLARKE: I'm  
18          just saying.

19                   COMMISSIONER WILLIAMS: It's a  
20          citywide program.

21                   COUNCIL PRESIDENT CLARKE: I  
22          had NTI. I didn't get CLIP. It was  
23          tradeoff. If you're in the Northeast,  
24          you got CLIP. If you were down North  
25          Philly, you got NTI.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: I  
3 walked into that one.

4 COUNCIL PRESIDENT CLARKE: So I  
5 just want to make sure, because I'll come  
6 back later, that all of the code  
7 violations on vacant lots are done by  
8 CLIP?

9 COMMISSIONER WILLIAMS: Yes.

10 COUNCIL PRESIDENT CLARKE:  
11 Which is a division within your  
12 department?

13 COMMISSIONER WILLIAMS: Yes.

14 COUNCIL PRESIDENT CLARKE:  
15 Citywide?

16 COMMISSIONER WILLIAMS: We have  
17 the majority -- CLIP handles the  
18 majority. We have the capability of  
19 issuing the CVN, but the majority of them  
20 are done through the CLIP program.

21 COUNCIL PRESIDENT CLARKE:  
22 What's the staff on CLIP?

23 COMMISSIONER WILLIAMS: I could  
24 get back to you on that. I believe it's  
25 12.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCIL PRESIDENT CLARKE: So  
3 12 people are responsible for writing all  
4 of the violations on vacant lots across  
5 the City?

6 COMMISSIONER WILLIAMS: The  
7 majority of them. Because Streets  
8 Department have SWEEP officers that can  
9 issue CVNs for vacant lots. Those who  
10 have that authority can do so, but the  
11 majority of them, that's their focus of  
12 their program, is to address vacant lots  
13 in the City.

14 COUNCIL PRESIDENT CLARKE: I  
15 like you, Commissioner, so do me a favor,  
16 come back when you have a more defined  
17 answer. You're kind of like all over the  
18 place on the response, and I maybe caught  
19 you a little off-guard. You just said --  
20 anyway, can you get back to me on that?

21 COMMISSIONER WILLIAMS: I can  
22 get back to you on the number of CLIP  
23 employees. Again, it's not directly  
24 managed by my department.

25 COUNCIL PRESIDENT CLARKE: So

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           are you saying -- I'm just trying to  
3           understand it, because I know L&I has the  
4           jurisdiction or the capability of writing  
5           violations, CVNs, violations on vacant  
6           lots; am I correct?

7                         COMMISSIONER WILLIAMS:  
8           Correct.

9                         COUNCIL PRESIDENT CLARKE: But  
10          you're telling me that your department  
11          does not do that. It's totally the --  
12          Rebecca, do you want to jump in.

13                        (Witness approached witness  
14          table.)

15                        MS. RHYNHART: Yes.

16                        COUNCIL PRESIDENT CLARKE: I'm  
17          just trying to understand how 12 people  
18          cover the entire City, and then we can  
19          talk to Councilman -- explain to  
20          Councilman Johnson why he can't get CLIP  
21          down there.

22                        MS. RHYNHART: Rebecca  
23          Rhyhart, Budget Director.

24                        I just wanted to add to what  
25          the Commissioner was saying. This isn't

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           L&I's responsibility. CLIP is Tommy  
3           Conway's group out of the Managing  
4           Director's Office, right. So that's  
5           probably why they maybe can't answer all  
6           the questions about that.

7                        COUNCIL PRESIDENT CLARKE:  
8           That's fine. I'm just trying to get  
9           clarity --

10                      MS. RHYNHART: Yes.

11                      COUNCIL PRESIDENT CLARKE: --  
12           on who could actually write the  
13           violations, and then the follow-up  
14           question -- and Ms. Cutler is not here,  
15           because we had a conversation with  
16           Ms. Cutler about some of the legislation  
17           that was enacted years ago on the ability  
18           to write violations on lots that were  
19           non-compliant, similar to the way we  
20           write violations in realtime on people  
21           who haven't shoveled their sidewalks off  
22           in six hours after the snow is over. You  
23           didn't take your trash in at a particular  
24           time, you immediately get violations, but  
25           yet on these vacant lots, you allow like

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           30, 60 days to comply. I'm just trying  
3           to --

4                   MS. RHYNHART: I'm not sure  
5           what the rules are, but we can  
6           definitely -- I can talk to Rina and  
7           Tommy and get you a response back, if  
8           that works for you.

9                   COUNCIL PRESIDENT CLARKE:  
10          Yeah. I mean, she took the list of --  
11          and I should have asked her when she was  
12          here earlier. So L&I is under Deputy  
13          Greenberger?

14                   MS. RHYNHART: That's correct.

15                   COUNCIL PRESIDENT CLARKE:  
16          Okay. I get confused.

17                   MS. RHYNHART: No. That's  
18          understandable.

19                   COUNCIL PRESIDENT CLARKE:  
20          Streets is under Ms. Cutler.

21                   MS. RHYNHART: That's correct.

22                   COUNCIL PRESIDENT CLARKE:  
23          Okay. I'm from the old school.  
24          Everything was under the Managing  
25          Director.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 MS. RHYNHART: I'll go to them  
3 and get you the response. Does that  
4 work? And then you don't have to worry  
5 about who is under who.

6 COUNCIL PRESIDENT CLARKE:  
7 Yeah. I'm just trying -- because I saw  
8 her here and I was just assuming that she  
9 was going to be here today because I had  
10 a question about the -- okay. Well, I'll  
11 wait.

12 MS. RHYNHART: Okay.

13 COUNCIL PRESIDENT CLARKE:  
14 Thank you.

15 Thank you, Commissioner.

16 The Chair recognizes  
17 Councilwoman Bass.

18 COUNCILWOMAN BASS: Thank you,  
19 Mr. President.

20 Rebecca, before you go back.

21 COUNCILMAN SQUILLA: You can't  
22 sneak out.

23 MS. RHYNHART: Sorry.

24 COUNCILWOMAN BASS: Before you  
25 go, I just wanted to say just in the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           dialogue with the Council President just  
3           a moment ago, it seems as if some of the  
4           agencies -- and they all do a great job,  
5           but it does seem that it's a little  
6           confusing and it's a little redundant and  
7           it doesn't necessarily fit in a way I  
8           think that makes sense to most of us.  
9           Maybe to the Administration it makes  
10          perfect sense, but it doesn't really seem  
11          to be a neat fit for most of us in terms  
12          of do you call CLIP or do you call SWEEPS  
13          or do you call just L&I or do you call  
14          the Streets Department or, you know, do  
15          you call the MDO. It just seems to be a  
16          little bit all over the place. So it's  
17          all over, and so just trying to find a  
18          way to simplify might also be an  
19          opportunity to save money. I just wanted  
20          to state that, and I don't know if you  
21          want to comment.

22                   MS. RHYNHART: Okay. I think  
23                   that of course it's easy for the  
24                   Administration to say we understand who  
25                   is doing what and that we're monitoring



1 4/8/14 - WHOLE - BILL 140144, etc.

2 redundancy, but to your point, if it's  
3 not clear to you, then we obviously have  
4 to work on making it clearer.

5 COUNCILWOMAN BASS: And I think  
6 it's not just me. I think there's a lot  
7 of people who don't seem to know, whether  
8 it's me or whether it's the general  
9 public in terms of do you know about  
10 CLIP, do you know about SWEEPs, do you  
11 know about -- and we do a lot of  
12 community meetings and we bring these  
13 folks out and they give a great  
14 presentation, but I don't know that  
15 people recognize that there are all these  
16 different points of contact. And so I'm  
17 just making a point that I think if it  
18 was under one jurisdiction, so all under  
19 L&I, for example, it just might be a  
20 little bit easier, a little bit more  
21 streamlined in terms of effectiveness, is  
22 my thought.

23 MS. RHYNHART: Okay.

24 COUNCILWOMAN BASS: So I just  
25 wanted to mention that.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   Also, I had a question on the  
3 demolition work that's done by the  
4 contractors and when we have -- because I  
5 know we've talked about this in the past,  
6 and it seems like it's gotten better, but  
7 we still get complaints from contractors  
8 who demolish a house. Let's say a house  
9 is between two other existing structures  
10 and the damage that's done by the  
11 contractor and then the difficulty in  
12 terms of the followup in getting that  
13 same contractor to come out and do the  
14 repairs for the damage that they've done  
15 to the other properties.

16                   COMMISSIONER WILLIAMS: Yes,  
17 Councilwoman. The requirement under our  
18 master demolition program is that they  
19 have to carry a bond to certify their  
20 work in case there's those situations  
21 that come up. They're required to  
22 repair, and if they don't repair, then we  
23 go after their bond to make the necessary  
24 repairs until a property owner of a  
25 demolition -- property that's been

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           demolished. And so the process as to our  
3           inspection of that property, we make sure  
4           that the foundation is checked, any of  
5           the framing inspection from any loose  
6           joists are properly patched and that  
7           there's a process to ensure that the  
8           house next door is not leaking as well.  
9           So those are some of the things.

10                         Now, those things do come up  
11           well after the demolition has completed,  
12           and so we certainly want to make sure  
13           that the public understands that there is  
14           a process for them to be able to address  
15           that. We certainly give it to our Risk  
16           Management Division to make sure that we  
17           go after the contractor's bond to ensure  
18           that the repair -- if they don't  
19           willingly come back to repair it on their  
20           own and any damages.

21                         COUNCILWOMAN BASS: In general,  
22           how much contractors would you say has  
23           this been a problem with in terms of  
24           having to go after their bond? And if  
25           it's happened on more than one occasion

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           with a particular contractor, are they  
3           then sort of flagged? Do we do any sort  
4           of flagging of that contractor, say this  
5           isn't someone who kind of stands by their  
6           work or completes the job by going back  
7           out and making sure everything is  
8           correct?

9                        COMMISSIONER WILLIAMS: We do  
10          get a number. I don't have that with me  
11          right now. We get a number of complaints  
12          from property owners stating that their  
13          properties have suffered some kind of  
14          damage from a demolition project. And I  
15          can go back and get you the calls that  
16          we've received on that and the responses  
17          that we've had. I just don't have that  
18          right now.

19                      COUNCILWOMAN BASS: So if we  
20          can get an idea of how often this occurs  
21          out of the total number of demolitions,  
22          how many complaints we get in terms of  
23          damage, and also for the contractors who  
24          do go back -- or who don't go back, do we  
25          have to go through their bond process to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           actually pay to get the work done, and is  
3           there a process to flag those particular  
4           contractors who don't do what they  
5           contractually agree to do.

6                    COMMISSIONER WILLIAMS: Yes.  
7           I'll get you that information.

8                    COUNCILWOMAN BASS: Thank you  
9           so much. I'll come back.

10                   COUNCIL PRESIDENT CLARKE:  
11          Thank you, Councilwoman.

12                   The Chair recognizes Councilman  
13          Squilla.

14                   COUNCILMAN SQUILLA: Thank you,  
15          Mr. President.

16                   Thank you guys for being here.  
17          My question is a little different in that  
18          the process for permitting, we see that  
19          when we talk to developers or even people  
20          that do it themselves, a lot of them  
21          would rather risk the chance of getting  
22          caught than to go out and get a permit  
23          and, therefore, when they don't do it,  
24          our mechanism for fining them for doing  
25          work without a permit. Is there anything

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that we could do now? Like we see it all  
3           the time. People start work without a  
4           permit, then they get caught and they go  
5           get one. Is there something we can do  
6           and create a fine for people who start  
7           work without permits?

8                        COMMISSIONER WILLIAMS: I  
9           certainly defer to Deputy Commissioner  
10          Mike Fink, who has been here for 30 years  
11          who knows what the procedures were, but  
12          one of the things that we've done is to  
13          create a task force to be able to  
14          identify those people and to address them  
15          immediately, to issue stop work orders.  
16          And anyone in violation of a stop work  
17          order under the new regulations can be  
18          fined \$500 per day per incident. So the  
19          risk now is greater than the reward for  
20          someone to try to address it. But I  
21          believe that Deputy Commissioner Fink can  
22          tell you what the immediate penalty is  
23          for someone who we catch and then they  
24          try to go get a permit.

25                       COUNCILMAN SQUILLA: Thank you.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER FINK: Good  
3 afternoon, Councilman. The code now  
4 allows us to apply what we call a  
5 reinspection fee, which is equal to the  
6 permit fee. So if they had started work  
7 on a very large project, then their  
8 permit fee is essentially doubled. And  
9 if it's a small homeowner project, it's  
10 still doubled, but it's much less of an  
11 impact.

12 We issue stop work orders when  
13 we find work going on without a permit,  
14 and the recent legislation from Council  
15 related to the demolition issue allows us  
16 now to issue \$500 CVNs to a contractor  
17 who violates a stop work order. So those  
18 are the current penalties that are on the  
19 books for working without a permit.

20 COUNCILMAN SQUILLA: Let me  
21 just get that clear. So if they continue  
22 to work after you catch them, they get a  
23 fine, but how about when you catch them  
24 for working without a permit? Is that  
25 when the reinspection fee comes in?

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   DEPUTY COMMISSIONER FINK: Yes,  
3           sir. When they come in -- the work is  
4           stopped. When they come in to apply and  
5           actually get their permit, the fee for  
6           that permit is doubled.

7                   COUNCILMAN SQUILLA: Okay.

8           Because, I mean, I'm a big proponent of  
9           making the actual permits as reasonable  
10          as possible to encourage people to get  
11          permit so we know who is doing work.  
12          Everybody out there would say, Listen,  
13          it's not worth the 50 bucks not to do it,  
14          let's go pull a permit. But when the  
15          permit prices start to get too high,  
16          these contractors, especially the little  
17          guys out there, say, You know what, let's  
18          take a chance, let's not go out -- let's  
19          not pull the permit, they might never  
20          catch us, because they're busy, they  
21          don't have enough inspectors, whatever  
22          the thing is.

23                   So I think we need to really  
24          encourage the process of getting a permit  
25          easily as far as the cost of it, but then



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           maybe increasing the fines for the people  
3           who start work without permits or even  
4           after the stop work order. The \$500 fine  
5           is good, but there's really -- the only  
6           cost right now is maybe an extra \$50 if  
7           you get caught, and I think they're still  
8           willing to take that chance. So I think  
9           maybe we should look at a heavier fine  
10          for people who continue to work and do  
11          this process. Because you talk to  
12          developers all the time, especially guys  
13          in these small projects, it's really hard  
14          to catch them, and I think that if we  
15          could make it reasonable, the actual  
16          permits and the licensing, so everybody  
17          gets licensed -- and we talked about  
18          this, the special assembly licenses and  
19          things. You make them reasonable,  
20          everybody goes and gets them. Then we  
21          know everybody has them. Then we can  
22          follow up on them. But right now it's  
23          just the mentality of the people out  
24          there is they could still beat the  
25          system.

1           4/8/14 - WHOLE - BILL 140144, etc.

2                   Now, L&I has got a lot stronger  
3 since some of the new legislation through  
4 Council and some of the new inspections,  
5 and I know you guys are still short  
6 staffed to be able to get out there to  
7 all the sites. There's going to be a lot  
8 of building, not only in my district but  
9 throughout the City of Philadelphia  
10 within the next year. So your work is  
11 going to be endless, and if we could make  
12 it easier for them to get permits or at  
13 least reasonable enough to get permits  
14 and then maybe double the cost of the  
15 fines for people who start work without  
16 permits or even the work order, like you  
17 said if they -- once that stop order is  
18 there and they get caught, then it's a  
19 \$500 fine. But that will send the  
20 message to these guys you got to pull a  
21 permit.

22                   And then what we need to do is,  
23 the process of getting the permit has to  
24 be faster. We need to somehow be able to  
25 streamline, whether it's an online

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           process, of the people to be able to do a  
3           quick tax certification necessary. We  
4           can't have people willing to do  
5           construction and do the right thing wait  
6           30, 60, 90 days to get a permit. So is  
7           there something now in the process to  
8           make that happen?

9                   DEPUTY COMMISSIONER FINK: When  
10          it comes to permits for residential  
11          properties for single families, we  
12          streamlined the process greatly in the  
13          last couple years by coming up with easy  
14          permit standards. So you don't need to  
15          pay for an architect or anyone to draw up  
16          a set of plans, and we do not need to do  
17          a plan review. We established the code  
18          requirements, because they're limited in  
19          nature, for a single family. We put them  
20          on a sheet of paper, and that's what you  
21          follow as part of your permit. So for  
22          single families, we try to assist people  
23          in getting their permits for the small  
24          projects, the interior renovations, the  
25          decks and things like that.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 You're correct that we need to  
3 have the information technology  
4 capabilities to do online applications to  
5 do an automatic check of someone's tax  
6 status. Those are the things that we are  
7 planning with our eCLIPSE effort. So,  
8 yes, we understand that we've needed this  
9 for a while, and we plan to implement  
10 those.

11 COUNCILMAN SQUILLA: Is there a  
12 timeline, though? Are you projecting a  
13 timeline when we could get to that point  
14 or not at this time, it's just too early  
15 to know?

16 COMMISSIONER WILLIAMS: Yes.  
17 We're about a year away from full  
18 implementation -- for first phase of  
19 implementation of Project eCLIPSE, with  
20 the expectation of the program by the end  
21 of 2015. So we're about two years or a  
22 year away from having all of those  
23 services, not just online permitting but  
24 some other services that's going to help  
25 us do our job smarter, quicker, faster.

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           About two years. We're in the process of  
3           building that now.

4                    COUNCILMAN SQUILLA: Okay.  
5           I'll come back, but thank you very much.  
6           Thank you for your answers.

7                    COUNCIL PRESIDENT CLARKE:  
8           Thank you.

9                    The Chair recognizes Councilman  
10          Jones.

11                   COUNCILMAN JONES: Thank you,  
12          Mr. President.

13                    And as I listened to the round  
14          of questioning from my colleagues, all of  
15          it was insightful, but what is really  
16          good, Mr. President, is that a lot of the  
17          things that came out of those  
18          recommendations, they're actually  
19          starting to do. And what is encouraging  
20          over the 18-month window that we gave  
21          you, you didn't wait. So in the case of  
22          the contractor who came back in shock and  
23          awe, saying, Wait a minute, they're  
24          actually checking this stuff, and came  
25          running to our office saying, Can you

1 4/8/14 - WHOLE - BILL 140144, etc.

2 help?

3 No. You can help yourself by  
4 going to get out the appropriate licenses  
5 and things like that.

6 What it shows is that we often  
7 do good work here, but it takes the  
8 department's willingness to actually  
9 implement it. And so whether you do good  
10 work over here, it can sit on a shelf as  
11 recommendations and never get  
12 implemented. So we want to thank you and  
13 your staff for actually taking to heart.

14 We did not -- my staffer Stacey  
15 Graham who worked primarily on that  
16 report did not ever have to pull teeth to  
17 get information from you guys, which made  
18 the process -- it was a willingness to  
19 work and implement this, Mr. President.  
20 So thank you for your swift action of  
21 pulling together a committee, and  
22 actually it just goes to show that  
23 sometimes government works best when it  
24 works together.

25 COUNCIL PRESIDENT CLARKE:

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Couldn't have happened without your great  
3 chairmanship, sir.

4 COUNCILMAN JONES: You took  
5 away my summer is what you did.

6 COUNCIL PRESIDENT CLARKE:  
7 Absolutely.

8 COUNCILMAN JONES: So a couple  
9 of quick questions. You're getting  
10 ready -- on the note of technology,  
11 you're getting ready to have handhelds,  
12 and I understand you have a kiosk in the  
13 concourse to get some of those permits,  
14 to Councilman Squilla's question, a lot  
15 easier.

16 COMMISSIONER WILLIAMS: Yeah.  
17 The kiosk allows them to obtain their tax  
18 clearance and to get an insurance  
19 certificate faxed right to the downstairs  
20 so they don't have to leave and come  
21 back. So we wanted to make sure we  
22 provided good customer service, because  
23 we knew it was a policy change, and so we  
24 set up computer systems that allow people  
25 to have access to that information

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           instantaneously and --

3                   COUNCILMAN JONES: I thought  
4           you would mention that Councilman  
5           Squilla's question. So I figured I'd  
6           give you an assist.

7                   COMMISSIONER WILLIAMS: I  
8           certainly appreciate that, Councilman.

9                   COUNCILMAN JONES: Okay. The  
10          second one was, there was a  
11          recommendation to Councilwoman Bass's  
12          point about reporting -- and also Council  
13          President Clarke -- about reporting  
14          responsibilities, and one of our  
15          recommendations, which we felt was a  
16          conflict, was that L&I reported to the  
17          economic development lords and beings as  
18          opposed to the public safety folk. Have  
19          you taken that recommendation and  
20          implemented it yet? Has that happened?

21                   COMMISSIONER WILLIAMS: No, not  
22          as of yet. I think we're in the same  
23          structure, but I can again tell you again  
24          that Deputy Mayor Alan Greenberger,  
25          myself, Everett Gillison meet very



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           frequently on all safety-related issues.  
3           Once a week we have a meeting to discuss  
4           all issues related to L&I, specifically  
5           those of public safety. But that  
6           structure has not changed.

7                   COUNCILMAN JONES: That's one  
8           of the 75 recommendations that I think is  
9           a critical one, because, yes, there are  
10          gravity pulls that say we want to build  
11          this building quicker, faster, and move  
12          it through the process, but at the end of  
13          the day, if we have to err, we need to  
14          err not on the side of swiftness but on  
15          the side of safety.

16                   So I think the Demolition  
17          Committee felt strongly that it should  
18          report to someone who has that in mind as  
19          opposed to how to change our skyline.  
20          And that's important. Those are  
21          important priorities, but at the end of  
22          the day, that person walking under that  
23          scaffolding wants to know that somebody  
24          cares not about profit but about  
25          protection, and at the end of the day,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           that's the one -- I mentioned 95 percent  
3           of what we wrote we agreed on, and some  
4           of it we kind of rustled with, but that's  
5           one we are going to kind of look to for  
6           that change.

7                        COMMISSIONER WILLIAMS: I  
8           understand.

9                        COUNCILMAN JONES: I just want  
10          to make sure Rebecca understands.

11                      MS. RHYNHART: I hear you.

12                      COUNCILMAN JONES: All right.  
13          So one other thing. For buildings above  
14          four stories, I believe it is, safety  
15          plans are now required, and can you talk  
16          about that process and change now?

17                      COMMISSIONER WILLIAMS: Sure.  
18          The new requirements, the Mayor's  
19          Executive Order after June 5th tragedy  
20          and then codified in the legislation  
21          requires site safety plans and work  
22          schedules to be presented and approved by  
23          the Department by a competent person, and  
24          this can be equivalent to a professional  
25          engineer who has the experience to be

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           able to show that they have the ability  
3           to say this is the proper way to demolish  
4           a building of this size, scope, and  
5           nature. So that has to be submitted at  
6           the permit application, and that's why  
7           the review process takes 20 days and not  
8           an over-the-counter permit where someone  
9           is just issued a demolition permit as a  
10          result. So that's things that we're  
11          looking at in detail with our qualified  
12          staff right now.

13                        During the inspection process  
14           as well, the inspector takes the site  
15           safety plan that's been approved by the  
16           Department and reviews it with the  
17           contractor at the initial point of the  
18           job and throughout each phase of  
19           development according to the work  
20           schedule.

21                        COUNCILMAN JONES: So,  
22           Mr. President, if site safety plans are  
23           filed, it's public information and then  
24           followed. You know, you can't take the  
25           party wall out first because it's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           expedient to do. No; you have to take it  
3           down from the top, one floor at a time,  
4           through a process that everybody from a  
5           layperson to an engineer can understand,  
6           and that's why that recommendation was so  
7           critical.

8                         Thank you, Mr. President.

9                         COUNCIL PRESIDENT CLARKE:

10           Thank you. Again, thank you for a great  
11           job.

12                         The Chair recognizes  
13           Councilwoman -- held on one second. One  
14           quick question. I'm sorry.

15                         I just had a flashback about a  
16           walk-around during Saturday's cleanup.  
17           Who is responsible for dead trees in  
18           alleyways overhanging that sit on vacant  
19           property?

20                         COMMISSIONER WILLIAMS: On  
21           vacant property? The property owner is  
22           responsible for any --

23                         COUNCIL PRESIDENT CLARKE:

24           That's why I said vacant property. More  
25           likely the property owner is like --

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: If it's  
3 a viable property owner, it's the  
4 property owner. Other than that, if it's  
5 an imminently dangerous situation, we  
6 take action to have it mitigated and  
7 resolved on private property, on private  
8 property. So if it's not on the  
9 curbline -- if it's on the curbline, it's  
10 Parks and Recreation Department. If it's  
11 on private property, we're responsible  
12 for overseeing that the problem gets  
13 addressed.

14 COUNCIL PRESIDENT CLARKE:  
15 Okay. So in my walk-around Saturday,  
16 because I know all the Councilmembers  
17 were walking around neighborhoods, in a  
18 particular section where there was a  
19 significant amount of vacancy, all up and  
20 down the rears of properties you had  
21 these big trees, probably 50, 70 years  
22 old, who knows, some of them struck by  
23 lightning or whatever by the sheer  
24 weight, broken off on individuals'  
25 properties that were actually occupied.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 One we actually saw, it knocked down the  
3 chimney of an occupied property. I'm not  
4 going to give it because I don't want you  
5 to go out there and close the lady down,  
6 kick the lady out of the house because of  
7 carbon monoxide poisoning, but that's a  
8 little later.

9 You're saying that if that  
10 information is forwarded to your  
11 department, then when you cannot find the  
12 viable property owner, which I know you  
13 won't be able to, it is ultimately the  
14 responsibility of the City to abate that  
15 particular nuisance.

16 COMMISSIONER WILLIAMS: If it's  
17 imminently dangerous, yes, that's  
18 correct.

19 COUNCIL PRESIDENT CLARKE: All  
20 right. Okay. Thank you.

21 COMMISSIONER WILLIAMS: You're  
22 welcome.

23 COUNCIL PRESIDENT CLARKE: You  
24 may want to ask for additional revenues  
25 in your budget because I anticipate,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           based on that statement, there's going to  
3           be a whole lot of requests asking you to  
4           deal with trees, because it's a real big  
5           problem in a lot of these communities.

6                     Thank you.

7                     I'm sorry, Councilwoman. The  
8           Chair recognizes Councilwoman Tasco. I'm  
9           sorry. I had to get that in.

10                    COUNCILWOMAN TASCO: I looked  
11           on your request for an increase for your  
12           budget. Is that an adequate enough  
13           increase for you to -- I know you spell  
14           out here what you need to have those  
15           dollars for, but would there be something  
16           else that you would like to see in your  
17           budget that you really need, and is it  
18           really -- do you really have enough money  
19           to run your department adequately enough?  
20           I've asked this question every year since  
21           I've been on Council, because I always  
22           believe that L&I is one of the most  
23           important, if not the most important,  
24           department in the City, as you can see  
25           all the responsibility you have for its

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           different issues. And I never thought it  
3           had enough money to facilitate getting  
4           things done in a way that would be  
5           satisfactory.

6                        So I'm asking you, is this  
7           enough? You're going to say no, but what  
8           would be an adequate amount that you  
9           might need?

10                      COMMISSIONER WILLIAMS: I think  
11           what the budget, Councilwoman, reflects  
12           is a conscious attempt to provide greater  
13           oversight on dangerous construction  
14           sites. I think where we need to have a  
15           larger conversation, I think what was put  
16           in the paper today in regards to a  
17           strategy to address vacant properties has  
18           been a constant challenge for our  
19           department. So if there was an area that  
20           we would want to take a look in terms of  
21           resource allocation, it certainly would  
22           be in the area of dealing with vacant  
23           properties. That's where our biggest  
24           challenge and concerns right now are, and  
25           that encompasses not just additional



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           monies to demolish but looking at legal  
3           support, looking at making sure, as we  
4           discussed, the court time to be able to  
5           address properties before they get in  
6           that condition. So we need to look at an  
7           entire strategy to address that and then  
8           look at the resource allocation to get  
9           the job done in that area. But if there  
10          was an area that we needed to look at, it  
11          certainly would be that. Dealing with  
12          large vacants is expensive to demolish  
13          and to address. As I stated earlier, the  
14          church that we're demolishing on North  
15          9th Street cost \$962,000. That would  
16          cover about eight of them if we -- eight  
17          or nine of them if we were to use my  
18          entire demolition budget right now. So  
19          it's a challenge to address the vacant  
20          properties here in the City of  
21          Philadelphia.

22                           COUNCILWOMAN TASCO: Thank you.

23                           COUNCIL PRESIDENT CLARKE:

24           Thank you, Councilwoman.

25                           The Chair recognizes

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Councilwoman Reynolds Brown.

3 COUNCILWOMAN BROWN: Thank you,  
4 Mr. President.

5 Recognizing that given the  
6 demands of your office, adequate dollars  
7 are not there, and so given that reality,  
8 what is the interface and/or  
9 connectedness with Public Property when  
10 it comes to properties deemed imminently  
11 dangerous? What kind of communications  
12 protocols exist between your two  
13 departments?

14 COMMISSIONER WILLIAMS: When we  
15 identify a property that's owned by a  
16 public agency? I just want to clarify.  
17 The protocol is every -- with this  
18 budget, we're able to provide additional  
19 inspections. I want to highlight that as  
20 well. This budget allows our inspectors  
21 to look at those buildings that were  
22 either unsafe or imminently dangerous on  
23 a much higher ratio than what we normally  
24 would do.

25 When we go out and reinspect

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           properties and identify the owner, if  
3           it's a public property, we notify the  
4           department as soon as possible for  
5           permission to address. Either if it's an  
6           unsafe, it's their responsibility to make  
7           safe. If it's an ID property, then we'll  
8           take the action and then seek  
9           reimbursement, but for the Department of  
10          Public Property, since it's a City  
11          agency, the Department assumes that  
12          responsibility within its own budget  
13          because it's the same funds that we use  
14          to remediate.

15                   COUNCILWOMAN BROWN: So then  
16           that drives the follow-up question, and  
17           we will have to ask this of Public  
18           Property. What is in their system where  
19           they have their own self-triggers of  
20           their own properties owned by Public  
21           Property that fall under imminently  
22           dangerous?

23                   COMMISSIONER WILLIAMS: That's  
24           a question for Public Property. That's  
25           correct. Our side of it is that if we're

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           out doing proactive inspections and it  
3           happens to be a property, once we  
4           identify who that owner is, if it happens  
5           to be a City agency or a public agency,  
6           then we notify them through a memo direct  
7           to say, Here are the list of properties  
8           that we've identified that are ID. Then  
9           they give us authorization to say take it  
10          down and take whatever action necessary  
11          to make it safe.

12                    COUNCILWOMAN BROWN: So then is  
13           it fair to say, then, that there are no  
14           standard, what I call, SOPs, standard  
15           operating procedures, in place where L&I  
16           and Public Property on a regular basis,  
17           for whatever regular means, shares  
18           information on the status or the grade,  
19           G-R-A-D-E, of their buildings so that the  
20           call doesn't only happen when there is a  
21           potential crisis, but there's some  
22           regular communication between the two  
23           departments on the status of the  
24           building?

25                    COMMISSIONER WILLIAMS: There

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           is a larger strategy amongst a number of  
3           departments that look at all vacants to  
4           determine what to do with them, how to  
5           move them to Sheriff Sale, and how to rid  
6           them. So that's a monthly meeting that  
7           continuously happens between not only  
8           Public Property and L&I, but through RDA,  
9           PRA, and those departments that talk  
10          about strategy issues on what to do with  
11          our land that we own here in the City of  
12          Philadelphia.

13                    COUNCILWOMAN BROWN: Land  
14           disposition. So was that another  
15           recommendation of the Committee or was  
16           that underway prior to the work of the  
17           Committee last summer?

18                    COMMISSIONER WILLIAMS: That  
19           was underway prior to the Committee last  
20           summer.

21                    COUNCILWOMAN BROWN: And so do  
22           you expect some kind of rollout, an  
23           announcement of sorts of what this  
24           strategic plan is going to be?

25                    COMMISSIONER WILLIAMS: I'm

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           sure that there is going to be  
3           discussions on where it's at. I can't  
4           give you all of that detail right now. I  
5           can follow up for you, Councilwoman.

6                    COUNCILWOMAN BROWN: Because  
7           I'm sure District Councilmembers would be  
8           deeply interested in that.

9                    COMMISSIONER WILLIAMS: Indeed.  
10          I will follow up.

11                   COUNCILWOMAN BROWN: Speaking  
12          on the issue of proactive, know that  
13          looking now at young people in the dawn  
14          of their lives, know that we, at the  
15          urging of your staff, are working  
16          carefully to craft amendments that will  
17          properly address the concerns around  
18          being proactive when it comes to  
19          childcare inspections versus reactive,  
20          period, so that we can minimize stories  
21          where young people are walking off  
22          because of whatever is not in place  
23          around annual inspections. So we're  
24          working to craft those amendments. I  
25          want to put that on the record so that

1 4/8/14 - WHOLE - BILL 140144, etc.

2 you are aware of that.

3 COMMISSIONER WILLIAMS: I look  
4 forward to working with your office as  
5 well.

6 COUNCILWOMAN BROWN: All right.  
7 Now to a constituent matter. On Page 1  
8 of your testimony, you stated that the  
9 Department is requesting an increase for  
10 Class 100 funds for the addition of a  
11 number of staff, including five service  
12 representatives to provide additional  
13 support. You also state requesting an  
14 increase in Class 200 to fund and -- to  
15 support a community outreach program.  
16 I'll be interested in knowing what that  
17 public education piece looks like. How  
18 can they help L&I by engaging 3-1-1? And  
19 here's the example or the support case.

20 A few weeks ago one of my  
21 constituent's service reps -- your  
22 constituent -- no; mine -- dealt with a  
23 case where our office reported a vacant  
24 property with falling debris to 3-1-1.  
25 We received a request number, and the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           request was listed as completed within  
3           seven days. However, the request was  
4           closed because an inspector completed the  
5           initial inspection, although the case  
6           needed several subsequent additional  
7           steps on that particular property.

8                        So the question is, do  
9           constituents have a way to track a case  
10          that's been registered? How and can  
11          constituents receive updates on cases  
12          that require more than one step for  
13          completion?

14                       COMMISSIONER WILLIAMS:  
15          Certainly, Councilwoman, that is  
16          certainly a big challenge to be able to  
17          respond back to people to let them know  
18          something is happening with that  
19          property. One way, 3-1-1 is working on a  
20          customer response management program, a  
21          new system to provide better data to the  
22          public in terms of response times and  
23          what the Department has done or is doing.

24                        In our own department, we  
25          renovated or -- I guess the word is



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           recrafted and rebuilt our new website to  
3           provide that data in realtime. So when  
4           there is a property case that's open and  
5           they want to know what's going on with  
6           that property, whether it's at first  
7           inspection, second inspection, sent to  
8           court, you can go on our website by  
9           putting the property address in and it  
10          will tell you the complete history of  
11          violations. It will tell you at what  
12          stage it -- level it's at, and then it  
13          will tell you whether it's been in court  
14          or it's been resolved.

15                    COUNCILWOMAN BROWN: Got you.

16                    COMMISSIONER WILLIAMS: That's  
17           how you can get the detailed information  
18           much further than just calling 3-1-1 and  
19           checking their system. And that's  
20           www.phila.gov/li. That's our website  
21           address.

22                    COUNCILWOMAN BROWN: So it goes  
23           to Councilwoman Bass' question or  
24           concern, this notion of educating,  
25           informing citizens just about the -- it's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           tough for us as members of Council, so I  
3           can only imagine what it is for laypeople  
4           to fully understand the complexity of  
5           your department. Okay. Thank you.

6                        COMMISSIONER WILLIAMS: You're  
7           welcome.

8                        COUNCILWOMAN BROWN: Thank you,  
9           Mr. Chairman.

10                      COUNCIL PRESIDENT CLARKE:  
11           Thank you, Councilwoman.

12                      The Chair recognizes  
13           Councilwoman Bass.

14                      COUNCILWOMAN BASS: Thank you.

15                      Just a couple of questions.  
16           You gave us a chart on Page 3, I think it  
17           was, which really gave us what I thought  
18           was a really good breakdown in terms of  
19           what the performance measures were and  
20           how they actually -- how you quantified  
21           all of the work that you're doing, and  
22           I'm wondering, is it possible to get that  
23           broken down by Council district.

24                      COMMISSIONER WILLIAMS: Oh,  
25           sure.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN BASS: That would  
3 be great.

4 COMMISSIONER WILLIAMS: We will  
5 work to do that. We do that for the  
6 demolitions and the properties. We  
7 certainly will do that as well for that.  
8 That may take a little time for us to  
9 break them down, but we could get that  
10 information for you by district  
11 inspector. We'll do it by district  
12 office.

13 COUNCILWOMAN BASS: That would  
14 be great, so that we know if -- so, for  
15 example, if we look at our goal for this  
16 year is 1,400 for the total number of  
17 properties cleaned and sealed, it would  
18 be great to see how that's distributed,  
19 what does that number look like in the  
20 8th District as opposed to the 1st  
21 District and so on.

22 COMMISSIONER WILLIAMS: Yes.  
23 We certainly can get you that  
24 information.

25 COUNCILWOMAN BASS: That would

1 4/8/14 - WHOLE - BILL 140144, etc.

2 be great.

3 And also with the 26 new  
4 inspectors, can you give us an idea in  
5 terms of what that will translate to in  
6 terms of efficiency for your office.

7 COMMISSIONER WILLIAMS: Sure.

8 They'll primarily be assigned to both the  
9 Emergency Services Unit and the  
10 Compliance Division. Ultimately it will  
11 lead to a 71 percent increase in  
12 reinspections of dangerous properties,  
13 which I talked about earlier. We also  
14 will look at increasing our Construction  
15 Site Task Force numbers by 150 percent.  
16 We currently have six inspectors who  
17 perform 4,000 inspections and issue 1,600  
18 violations for contractors who didn't or  
19 weren't in compliance on a construction  
20 site. And to Councilman Squilla's point  
21 earlier, the greater the oversight, the  
22 less problems that we're going to have.  
23 I think the fines are one thing, but the  
24 other part is that we have to have people  
25 out there who are proactively checking on

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           construction sites to ensure that they're  
3           following the rules in the first place  
4           and then using those fines for those who  
5           are not.

6                        So we have made progress, and I  
7           think with the additional inspectors that  
8           you'll have, you'll see even more. My  
9           office has been getting inundated with  
10          complaints from developers saying that  
11          we're picking on them, but unfortunately  
12          for the benefit of public safety, it's  
13          something that's well overdue.

14                       COUNCILWOMAN BASS: Very good.  
15          Very good.

16                       And also one other quick  
17          question. I know Councilman Oh asked  
18          earlier in terms of the total demolition  
19          budget, and you have about \$3.4 million  
20          left for the remainder of the fiscal  
21          year. It seems like that's a lot left  
22          with only a couple of months left to go  
23          before the end of the year, and there's  
24          certainly no shortage of things to do.

25                       COMMISSIONER WILLIAMS: We're

1 4/8/14 - WHOLE - BILL 140144, etc.

2 going to --

3 COUNCILWOMAN BASS: Do you  
4 think that that's a lot or is this  
5 normally the way it goes?

6 COMMISSIONER WILLIAMS: Well,  
7 no. Normally we'll have it at the  
8 beginning of the fiscal year. Because of  
9 some of the things that I mentioned  
10 earlier, we had to take down that big  
11 church, which ate up a lot of our  
12 funding. We were inundated with a lot of  
13 requests for the concern after the June  
14 5th tragedy and also the winter  
15 conditions. We used up that demolition  
16 fund and at a much faster rate and then  
17 we required a mid-year transfer. And so  
18 we just received the transfer, but we  
19 certainly are going to package those  
20 properties up and to have them bid out  
21 before the end of the fiscal year, so we  
22 don't see any anticipation of losing any  
23 of that funding that was designated to  
24 our department.

25 COUNCILWOMAN BASS: So it's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           about on track, you would say?

3                       COMMISSIONER WILLIAMS:   Yes.  
4           We're under pressure to address them, but  
5           we have larger buildings that we  
6           certainly will use that funding to  
7           address.  We gave you an average of what  
8           it costs for a single-family residential  
9           two-story property, but we have some  
10          properties in both North -- in your  
11          district in North Philadelphia and West  
12          Philadelphia that are three or more  
13          stories that need to be addressed as  
14          well, and we'll certainly utilize that  
15          funding and resources for that.

16                      COUNCILWOMAN BASS:  Okay.  Very  
17          good.  Thank you.

18                      And, lastly, I just wanted to  
19          say I really do appreciate working with  
20          your office, because as so many other  
21          folks have said here, you're always  
22          accessible, we can always get an answer.  
23          I do think that that's -- it's different  
24          from what I experienced in the past.  So  
25          I just really wanted to say how much I

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           appreciate being able to pick up the  
3           phone and actually get an answer or "I'll  
4           get back to you" and you actually do.  
5           You actually do call back and give us the  
6           information that we're looking for. So I  
7           really just wanted to say on record that  
8           I appreciate that.

9                        COMMISSIONER WILLIAMS: Thank  
10          you, Councilwoman.

11                       COUNCILWOMAN BASS: Absolutely.  
12          Thank you.

13                       COUNCIL PRESIDENT CLARKE:  
14          Thank you, Councilwoman.

15                       The Chair recognizes Councilman  
16          Johnson.

17                       COUNCILMAN JOHNSON: Thank you,  
18          Mr. President.

19                       Carlton, I guess this question  
20          is a different direction than dealing  
21          with vacant land and demolition and  
22          demolition of properties, but it's a  
23          prelude to a hearing that Councilman  
24          Curtis Jones will be hosting and  
25          legislation I will be exploring regarding



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the safety of fire stairways and our  
3           City's protocol, criteria in addressing  
4           those buildings that have fire escapes.  
5           And so my question is, one, what is our  
6           criteria and protocol in addressing fire  
7           escapes? Two, when a resident, a tenant,  
8           landlord or someone else reports to L&I  
9           that a property has a faulty fire escape,  
10          what is the process, and then in light of  
11          the incident that took place in my  
12          councilmanic district with the loss of  
13          life of an individual and someone else  
14          being hurt standing on the fire escape.  
15          I know we're going to address this in the  
16          hearing, but I just want to get an  
17          overview of where we're at, your  
18          professional -- and I know we talked  
19          briefly about it. Your professional  
20          expert opinion on how you think it should  
21          be addressed moving forward.

22                        COMMISSIONER WILLIAMS: Sure.  
23           I can tell you about the current process  
24           in which our department gets involved.  
25           Stairways and fire cases and fire escapes

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           are the responsibility of the property  
3           owner to maintain in accordance with the  
4           Property Maintenance Code and the Fire  
5           Code. If we receive a complaint -- it's  
6           complaint driven. So if we receive a  
7           complaint, we will perform a visual  
8           inspection with our Emergency Services  
9           Unit to determine the structural  
10          condition. But our staff does not have  
11          the technical skills to be able to say if  
12          it has certain load-bearing capacities.  
13          And so while it may look safe from a  
14          visual inspection, which our inspectors  
15          will do, only a certified engineer has  
16          that capability to say whether something  
17          can withstand certain weight loads or if  
18          it's safe from its structural appearance.  
19          Our department will come out and look at  
20          things to see if there are broken  
21          fixtures, if there are steps missing, if  
22          the railing is loose. Those things will  
23          require our department, but when you talk  
24          about the high level of skill needed to  
25          determine whether it's completely safe to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           hold people in an event of an emergency,  
3           you're certainly going to have to have  
4           someone who has a higher skill level to  
5           be able to do that type of assessment,  
6           and currently that is a requirement of a  
7           structural engineer.

8                   COUNCILMAN JOHNSON: So when  
9           you do receive those type of complaints,  
10          so what happens? Do y'all contract with  
11          an outside professional engineer to  
12          actually come in and do the assessment?

13                   COMMISSIONER WILLIAMS: Just  
14          like we do with a dangerous building, we  
15          will order it unsafe and order an  
16          engineer's report. That's the  
17          responsibility of the property owner. So  
18          the property owner will have to -- in the  
19          situation following the tragedy is  
20          exactly what we've done. We noticed that  
21          there were obvious apparent structural  
22          conditions, but to repair it in order  
23          where it's fully functional again, they  
24          had to submit an engineer's report to say  
25          this is what steps need to be taken to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           make that structure now safe and usable  
3           again, which is the current intent. So  
4           that's the type of process that we would  
5           need to have in place to ensure that  
6           they're safe in general before they get  
7           into a deteriorated state.

8                   COUNCILMAN JOHNSON: And last  
9           thing, how often do landlords renew their  
10          rental license, and also when we do bring  
11          in the outside professional engineer,  
12          where does that -- what companies do we  
13          contract with to bring in a professional  
14          engineer to say, Let's review this  
15          building, we deem it safe or unsafe?

16                   COMMISSIONER WILLIAMS: Okay.  
17          We do an annual rental registration.  
18          People call it a license, but it's  
19          actually a registration where they have a  
20          certificate from the Department that says  
21          they're zoned to be able to rent this  
22          property in its condition, whether it's a  
23          two-unit, three-unit, six-unit. Whatever  
24          the number of units is, the rental  
25          registration license shows them what they

1 4/8/14 - WHOLE - BILL 140144, etc.

2 can do legally.

3 When it comes down to providing  
4 engineers reports, those usually fall on  
5 the responsibility of the property owner  
6 to select. We don't recommend, because  
7 ultimately we assume the liability if we  
8 do so. So, therefore, it's up to the  
9 property owner to get their own engineer  
10 and bring it to our attention, and they  
11 have to be certified by the state.

12 COUNCILMAN JOHNSON: Thank you.

13 COUNCIL PRESIDENT CLARKE: Are  
14 you good, Councilman?

15 COUNCILMAN JOHNSON: Yes.

16 Thank you, Mr. President.

17 COUNCIL PRESIDENT CLARKE:

18 Thank you.

19 The Chair recognizes Councilman

20 Oh.

21 COUNCILMAN OH: Thank you very  
22 much, Mr. President.

23 My light turned off by itself,  
24 so it's taken me a long time to get that  
25 second part of that, but I hope you

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           remember. Anyway, we were talking about  
3           fire remediation, and you had said that  
4           when the home is insured by a private  
5           insurer, that's taken care of. It's not  
6           at City cost. What about when the  
7           property is not covered by insurance?  
8           That would be paid for by the City; is  
9           that correct?

10                   COMMISSIONER WILLIAMS: If we  
11           took any action to demolish it -- we  
12           don't repair, but we demolish it, we had  
13           to make it safe by taking down any part  
14           or all of the structure, then it falls on  
15           the City's budget, taxpayer dollars, yes.

16                   COUNCILMAN OH: And do we in  
17           any way recoup any of that money?

18                   COMMISSIONER WILLIAMS: Only if  
19           the property is liened and sent either to  
20           Sheriff Sale, and then after all debts  
21           are paid, then the lien process is  
22           considered to reimburse the City. So  
23           that is a -- the Law Department can be  
24           able to tell you in detail how effective  
25           the lien process is, and that's recouping

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           the dollars that are owed from work that  
3           we've done.

4                   COUNCILMAN OH:   Okay.   So the  
5           Law Department would have that, not your  
6           department?

7                   COMMISSIONER WILLIAMS:   Yeah.  
8           Once the work is done, we submit a bill,  
9           and once the bill is not paid, it turns  
10          into a lien against the property.   And at  
11          that point, it becomes another  
12          department's responsibility for  
13          collecting that.

14                   COUNCILMAN OH:   Okay.   Thank  
15          you.

16                   So currently there are 13  
17          contractors for doing the clean and seal,  
18          the demolition?

19                   COMMISSIONER WILLIAMS:   No.  
20          Clean and seal is done in-house.   We have  
21          32 Clean and Seal staff members who go  
22          out and seal up vacant properties.   Only  
23          the demolition work currently is done by  
24          contractors.

25                   COUNCILMAN OH:   And that is put

1 4/8/14 - WHOLE - BILL 140144, etc.

2 out to bid; is that how they're selected?

3 COMMISSIONER WILLIAMS: That's

4 correct.

5 COUNCILMAN OH: Okay. And so

6 when do you put these out to bid? Like

7 the beginning of every fiscal year or

8 periodically?

9 COMMISSIONER WILLIAMS: Right

10 before the beginning of the fiscal year,

11 they have to go through an intense

12 certification process that involves a

13 combination of Law Department,

14 Procurement, and our department, and part

15 of those is to look at their

16 qualifications to make sure that they're

17 bonded and insured, and to make sure that

18 they're tax compliant. Those are some of

19 the things they're looking at, and their

20 level of experience in performing these

21 type of projects in the City before they

22 are then brought on as a contractor for

23 the year, for the fiscal year. So it's

24 done prior to the fiscal year.

25 COUNCILMAN OH: What about fire



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           remediation? Are they also certified and  
3           bonded and selected or is it kind of  
4           whoever shows up at the fire, first come,  
5           first served?

6                    COMMISSIONER WILLIAMS: The  
7           only ones that could perform work ordered  
8           by the City is the ones that have been  
9           registered on our master demolition  
10          program. So when we're coming in and  
11          we're called out on a fire, we do a  
12          curbside bid of those 13 contractors.  
13          Notices are sent out to ask them to bid  
14          on that job, and then they bid right at  
15          the curb of who gets it right there. So  
16          it's not any contractor can come up. It  
17          has to be on that registered list.

18                   COUNCILMAN OH: One of those  
19          13?

20                   COMMISSIONER WILLIAMS: Yes.  
21          That's correct.

22                   COUNCILMAN OH: And so, finally  
23          then, I'm looking at the contracts and I  
24          see that for the M/W/DBE participation,  
25          that there was two contractors, one for

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           \$893,000 and one for \$111,000. So  
3           basically about a million dollars of the  
4           \$10 million went to a minority, woman,  
5           disadvantaged business; is that correct?

6                   COMMISSIONER WILLIAMS: Yes,  
7           but there is -- those are the ones I  
8           believe that are OEO certified, but if  
9           you include the minority contractor who  
10          has a significant amount of the  
11          funding -- our numbers were at 21  
12          percent. If you include that minority  
13          contractor, it goes up to 40 percent, but  
14          we are certainly trying to work with them  
15          to get him OEO certified so that we can  
16          greatly exceed our number, as we have  
17          done in years past.

18                   COUNCILMAN OH: Okay. Thank  
19          you very much. I noticed that one of  
20          them does not appear to be, based on its  
21          name -- I don't want to say the name, but  
22          blank Home Repair, they don't seem to be  
23          like a big company, which I think is very  
24          encouraging that modest-sized businesses  
25          can also bid. Is that correct or is that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           just a name that's misleading, it's  
3           really a huge corporation with like -- it  
4           sounds like a little small business.

5                    COMMISSIONER WILLIAMS: Most of  
6           our residential contractors are small  
7           franchises, small companies, independent  
8           contractors. They're the majority of  
9           them, because the bigger firms, it's hard  
10          for them to compete that way.

11                   COUNCILMAN OH: Right. I'll  
12          have one last question, Mr. President.

13                   COUNCIL PRESIDENT CLARKE: Go  
14          ahead.

15                   COUNCILMAN OH: How do you get  
16          the word out? How do you distribute -- I  
17          think it's great this business can bid  
18          and go through the certification process  
19          and get bonded and all that. Is the word  
20          generally put out so that other  
21          businesses can bid as well?

22                   COMMISSIONER WILLIAMS: I  
23          believe it's announced through normal  
24          Procurement procedures, which may not  
25          always reach everyone as an advertisement

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           would, and I think if that is something  
3           that we want to consider, we can have a  
4           conversation about it.

5                    COUNCILMAN OH: I'll bring it  
6           up with Procurement.

7                    Thank you very much.

8                    COMMISSIONER WILLIAMS:  
9           Absolutely. Thank you, Councilman. I  
10          appreciate it.

11                   COUNCIL PRESIDENT CLARKE:  
12          Thank you, Councilman.

13                    The Chair recognizes Councilman  
14          Jones.

15                    COUNCILMAN JONES: Thank you,  
16          Mr. President.

17                    Very briefly. By way of OSHA  
18          training, you mentioned that you were  
19          assuring that included in -- and we had  
20          some lively discussions about the value  
21          of OSHA training versus what the higher  
22          standard, which I sense is the higher  
23          standard that your staff have, and that  
24          was fairly received, but also the flip  
25          side of that was making sure that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           contractors and their respective staffs  
3           had OSHA-trained individuals on their  
4           site, and I wanted to know how is that  
5           going? And in addition, I think the  
6           standard of safety in Philadelphia is  
7           creating a cottage industry where a  
8           trained workforce, whether it's in the  
9           union halls or the barber shops, actually  
10          are sought after to have this type of  
11          training. And I know we talked about the  
12          public schools being a source of that  
13          type of training, and I wanted to know  
14          how we were doing in that outreach  
15          effort. I noticed we put a little money  
16          aside for that, so I particularly wanted  
17          to know how that was going.

18                           COMMISSIONER WILLIAMS:  
19          Individually I think that all of our  
20          inspectors will have that level of  
21          training in this fiscal year. So that is  
22          our goal, to ensure that they have at  
23          least an OSHA 30 level training, and I  
24          know that there was also a point of  
25          legislation that a percentage of them

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           will receive OSHA 500 training as well.  
3           So we certainly are looking forward to  
4           that.

5                       As far as the public is  
6           concerned, we still need to have a  
7           discussion on how we implement that for a  
8           citywide program. I certainly don't  
9           think our department internal staff has  
10          the capability of providing those  
11          trainings, but I think that a contracted  
12          agency might be able to. And so we  
13          should look at someone who has that  
14          capability of doing that type of training  
15          to be able to provide that.

16                      COUNCILMAN JONES: I appreciate  
17          that in addition, but what I was really  
18          talking about was where we can go to  
19          outlets that provide it. I know the  
20          unions give that training to -- many of  
21          them do to their membership, but I was  
22          also saying for the average person, where  
23          can they go get the OSHA training. I  
24          know it's online, but I wanted it  
25          inculcated into the curriculum.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 For example, Overbrook High  
3 School, my alma mater, has a home repair  
4 program that is a part of their  
5 curriculum. In so, they're doing OSHA  
6 training for the young people so that,  
7 yes, they know how to put up Sheetrock,  
8 drywall, stud out a room, but they also  
9 know how to do it safely, and that  
10 certification will have a value in the  
11 labor force that we want to see  
12 incorporated. So whether you're  
13 contracting with a private entity to  
14 teach Joe and Jannie contractor how to  
15 get OSHA certified or whether you're  
16 working with the public school system to  
17 put it in some of their shop training, I  
18 want to know how you guys are moving on  
19 that.

20 COMMISSIONER WILLIAMS: We  
21 haven't had much progress on that to  
22 date, Councilman, and that's something  
23 that we will certainly look at. We  
24 certainly focused on the critical points  
25 of the legislation that we needed to put

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           in place immediately, but we certainly  
3           want to have a long-term plan to be able  
4           to provide that. I don't have one right  
5           now.

6                    COUNCILMAN JONES: I want to  
7           suggest to you Randolph Skill Center in  
8           the 4th District, Overbrook High School  
9           in the 4th District is available and  
10          waiting for you to take care of that.

11                   COMMISSIONER WILLIAMS: Duly  
12          noted.

13                   COUNCILMAN JONES: And Dobbins.  
14          As well as Dobbins in the 5th District as  
15          well.

16                   Thank you, Mr. Chairman.

17                   COMMISSIONER WILLIAMS: Thank  
18          you.

19                   COUNCIL PRESIDENT CLARKE: And  
20          Bok too, right, Councilman?

21                   COUNCILMAN JOHNSON: We had Bok  
22          until it was merged with South  
23          Philadelphia High School.

24                   COUNCIL PRESIDENT CLARKE:  
25          Bring you back.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JOHNSON: It's  
3 unfortunate, because I am a machinist by  
4 trade, but...

5 COUNCIL PRESIDENT CLARKE: Are  
6 you good, Councilman?

7 COUNCILMAN JONES: Yeah. I'm  
8 fine.

9 COUNCIL PRESIDENT CLARKE:  
10 Thank you.

11 The Chair recognizes  
12 Councilwoman Brown.

13 COUNCILWOMAN BROWN: Okay. So  
14 the Committee did the important work last  
15 year. Recommendations were submitted.  
16 Some have been acted upon. On Page 1 of  
17 your testimony, you state that you  
18 cooperated with the Inspector General's  
19 Office, the Law Department, the grand  
20 jury, the Controller's Office, and the  
21 Mayor's Special Independent Advisory  
22 Commission. You state how also that you  
23 have not received any feedback from those  
24 departments.

25 So with that said, does that

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           still exist today, that you have not  
3           received feedback from those departments,  
4           and have they informed you that any  
5           recommendations from those departments  
6           who have different levels of  
7           responsibility and authority, have they  
8           informed you whether or not they'll be  
9           sending you recommendations?

10                    COMMISSIONER WILLIAMS: Yes,  
11           Councilwoman. The Controller's audit is  
12           still spending. They're still conducting  
13           an audit of our department's demolition  
14           practices and construction practices.  
15           I'm sure that we will hear from the  
16           Controller's Office real soon on the  
17           outcome of their investigation.

18                    The Special Independent  
19           Advisory Commission's recommendations are  
20           due by July 1st. So we will also hear  
21           what the outcomes of those  
22           recommendations are as well.

23                    Grand juries are pending, and  
24           they continue on for long periods of  
25           time. And so at some point, we may hear

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           from the recommendations from the grand  
3           jury as well.

4                        So those are the areas that  
5           there's ongoing matters that will provide  
6           recommendations in the near future.

7                        COUNCILWOMAN BROWN: Okay.  
8           According to L&I -- did we address this  
9           already? So is there a professional  
10          national association of professionals in  
11          your business where folks come together  
12          to examine, learn about best practices  
13          for cities that are similarly situated  
14          where we have X number of imminently  
15          dangerous buildings?

16                        COMMISSIONER WILLIAMS: I think  
17          there are national, federal, state, and  
18          local organizations that we're affiliated  
19          with in the City. Deputy Commissioner  
20          Fink and Maenner can talk about some of  
21          the affiliations that they currently  
22          attend on behalf of the Department. It's  
23          the GBCA, General Builders and  
24          Contractors Association. There is the  
25          BOMA, and I'll let Deputy Commissioner

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Mike Maenner talk about BOMA and the BIA,  
3 which is the Building Industry  
4 Association. Those are local kind of --

5 COUNCILWOMAN BROWN: Yes.

6 COMMISSIONER WILLIAMS: --  
7 industry organizations that frequently  
8 talk about best practices.

9 COUNCILWOMAN BROWN: Yes.

10 That's exactly where I'm heading to.

11 Now, I'm familiar with BOMA because we  
12 worked closely with them on our green  
13 building bill and know well of the good  
14 work of BIA, and that's actually what I'm  
15 getting to. What takeaways -- so you  
16 attend a national meeting of municipal  
17 professionals, and what takeaways exist  
18 that we have not been able to implement  
19 because of lack of dollars? What best  
20 practices are still hanging, but we can't  
21 grab them because of inadequate funding?  
22 That's exactly what I'm getting to.

23 COMMISSIONER WILLIAMS: And one  
24 of the things also on the national level  
25 and the international level, the ICC,

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           which is International Code Council, on  
3           which both members that I stated earlier,  
4           Deputy Commissioners Fink and Maenner,  
5           our members are a part of, that is the  
6           process for how codes are established and  
7           developed. And so those best practices  
8           usually formulate at that level across  
9           the entire world. And so each year they  
10          have an annual convention, which we  
11          attend, to talk about upcoming issues in  
12          the construction industry, not just  
13          demolition but the entire construction  
14          industry as a whole, to talk about code  
15          development and how they become  
16          established and become into municipal  
17          law.

18                        So I don't know the hottest  
19          topics lately, but I will defer to Deputy  
20          Commissioners Fink and Maenner to talk  
21          briefly about those associations and the  
22          fruits of their labor from attending  
23          those conferences as well.

24                        COUNCILWOMAN BROWN: Let me  
25          have two or three that made a difference

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           for who you are as a professional and  
3           that you're able to take and put in place  
4           or execute within the Department.

5                         DEPUTY COMMISSIONER MAENNER:  
6           On the state level, we also belong to  
7           PHRC, and what they do, that's affiliated  
8           with Penn State University.

9                         COUNCILWOMAN BROWN:    Sure.  My  
10          alma mater.

11                        DEPUTY COMMISSIONER MAENNER:  
12          We had this past -- I guess it was about  
13          a month and a half ago, our engineering  
14          staff, Betsy Baldwin and Mick Altmeier  
15          went up there and gave a presentation on  
16          in-fill construction, and they taught  
17          Penn State some of the issues that we  
18          deal with with in-fill construction and  
19          some of the codes, how they impede our  
20          in-fill construction.  So they're also an  
21          advisory to the State Commission.  So  
22          some of those things may get implemented  
23          to make it easier to do in-fill  
24          construction, and that's on the state  
25          level.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 On the national level, both  
3 Mike Fink, I, and many of our inspectors  
4 belong to the International Code Council.  
5 I'm on the Major Jurisdiction Steering  
6 Committee. If you go on ICCsafe.org,  
7 you'll see our presentation for our  
8 vacant strategy, which is shared  
9 internationally. I also belong to -- I'm  
10 the Chairman of the Global Membership  
11 Council, and this past year we had  
12 inspectors come from Abu Dhabi to see our  
13 best practices.

14 COUNCILWOMAN BROWN: Councilman  
15 Jones wants to know what district you  
16 live in.

17 DEPUTY COMMISSIONER MAENNER: I  
18 live in the 4th District and a graduate  
19 of Frankford High School.

20 So they're some of the things  
21 that we take away. When issues occur, we  
22 call other jurisdictions within the Major  
23 Jurisdictions Committee. Hey, what do  
24 you do here? What do you do here? But  
25 I'd like to say that a lot of

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           jurisdictions call us, and a lot of  
3           jurisdictions from around the world call  
4           us. We field calls from Japan, Taiwan,  
5           Abu Dhabi, of course, who just adopted  
6           the international codes. So that's how  
7           we do nationally and internationally.

8                        COUNCILWOMAN BROWN: Okay.  
9           Well, the bell has rung. So when we come  
10          back around, I want to know what we've  
11          taken from other jurisdictions that we  
12          can implement here that address this  
13          prevailing insidious issue of 4,500  
14          unsafe buildings and 600 imminently  
15          dangerous buildings, but we need to wait  
16          until the next round.

17                      COUNCIL PRESIDENT CLARKE:  
18          Councilwoman, it is our hope that we  
19          don't have a next round. So you are  
20          the --

21                      DEPUTY COMMISSIONER MAENNER:  
22          If you look at the ICCsafe.org, ours is  
23          the most aggressive in the country, and  
24          people are coming here to get pointers  
25          from us.



1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN BROWN: So you're  
3 a real leader, if you will. This  
4 department is a real leader in addressing  
5 this issue.

6 DEPUTY COMMISSIONER MAENNER:  
7 Absolutely. We have great staff and  
8 Rebecca Swanson and all our inspectors.  
9 We are really the model for vacant  
10 strategy.

11 COUNCILWOMAN BROWN: Okay. All  
12 right, then. Well, thank you for that.  
13 I just have a couple more questions. We  
14 talked about the qualifications for  
15 building inspectors. Was there  
16 discussion already given to the eCLIPSE  
17 program?

18 COMMISSIONER WILLIAMS: There  
19 was some. We do have our IT Director,  
20 Linda Halcom, who I'd like to ask to come  
21 forward to answer any questions that you  
22 may have directly related to Project  
23 eCLIPSE.

24 COUNCILWOMAN BROWN: I have two  
25 more after that and I'm done,

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Mr. President.

3 (Witness approached witness  
4 table.)

5 MS. HALCOM: Good afternoon.

6 Linda Halcom.

7 COUNCILWOMAN BROWN: Good  
8 afternoon. It is so great to see a woman  
9 at that table.

10 MS. HALCOM: Oh.

11 COUNCILWOMAN BROWN: I couldn't  
12 resist. I'm sorry. I just couldn't  
13 resist. So I thank you very, very much,  
14 Commissioner, for having such a  
15 department that represents Philadelphia.

16 COMMISSIONER WILLIAMS:  
17 Welcome.

18 COUNCILWOMAN BROWN: Okay. So  
19 my question is with regard to the eCLIPSE  
20 program, what is L&I currently doing in  
21 the implementation of that program and  
22 have any services been transferred over  
23 to the new system?

24 MS. HALCOM: We are actively  
25 working. We kicked off January 9th of

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           this year. We have a 12-month timeframe  
3           before the first go live, which will be  
4           business licenses. We've done phase zero  
5           activities, early analysis of data  
6           conversion. We're looking at interface  
7           analysis. We've got our project  
8           governance set up. We have our success  
9           factors defined. So we're putting the  
10          infrastructure of the project in place.  
11          We have a detailed project plan we're  
12          working from. The data conversion should  
13          be done next month. So we're simply  
14          working through the project plan, data  
15          conversion, system requirements spec,  
16          interface analysis, and detailed analysis  
17          for interfacing with some of our key  
18          departments, Department of Revenue,  
19          Streets, OPA.

20                   COUNCILWOMAN BROWN: How does  
21          that help District Councilmembers, this  
22          valuable data that you have? How does  
23          that or how can that or would that assist  
24          District Councilmembers who always want  
25          to be in touch with everything that's

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           happening in their districts?

3                   MS. HALCOM: With the  
4           implementation of eCLIPSE, we'll have  
5           robust reporting capabilities. We'll  
6           have all private, all public data  
7           available.

8                   COUNCILWOMAN BROWN: On the  
9           website?

10                   MS. HALCOM: To be able to log  
11           in. This is a web-based system. So you  
12           can log in. You can create your own  
13           reports with a drag and drop capability.  
14           We can create dashboards for you. It  
15           comes with significant dashboards out of  
16           the box. You'll be able to look at your  
17           Council districts only and just have  
18           good, strong, easy access to the data.  
19           Whereas with the current system, as you  
20           know, we have to engage programmers to  
21           pull the data accurately out of the  
22           database.

23                   COUNCILWOMAN BROWN: Okay. I'm  
24           sure former Councilman Bill Green would  
25           be thrilled to know that the tech world

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           has been infused into the work of L&I  
3           even deeper.

4                         With regards to Dale Carnegie,  
5           on Page 5 of your testimony you discuss a  
6           new vision, mission, and values program  
7           where 30 employees participated in a Dale  
8           Carnegie experience. Discuss that  
9           briefly with some additional detail and  
10          was Dale Carnegie retained as a  
11          professional service class in the service  
12          Class 200 expense?

13                        COMMISSIONER WILLIAMS: Dale  
14          Carnegie did a great job throughout the  
15          years in the Department identifying and  
16          providing leadership training to some of  
17          our inspectors for succession planning  
18          for the future. When I was appointed,  
19          one of the things that I wanted to do was  
20          to establish a new mission and vision for  
21          the Department, and those 30 people that  
22          participated with Dale Carnegie did just  
23          that.

24                        Our vision for the Department  
25          and for the City of Philadelphia is to be

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           your partner in building safety. We  
3           wanted to have greater outreach. All of  
4           the things that I've heard here today was  
5           started, and this was started prior to  
6           June 5th of last year to redesign,  
7           redevelop this department so that we'll  
8           be more accessible to the community.  
9           Inspectors need to know who their block  
10          captains are in the field so that they  
11          know who they are responsible for  
12          addressing issues in their neighborhood.  
13          They established own your own census  
14          tract. I think what's important with  
15          that is that they need in that census  
16          tract, they need to know who the key  
17          leaders in that neighborhood are.

18                        When you talk to people,  
19          Councilwoman, one of the things that I  
20          learned from other departments is they  
21          really didn't understand L&I's practices  
22          and procedures and how to get things  
23          done, and so I think that that was a  
24          shortcoming of this department that I  
25          wanted to change. I wanted inspectors to

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           have better relationships with people so  
3           that there wasn't no secrets and that  
4           there was a full understanding of what  
5           the code means and how you use it to  
6           address bad property owners or vacant  
7           properties in your city. Those  
8           understandings help clarify our mission  
9           and role in the Department so that when  
10          there are safety issues, people know what  
11          to do, how to do it, and who to call, and  
12          when L&I is involved, they understand how  
13          these things happen and occur. So if  
14          there's a court hearing or a zoning issue  
15          or something going in the neighborhood,  
16          these things don't just pop up and say,  
17          L&I didn't tell us. Now you know in  
18          advance how to use the system to go to a  
19          hearing and protest against an illegal or  
20          a bar in your neighborhood who wants to  
21          come up, if that's not what you want, or  
22          a vacant property owner who is constantly  
23          a problematic person. Those testimonies  
24          help when a judge is making a decision to  
25          say, We're going to take that property

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           owner or we're going to force that  
3           property owner to fix and repair. But if  
4           the public doesn't know, then you can't  
5           get their support, and ultimately they  
6           speculate and formulate their own  
7           opinions of L&I being lazy, incompetent  
8           people, which is not the case here.

9                   COUNCILWOMAN BROWN: If you  
10           don't make your case, someone else will  
11           make your case for you.

12                   COMMISSIONER WILLIAMS:  
13           Absolutely.

14                   COUNCILWOMAN BROWN: And seldom  
15           is it based on factual, hard, researched,  
16           documented data.

17                   COMMISSIONER WILLIAMS: That is  
18           correct.

19                   COUNCILWOMAN BROWN: So is that  
20           experience over? Is there a part two to  
21           that, or what?

22                   COMMISSIONER WILLIAMS: Right  
23           now Ms. Bernice Johnson, if she's here,  
24           I'm going to ask another lady to step  
25           forward. She can tell you what we're



1           4/8/14 - WHOLE - BILL 140144, etc.  
2           doing in that aspect. I do have a lot of  
3           other people of different ethnicities,  
4           background, and diversity in the  
5           department who can talk about it.

6                    COUNCILWOMAN BROWN: Oh, we did  
7           the assessment. Congratulations on  
8           having a department that looks like  
9           Philadelphia.

10                   COMMISSIONER WILLIAMS: Thank  
11           you so much. I'll ask Bernice to come up  
12           and tell you what our motto is together.  
13           We've come up with our own motto, and I'm  
14           going to ask her to state for the record  
15           what our motto is in the Department of  
16           License and Inspections.

17                   (Witness approached witness  
18           table.)

19                   MS. JOHNSON: Good afternoon,  
20           Councilwoman Reynolds Brown, members of  
21           Council. Our goal is to get results.  
22           And so what the inspectors -- what I've  
23           been doing is attending community  
24           meetings. I actually have one at 5:30  
25           today. And I've been going to the

1           4/8/14 - WHOLE - BILL 140144, etc.  
2           community meetings and explaining to the  
3           public what our mission is, how the  
4           Department works, what they can expect  
5           from us, how we operate, how we process  
6           complaints, and meeting with individuals  
7           from Streets Department to partner with  
8           them and the block captains so we can  
9           identify problems and situations in the  
10          community. So our goal, as it has always  
11          been, is to get results, but give the  
12          public a better sense of how we operate  
13          and what we do.

14                    COUNCILWOMAN BROWN: You can  
15          never do too much of that ever.

16                    Thank you very much for your  
17          testimony.

18                    Thank you, Commissioner.

19                    Thank you, Mr. President.

20                    COUNCIL PRESIDENT CLARKE:

21          Thank you.

22                    And we have a blank board. So  
23          with that, I would like to thank you very  
24          much for your testimony.

25                    COMMISSIONER WILLIAMS: Thank

1 4/8/14 - WHOLE - BILL 140144, etc.

2 you, Council President.

3 COUNCIL PRESIDENT CLARKE: Keep  
4 doing the good work.

5 COMMISSIONER WILLIAMS: Thank  
6 you, sir.

7 COUNCIL PRESIDENT CLARKE: This  
8 Committee will stand in recess until  
9 Wednesday, April 9th at 10:00 a.m.

10 (Committee of the Whole  
11 recessed at 4:45 p.m.)

12 - - -

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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

(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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